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Date: 10/19/2015 2:33:40 PM
Subject: Dorchester County Chief Magistrate/Coroner position

Ladies and Gentlemen -

FYI -

Prior to the commencement of preliminary hearings on Friday afternoon, October 16, 2015, one of the Dorchester County Public Defenders (Michelle Williams) informed me that she had been instructed to make an oral motion prior to the commencement of the docket, asking that I recuse myself from all criminal proceedings in our county. She further stated that she had been instructed to do so today on the record in open court (where we had 33 cases on the docket, numerous inmates, victims, private attorneys, deputies, investigators, etc., in attendance).

The ground for her motion was that, by serving in both capacities, I am illegally/unconstitutionally engaging in "dual office holding." Further, she alleged an inherent conflict between the duties of each position, since, she stated, the coroner is charged with "investigating crimes" (I quickly corrected her, since she was clearly mistaken about the coroner's statutory duties).

I listened patiently to her motion. I responded that essentially immediately after receiving Governor Haley's Executive Order suspending Christopher Nisbet, I spoke with Court Administration to inquire about the dual office holding issue, and was assured that it was not (in light of S.C. Section 17-5-50(B).) I previously discussed this very issue with County Attorney Frampton even before Mr. Nisbet was suspended (anticipating the issue).

I therefore denied her motion. She then informed me that her office intended to file a formal complaint with the Office of Judicial Conduct.

Ms. Williams was the only Public Defender in court on October 16, since all the others (normally at least 3 - 4 appear) were held up in General Sessions (on Friday afternoon?)

I NEVER EVER dreamed that I would be appointed as interim coroner. However, I am committed to serving as the law requires me to do. Both the Magistrate Court Judges/Staff and the Coroner's staff (as well as law enforcement) have been overwhelmingly supportive, and I am truly grateful. Together, we will all make this work. Our citizens deserve no less.

Maybe Clare Boothe Luce was right....no good deed ever goes unpunished.....

Katrina Patton