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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.