

State of South Carolina

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Deputy Executive Director
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State Election Commission

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August 19, 2008

Mr. Karl S. Bowers, Jr.
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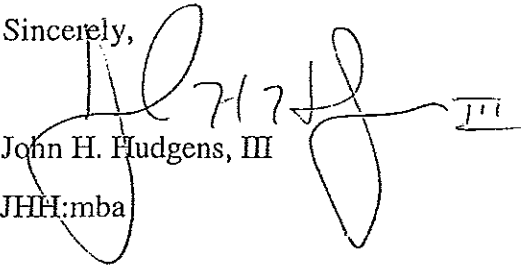
Dear Mr. Bowers:

I am writing in response to your letter dated August 15, 2008 to Ms. Marci Andino concerning the "Matter of Protest of Collins' Petition for Candidacy." The Election Commission meeting at which Arthur Bryngelson and others were permitted to speak was not a protest hearing. The Election Commission has no statutory authority to hear a protest concerning the filing of a petition. Under the rules governing protests, only candidates have standing to file a protest. The Commission conducted the meeting for the sole purpose of permitting interested parties to be heard on this matter.

During the meeting held on August 12, 2008 to hear the concerns of Mr. Bryngelson and others, the Commission upheld the decision of the staff to accept Mr. Collins' petition following a review of the petition format and a review of signatures by the county election commission pursuant to South Carolina Code Sections 7-11-80 and 7-11-85. In view of the fact that no motion was made to overturn that decision, the Commission did not change the staff decision.

We appreciate your petition and your clear and concise presentation of the concerns of your clients. Having concluded in the August 12 meeting that these issues did not merit changing the staff decision, the Election Commission declines to reconsider the staff decision in this matter.

Sincerely,


John H. Hudgens, III

JHH:mba