

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE MATTER OF:
COMPLAINT C2019-101

Samuetta Marshall,
Appellant.

State Ethics Commission,
Respondent.

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BEFORE THE STATE ETHICS COMMISSION

APPEAL ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Request for an Appeal filed by Samuetta Marshall (Appellant) to appeal the Decision and Order (Decision) of the Commission Hearing Panel (Hearing Panel) issued July 15, 2021. Present at the Appeal Hearing on November 18, 2021, were Commissioners Donald Gist, Scott E. Frick, Brandolyn Thomas Pinkston, and AJ Holloway.¹ Appellant appeared virtually and was represented by Thomas Sims, Esq. and the Commission was represented by Courtney M. Laster, Esq.

FACTS

On June 17, 2021, pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (the Act), the Hearing Panel received testimony in the above-captioned complaint charging Appellant with the following: (1) failure to timely file a 2016 Pre-Election Campaign Disclosure Report (CDR) in violation of Section 8-13-1308(D); (2) failure to timely file a 2017 Statement of Economic Interests (SEI) in violation of Section 8-13-1140; (3) failure to timely file a 2018 SEI in violation of Section 8-13-1140; (4)

¹ Commissioners Pinkston and Holloway appeared virtually. Pursuant to S.C. Code Regs. 52-805, Commissioners Don Jackson and Childs Cantey Thrasher recused because they served on the original Hearing Panel. Commissioner Brian M. Barnwell, chair of the original Hearing Panel, was absent.

Appeal Order
Samuetta Marshall, C2019-101
Page 2 of 3

failure to timely file a 2019 SEI in violation of Section 8-13-1140; and (5) failure to disclose a campaign contribution on a 2016 Initial CDR in violation of Section 8-13-1308(F). Ultimately, the Hearing Panel found Appellant in violation of all five (5) counts and assessed a late-filing penalty of \$20,000 (\$5,000 for each late filed report), a civil penalty of \$2,000 (for the failure to disclose a campaign contribution on a 2016 Initial CDR), and an administrative fee of \$600, for a total of \$22,600. The Hearing Panel ordered that this amount be paid to the Commission within thirty (30) days. Appellant timely filed a request for an appeal.

The Appellant now asks the Appellate Panel for a reduction of the assessed penalties and fees. Appellant does not dispute liability and admits responsibility for her failure to comply with the requirements of the Act. Appellant only asks that the amount assessed be reduced and/or that the time period for repayment be extended.

DECISION

NOW, based on the information presented by the Appellant, the Appellate Panel affirms the Hearing Panel's Decision and Order with regard to liability and responsibility, but modifies the assessment of fines and penalties as follows:

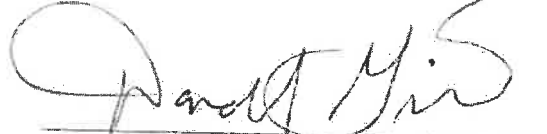
Appellant Samuetta Marshall is hereby assessed a reduced late-filing penalty of \$17,000 to be paid in monthly installments of \$3,400 on the 15th day of each month for five (5) months, beginning on January 15, 2021. Failure to make any monthly payment on time will result in the total penalty amount owed reverting to \$22,600. Pursuant to Section 8-13-320 of the Act, if any monthly payment is not made on time, a judgment in the amount of \$22,600 shall be entered against Respondent. In the event of a failure to pay, upon the Commission's filing of said Judgment with the Orangeburg County Clerk of Court's Office, the Clerk of Court shall enter this

Order in the amount of \$22,600 in its Judgment Rolls, without cost to the Commission.

FINALLY, in accordance with Section 8-13-320(10)(m), this review is the final disposition of this matter before the Commission.

AND IT IS SO ORDERED THIS 3rd DAY OF December 2021.

STATE ETHICS COMMISSION

A handwritten signature in dark ink, appearing to read "Donald Gist", is written over a horizontal line.

DONALD GIST, APPELLATE PANEL
CHAIR

Columbia, South Carolina

