

From: Schimsa, Rebecca <RebeccaSchimsa@gov.sc.gov>
To: Patel, Swati <SwatiPatel@gov.sc.gov>
Veldran, Katherine <KatherineVeldran@gov.sc.gov>
Philpott, Katie <KatiePhilpott@gov.sc.gov>
CC: Pisarik, Holly <HollyPisarik@gov.sc.gov>
Godfrey, Rob <RobGodfrey@gov.sc.gov>
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Subject: York Magistrates - Possible Legal Issue

Holly and I want to put this on everyone's radar for next week:

There was a recent [Herald article](#) regarding Senator Hayes "unilaterally transferring" the appointment of Magistrate Stephanie Wood (appointed to At-Large position in 2015) to the position held by retiring Magistrate Bob Davenport (appointed to Catawba-Ebenezer Township position in XXX). **In the article, Senator Hayes states that because Wood is already a sitting magistrate, her appointment requires no additional approval by lawmakers or the Governor—we may disagree.**

There are a few legal issues at play:

- Whether Davenport's resignation is effective, because it must be tendered to and accepted by the Governor;
- Whether Hayes can "unilaterally transfer" a Magistrate appointment from an "At-Large Position" to a "Township Position", because the statutes require a magistrate to hold the same compensation and same work location throughout the term.

We would like to discuss taking the following actions:

- Katie – Call Terry Leverette to ask how often "transfers" have occurred.
- Veldran – Call Senator Hayes to get additional background.
- Possibly request an AG Opinion to clarify the issue.

We'll follow up with everyone next week. Thanks.