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STATE ETHICS COMMISSION

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2013-061 )  
STATE ETHICS COMMISSION, )  
Complainant; )  
vs. )  
Earl Gethers, )  
Respondent. )

**DECISION AND ORDER**

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2012), the State Ethics Commission reviewed the above captioned complaint on January 16, 2013 charging the Respondent, Earl Gethers, with a violation of Section 8-13-1140. Present at the meeting were Commission Members Phillip Florence, Jr., Chair, E. Kay Biernann Brohl, JB Holeman, Jonathan H. Burnett and Richard H. Fitzgerald. The following allegation was considered:

**ALLEGATIONS**

On November 1, 2012 the State Ethics Commission filed a complaint against Earl Gethers, Board member, Hampton County Registration Board. The complaint alleged that the Respondent failed to file a 2012 Statement of Economic Interests (SEI) statement.

**FINDINGS OF FACT**

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent was a member of the Hampton County Registration Board, which is a position required to file an annual SEI.
2. On November 21, 2012 it was determined through a representative of the Hampton County Board of Election and Registration that the Respondent was put into a

nursing home prior to April 15, 2012. However, he did not submit a letter of resignation until October 2012.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Commission concludes, as a matter of law:

1. The Respondent was a public official as defined by Section 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. In accordance Reg. 52.601 (D), "A person required to file a Statement who is no longer in office on April 15 of the year following the first filing, is not required to file an updated Statement."

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Earl Gethers, violated Section 8-13-1140. The Commission has therefore dismissed the charges in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder.

IT IS SO ORDERED THIS 19<sup>th</sup> DAY OF February, 2013.  
STATE ETHICS COMMISSION

  
PHILLIP FLORENCE, JR.  
CHAIRMAN

COLUMBIA, SOUTH CAROLINA