

# STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2022-098

STATE ETHICS COMMISSION  
RECEIVED AUG 31 '22 AM 11:12:

## COMPLAINT FORM

**COMPLAINANT:** State Ethics Commission  
**ADDRESS:** 201 Executive Center Drive  
Suite 150  
Columbia, SC 29210  
**TELEPHONE NUMBER:** (803) 253-4192

**RESPONDENT:** David Linder  
**ADDRESS:** [REDACTED]  
**TELEPHONE NUMBER:** [REDACTED]  
**TITLE:** Candidate – Colleton County Council

Section 8-13-1302 of the South Carolina Code Ann., 1976, as amended, requires that all candidates maintain a record of campaign contributions, expenditures, all receipted bills, canceled checks, or other proof of payment for each expenditure and the occupation of each person making a contribution for a period of four years. South Carolina Code of Regulations, Reg. 52-501.D requires that campaign records must be made available to the State Ethics Commission upon request. Respondent failed to provide the occupation of Nicole D. Garris as reported on the Quarter 3 2018 Campaign Disclosure.

Section 8-13-1308, S.C. Code Ann., 1976, as amended, requires candidates to file Campaign Disclosures within ten (10) days of receiving or expending \$500; fifteen (15) days prior to each election; within ten (10) days of the end of each quarter; and a final report when the campaign account is closed. In addition, certified campaign reports detailing campaign contributions and expenditures must contain the total of contributions accepted, the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate or committee, and the name and address of each person to whom an expenditure is made from campaign funds. Pursuant to Section 8-13-1362 and Regulation 52-504 (C), the Pre-Election and quarterly report are required even when there have been no contributions or expenditures.

Records of the State Ethics Commission indicate that a quarterly Campaign Disclosure was due no later than April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, October 10, 2021, January 10, 2022, April 10, 2022, and July 10, 2022 in the 2018 election cycle. Respondent was sent an email reminder thirty days before each quarterly Campaign Disclosure deadline.

For the June 14, 2022 election cycle, an Initial Campaign Disclosure was due by April 3, 2022 and a Pre-Election Campaign Disclosure was due between May 25, 2022 and May 30, 2022.

Section 8-13-1348 of the South Carolina Code of laws, 1976, as amended, prohibits a candidate from using campaign funds to defray personal expenses which are unrelated to the campaign. According to the Quarterly 3 2018 Campaign Disclosure, the Respondent made twelve expenditures to Citgo described as "Fuel for Campaign". The Respondent was notified on April 29, 2022 to provide mileage logs in connection with campaign travel or reimburse his campaign account from personal funds. To date, the Respondent has not provided a mileage log or reimbursed his campaign account.

Section 8-13-1356 (A), SC Code Ann., 1976, as amended, requires a candidate, who files a statement of intention of candidacy seeking nomination by a political party primary or political party convention, must electronically file a Statement of Economic Interests for the preceding calendar year prior to the close of filing for the office. Records in the State Ethics Commission indicate that the Respondent was required to file the 2022 Statement of Economic Interests as a candidate in the June 14, 2022 election.

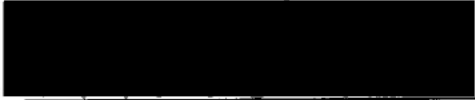
Respondent was reminded of some of the filing requirements by a certified letter dated April 29, 2022 as described in the attached. To date, no properly completed Initial, Pre-Election, Quarter 1 2019, Quarter 2 2019, Quarter 3 2019, Quarter 4 2019, Quarter 1 2020, Quarter 2 2020, Quarter 3 2020, Quarter 4 2020, Quarter 1 2021, Quarter 2 2021, Quarter 3, 2021, Quarter 4, 2021, Quarter 1, 2022, or Quarter 2 2022 Campaign Disclosure have been received. All in violation of Section 8-13-1302, Section 8-13-1308(A), Section 8-13-1308(B), Section 8-13-1308(D)(1), Section 8-13-1308 (F), Section 8-13-1348, Section 8-13-1356(A), S.C. Code Ann., 1976, as amended.

If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record.

STATE OF SOUTH CAROLINA  
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this  
31<sup>st</sup> day of August, 2022



Meghan L. Walker, Executive Director

Notary Public for South Carolina  
My Commission expires 01/22/24

SEC-7 (Revised 3/2022)

**REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192**  
**ELECTRONIC COPIES WILL NOT BE ACCEPTED**

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STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
Complaint C2022-098 )  
State Ethics Commission )  
Complainant. )  
David Linder )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**NOTICE OF HEARING**

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, August 15, 2024 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

**COUNT ONE**  
**FAILURE TO FILE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F)(1), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 4, 2018 cash contribution in the amount of \$200.00, in violation of Section 8-13-1308(F)(1).

**COUNT TWO**  
**FAILURE TO FILE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F)(1), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to

report a November 1, 2018 personal contribution in the amount of \$1,000.00, in violation of Section 8-13-1308(F)(1).

**COUNT THREE**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 9, 2018 expenditure to ABC Trophies Summerville in the amount of \$29.96, in violation of Section 8-13-1308(F)(3).

**COUNT FOUR**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 16, 2018 expenditure to ABC Trophies Summerville in the amount of \$242.36, in violation of Section 8-13-1308(F)(3).

**COUNT FIVE**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 31, 2018 expenditure to The Colletonian in the amount of \$180.00, in violation of Section 8-13-1308(F)(3).

**COUNT SIX**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 6, 2018 expenditure by check #1007 in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT SEVEN**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 7, 2018 expenditure to Nancy Lockhart in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT EIGHT**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 8, 2018 expenditure to Carrie McCray in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT NINE**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 8, 2018 expenditure to Lawrence Livingston in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT TEN**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 9, 2018 expenditure to Peggy Hammond in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT ELEVEN**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to

report a November 13, 2018 expenditure to Tiffany Leaf in the amount of \$100.00, in violation of Section 8-13-1308(F)(3).

**COUNT TWELVE**  
**EXCEEDING CASH WITHDRAW LIMIT**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, write a check in the amount of \$449.57 payable to “cash,” in violation of Section 8-13-1348.

**COUNT THIRTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on September 10, 2018 at EnMark Branchville in the amount of \$43.51, in violation of Section 8-13-1348.

**COUNT FOURTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on September 12, 2018 at Citgo Walterboro in the amount of \$25.32, in violation of Section 8-13-1348.

**COUNT FIFTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 9, 2018 at Citgo Walterboro in the amount of \$43.04, in violation of Section 8-13-1348.

**COUNT SIXTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 11, 2018 at Citgo Walterboro in the amount of \$30.01, in violation of Section 8-13-1348.

**COUNT SEVENTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 15, 2018 at Citgo Walterboro in the amount of \$20.00, in violation of Section 8-13-1348.

**COUNT EIGHTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 16, 2018 at Citgo Walterboro in the amount of \$20.01, in violation of Section 8-13-1348.

**COUNT NINETEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 16, 2018 at Citgo Walterboro in the amount of \$25.00, in violation of Section 8-13-1348.

**COUNT TWENTY**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 23, 2018 at Citgo Walterboro in the amount of \$30.00,

in violation of Section 8-13-1348.

**COUNT TWENTY-ONE**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 2, 2018 at Circle K in the amount of \$50.00, in violation of Section 8-13-1348.

**COUNT TWENTY-TWO**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 5, 2018 at Citgo Walterboro in the amount of \$25.00, in violation of Section 8-13-1348.

**COUNT TWENTY-THREE**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 8, 2018 at Shell Oil in the amount of \$50.00, in violation of Section 8-13-1348.

**COUNT TWENTY-FOUR**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 9, 2018 at Citgo Walterboro in the amount of \$25.00, in violation of Section 8-13-1348.

**COUNT TWENTY-FIVE**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 13, 2018 at Citgo Walterboro in the amount of \$26.08, in violation of Section 8-13-1348.

**COUNT TWENTY-SIX**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 13, 2018 at Quick Store Smoaks in the amount of \$30.02, in violation of Section 8-13-1348.

**COUNT TWENTY-SEVEN**  
**FAILURE TO FILE A STATEMENT OF ECONOMIC INTERESTS REPORT**  
**SECTION 8-13-1356, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to file 2022 Statement of Economic Interests Report, in violation of Section 8-13-1356.

**COUNT TWENTY-EIGHT**  
**FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE**  
**SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED**

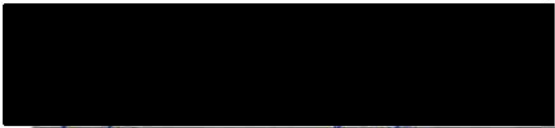
That David Linder, candidate for Colleton County Council, did in Richland County, fail to file 2022 Pre-Election Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(D)(1).

**COUNT TWENTY-NINE**  
**FAILURE TO FILE AN INITIAL CAMPAIGN DISCLOSURE**  
**SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to file 2022 Initial CDR, in violation of Section 8-13-1308(D)(1).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976, as amended, the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 20<sup>th</sup> day,  
of May 2024.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT David Linder, 1344 Gar Road, Smoaks, SC 29481 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 23<sup>rd</sup> day of May 2021, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.



Columbia, South Carolina

**Rachael O'Bryan, Administrative Assistant**  
State Ethics Commission (803) 253-4192

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
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BEFORE THE STATE ETHICS COMMISSION

**AMENDED  
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The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, April 17, 2025 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

**COUNT ONE**  
**FAILURE TO FILE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F)(1), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 4, 2018 cash contribution in the amount of \$200.00, in violation of Section 8-13-1308(F)(1).

**COUNT TWO**  
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**SECTION 8-13-1308(F)(1), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to

report a November 1, 2018 personal contribution in the amount of \$1,000.00, in violation of Section 8-13-1308(F)(1).

**COUNT THREE**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 9, 2018 expenditure to ABC Trophies Summerville in the amount of \$29.96, in violation of Section 8-13-1308(F)(3).

**COUNT FOUR**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 16, 2018 expenditure to ABC Trophies Summerville in the amount of \$242.36, in violation of Section 8-13-1308(F)(3).

**COUNT FIVE**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
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That David Linder, candidate for Colleton County Council, did in Richland County, fail to report an October 31, 2018 expenditure to The Colletonian in the amount of \$180.00, in violation of Section 8-13-1308(F)(3).

**COUNT SIX**  
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**COUNT SEVEN**  
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**COUNT EIGHT**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 8, 2018 expenditure to Carrie McCray in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT NINE**  
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**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 8, 2018 expenditure to Lawrence Livingston in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT TEN**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to report a November 9, 2018 expenditure to Peggy Hammond in the amount of \$50.00, in violation of Section 8-13-1308(F)(3).

**COUNT ELEVEN**  
**FAILURE TO FILE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F)(3), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to

report a November 13, 2018 expenditure to Tiffany Leaf in the amount of \$100.00, in violation of Section 8-13-1308(F)(3).

**COUNT TWELVE**  
**EXCEEDING CASH WITHDRAW LIMIT**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, write a check in the amount of \$449.57 payable to “cash,” in violation of Section 8-13-1348.

**COUNT THIRTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on September 10, 2018 at EnMark Branchville in the amount of \$43.51, in violation of Section 8-13-1348.

**COUNT FOURTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on September 12, 2018 at Citgo Walterboro in the amount of \$25.32, in violation of Section 8-13-1348.

**COUNT FIFTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 9, 2018 at Citgo Walterboro in the amount of \$43.04, in violation of Section 8-13-1348.

**COUNT SIXTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 11, 2018 at Citgo Walterboro in the amount of \$30.01, in violation of Section 8-13-1348.

**COUNT SEVENTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 15, 2018 at Citgo Walterboro in the amount of \$20.00, in violation of Section 8-13-1348.

**COUNT EIGHTEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 16, 2018 at Citgo Walterboro in the amount of \$20.01, in violation of Section 8-13-1348.

**COUNT NINETEEN**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 16, 2018 at Citgo Walterboro in the amount of \$25.00, in violation of Section 8-13-1348.

**COUNT TWENTY**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on October 23, 2018 at Citgo Walterboro in the amount of \$30.00,

in violation of Section 8-13-1348.

**COUNT TWENTY-ONE**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 2, 2018 at Circle K in the amount of \$50.00, in violation of Section 8-13-1348.

**COUNT TWENTY-TWO**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 5, 2018 at Citgo Walterboro in the amount of \$25.00, in violation of Section 8-13-1348.

**COUNT TWENTY-THREE**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 8, 2018 at Shell Oil in the amount of \$50.00, in violation of Section 8-13-1348.

**COUNT TWENTY-FOUR**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 9, 2018 at Citgo Walterboro in the amount of \$25.00, in violation of Section 8-13-1348.

**COUNT TWENTY-FIVE**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 13, 2018 at Citgo Walterboro in the amount of \$26.08, in violation of Section 8-13-1348.

**COUNT TWENTY-SIX**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, use campaign funds to purchase fuel on November 13, 2018 at Quick Store Smoaks in the amount of \$30.02, in violation of Section 8-13-1348.

**COUNT TWENTY-SEVEN**  
**FAILURE TO FILE A STATEMENT OF ECONOMIC INTERESTS REPORT**  
**SECTION 8-13-1356, S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to file 2022 Statement of Economic Interests Report, in violation of Section 8-13-1356.

**COUNT TWENTY-EIGHT**  
**FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE**  
**SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED**

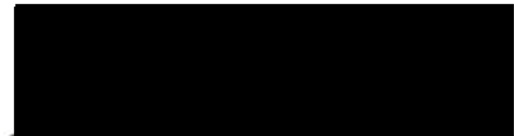
That David Linder, candidate for Colleton County Council, did in Richland County, fail to file 2022 Pre-Election Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(D)(1).

**COUNT TWENTY-NINE**  
**FAILURE TO FILE AN INITIAL CAMPAIGN DISCLOSURE**  
**SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED**

That David Linder, candidate for Colleton County Council, did in Richland County, fail to file 2022 Initial CDR, in violation of Section 8-13-1308(D)(1).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976, as amended, the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 12<sup>th</sup> day,  
of May 2024.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **AMENDED NOTICE OF HEARING** was duly served on the RESPONDENT'S ATTORNEY Steven Dean Murdaugh, 402 Robertson Road, Walterboro, SC 29488 by depositing said **AMENDED NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 16<sup>th</sup> day of August 2024, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.

  
**Rachael O'Bryan, Administrative Assistant**

State Ethics Commission

(803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2022-098 )  
State Ethics Commission, )  
Complainant, )  
David Linder, )  
Respondent. )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on August 31, 2022. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against David Linder (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to entry of the following:

**STATEMENTS OF FACT**

1. Respondent was an unsuccessful candidate for Colleton County Council (Council) in a November 6, 2018 general election.
2. Prior to the filing of the Complaint, Respondent's most recently filed Campaign Disclosure Report (CDR) was a Quarter 4 2018 CDR wherein Respondent disclosed \$456.05 in on-hand contributions. Respondent thereafter failed to file any additional CDRs.
3. On March 23, 2022, Respondent filed a Statement of Intention of Candidacy and Party Pledge announcing his candidacy for Council in an upcoming June 14, 2022 primary election.
4. On March 24, 2022, Respondent paid a filing fee of \$550.89.
5. Respondent failed to file a 2022 Statement of Economic Interests (SEI) as a partisan candidate prior to the close of filing for the office, which was on March 30, 2022.
6. In an April 29, 2022 certified letter, the Commission notified Respondent of his failure to file thirteen (13) CDRs related to his 2018 election cycle, from Quarter 1 2019 through Quarter 1 2022.

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14. On April 11, 2025, Respondent filed the required Initial CDR and Pre-Election CDR.

15. On April 15, 2025, Respondent filed the 2022 SEI.

### CONCLUSIONS OF LAW

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

1. At all times relevant, Respondent was a candidate pursuant to Section 8-13-1300(4). Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1308 provides, in relevant part:

(A) Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling an accumulated aggregate of five hundred dollars or more, a candidate or committee required to file a statement of organization pursuant to Section 8-13-1304(A) must file an initial certified campaign report within ten days of these initial receipts or expenditures. However, a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election.

...

(D)(1) At least fifteen days before an election, a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee for the period ending twenty days before the election. The candidate or committee must maintain a current list during the period before the election commencing at the beginning of the calendar quarter of the election of all contributions of more than one hundred dollars and expenditures. The list must be open to public inspection upon request.

3. Section 8-13-1356(A) provides:

A person who becomes a candidate by filing a statement of intention of candidacy seeking nomination by political party primary or political party convention must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 prior to the close of filing for the particular office.

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the finding of probable cause, Commission staff learned that Respondent had a separate campaign bank account for his 2022 election. A review of these records, along with Respondent's CDRs, revealed Respondent opened his 2022 campaign bank account by depositing \$250.00 in personal funds on May 18, 2021. Respondent subsequently deposited an additional \$500.00 into his 2022 campaign bank account on May 21, 2021. Pursuant to Section 8-13-1308(A), Respondent was therefore required to file the Initial CDR on or before June 1, 2021, which he failed to do.

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4. Section 8-13-1348 provides, in relevant part:

(A) No candidate, committee, public official, or political party may use campaign funds to defray personal expenses which are unrelated to the campaign or the office if the candidate is an officeholder nor may these funds be converted to personal use . . .

...

(F) A candidate or a duly authorized officer of a committee may not withdraw more than one hundred dollars from the campaign account to establish or replenish a petty cash fund for the candidate or committee at any time, and at no time may the fund exceed one hundred dollars. Expenditures from the petty cash fund may be made only for office supplies, food, transportation expenses, and other necessities and may not exceed twenty-five dollars for each expenditure.

5. Section 8-13-1510(A) provides:

... a person required to file a report or statement under this chapter who files a late statement or report . . . must be assessed a civil penalty as follows: (1) a fine of one hundred dollars if the statement or report is not filed within five days after the established deadline provided by law in this chapter; and (2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

6. Section 8-13-320 allows the Commission to require a civil penalty of up to \$2,000.00 for each violation of the Ethics Act.

7. Section 8-13-130 allows the Commission to "levy an enforcement or administrative fee on a person who is in violation" of the Ethics Act.

#### DISCUSSION

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-1348(F) for writing a \$449.57 check payable to "cash" when he closed his 2018 campaign bank account; fourteen (14) counts of violating Section 8-13-1348(A) for spending a total of \$442.99 in campaign funds to purchase fuel rather than maintaining a mileage log; one (1) count of violating Section 8-13-1356(A) for failing to file a 2022 SEI prior to March 30, 2022, which was the close of filing for the office; one (1) count of violating Section 8-13-1308(A) for failing to file an Initial CDR;

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and one (1) count of violating Section 8-13-1308(D) for failing to file a 2022 Pre-Election CDR.<sup>2</sup>

Through this Consent Order, Respondent acknowledges he violated the Ethics Act as described herein. In mitigation, Respondent states that the 2018 election cycle was his first run for public office and that he was not aware of all the Commission's filing requirements. Respondent further states that he did not know that using campaign funds for fuel and closing out the campaign bank account by writing a check to cash were prohibited. Respondent states his 2018 election cycle was primarily self-funded and he believed he was permitted to pay himself back for the money he gave to his campaign. With regard to the 2022 election cycle, Respondent states that he contracted Covid-19 in 2022, which led to a months-long hospitalization, after which he was admitted to a rehabilitation facility for many weeks. Respondent further states that he was unable to live alone following his discharge from the rehabilitation facility, which required him to live with a friend for several months before being able to return to his residence. Respondent states that he was overwhelmed when he was finally able to return to his home and this caused him to overlook the Commission's October 21, 2022 correspondence.

#### DISPOSITION

1. The Commission hereby finds Respondent in violation of the Ethics Act as set forth herein.
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues a Public Reprimand and orders the Respondent to pay the Commission, within eighteen (18) months from receipt of this Order: a reduced late-filing penalty of \$300.00 (\$100.00 per report) and an administrative fee of \$500.00, for a total of \$800.00. The Commission declines to assess civil penalties for the violations of Section 8-13-1348 in

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<sup>2</sup> Respondent was also charged with failing to disclose contributions and expenditures in violation of Section 8-13-1308(F). However, because Respondent has since disclosed all contributions and expenditures, the Commission declines to proceed as to these counts.

*O.J.*  
*2024*

consideration of the aforementioned mitigation and Respondent entering into this Consent Order.

The Commission further orders Respondent to pay \$892.56 (\$449.57 for the campaign funds converted to personal use, and \$442.99 for the fuel purchases) to the Children's Trust Fund and to remit proof of such payment to the Commission with eighteen (18) months from the receipt of this Order. Should the Respondent fail to timely remit proof of payment or should the Respondent fail to timely pay the Commission, the Commission shall assess an additional civil penalty of \$2,000.00.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$3,692.56 (less any money paid to the Commission) in the event he does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$3,692.56 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.<sup>3</sup>

AND IT IS SO ORDERED THIS 17<sup>TH</sup> DAY OF APRIL 2025.

STATE ETHICS COMMISSION

Neal D. Truslow, Vice-Chair

DAVID LINDER  
RESPONDENT

STEVEN D. MURDAUGH  
RESPONDENT'S ATTORNEY

<sup>3</sup> Other instances of noncompliance not discussed herein are not impacted by this Consent Order.