

STATE ETHICS COMMISSION
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STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022-154

COMPLAINT FORM

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

RESPONDENT: Samuetta V. Marshall
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Coroner – Orangeburg County

Section 8-13-1120, SC Code Ann., 1976, as amended, requires disclosure of the source, type, and amount of income from a governmental entity and a listing of the private source and type of any income received by the filer or a member of the filer's immediate family during the reporting period. Respondent has not disclosed her private source of income on the 2019, 2020, and 2021 Statement of Economic Interests.

Section 8-13-1140, SC Code Ann., 1976, as amended, requires the filing of an updated Statement of Economic Interests for the previous calendar year annually thereafter prior to March 30. Records in the State Ethics Commission indicate that the Respondent was required to file the 2022 Statement of Economic Interests.

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 an Initial Campaign Disclosure was due no later March 26, 2020 and a Pre-Election Campaign Disclosure was due between October 14, 2020 and October 19, 2020.

Respondent was reminded of the filing requirements by a certified letter dated April 27, 2020 as described in the attached. To date, a properly completed 2019 Statement of Economic Interests, 2020 Statement of Economic Interests, 2021 Statement of Economic Interests, 2022 Statement of Economic Interests, Initial Campaign Disclosure, or Pre-Election Campaign Disclosure have not been received. All in violation of Section 8-13-1120, Section 8-13-1140, Section 8-13-1308(A), Section 8-13-1308(D)(1), and Section 8-13-1308 (F), 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 23rd day of November, 2022

[REDACTED]
Meghan L. Walker, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires 01/22/26

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2022-154)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
Samuetta V. Marshall)	
Respondent.)	
_____)	

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 AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file a 2020 Initial Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(A).

COUNT TWO
FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file 2020 Quarter 1 CDR, in violation of Section 8-13-1308(B).

COUNT THREE
FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file 2020 Quarter 2 CDR, in violation of Section 8-13-1308(B).

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

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file 2020 Quarter 3/Pre-Election CDR, in violation of Section 8-13-1308(D)(1).

COUNT FIVE
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1356, S.C. CODE ANN., 1976, AS AMENDED

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file 2020 Statement of Economic Interests (SEI) as a partisan candidate, in violation of Section 8-13-1356.

COUNT SIX
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file 2022 SEI, in violation of Section 8-13-1140.

COUNT SEVEN
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file 2023 SEI, in violation of Section 8-13-1140.

COUNT EIGHT
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Samuetta V. Marshall, Coroner of Orangeburg County, did in Richland County, fail to file 2024 SEI, in violation of Section 8-13-1140.

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.

Dated this 11th day,
of December 2024.


Meghan Walker Dayson, Executive Director
State Ethics Commission

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT'S ATTORNEY David R. Williams, Esq., Williams & Williams, P.O. Box 1084, Orangeburg, SC 29116 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 3rd day of December 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

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
COMPLAINT C2022-154)	
)	
State Ethics Commission,)	CONSENT ORDER
Complainant,)	
)	
Samuetta V. Marshall,)	
Respondent.)	
_____)	

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on November 23, 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 Samuetta V. Marshall (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 the following:

STATEMENTS OF FACT

1. Respondent served as the Orangeburg County Coroner from 1993 to 2024. Prior to the filing of this Complaint, Respondent’s most recent election was November 3, 2020.
2. Respondent filed her Statement of Intention of Candidacy and Party Pledge on March 16, 2020 and paid the \$1,964.97 filing fee.
3. Respondent failed to file an Initial Campaign Disclosure Report (CDR) within ten (10) days of paying the filing fee.
4. Respondent failed to file a 2020 Statement of Economic Interests (SEI) as a partisan candidate or as a public official on or before March 30, 2020.
5. Respondent failed file a Pre-Election CDR prior to the November 3, 2020 election.
6. Respondent failed to file a 2022 SEI prior to March 30, 2022.

7. In an April 27, 2022 certified letter, the Commission notified Respondent of her failure to timely file a 2020 Initial CDR, a 2020 Pre-Election CDR, and a 2022 SEI.
8. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on May 2, 2022 at 3:10 p.m.
9. On May 12, 2022, penalties begin accruing at \$30.00 per day (\$10.00 per report).
10. On May 22, 2022, penalties begin accruing at \$300.00 per day (\$100.00 per report).
11. Respondent failed to file SEIs by March 30 in 2023 and 2024.
12. Respondent came into compliance on November 20, 2024 by filing all requisite reports.

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) and a "public official" pursuant to Section 8-13-100(27). 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 and expenditures. However, a candidate who does not spend or 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.

4. Section 8-13-1140 provides, in relevant part:

A person required to file a [SEI] under this chapter annually shall file, pursuant to Section 8-13-365, an updated statement for the previous calendar year, no later than noon on March thirtieth of each calendar year . . .

5. Section 8-13-1510(A) provides, in relevant part:

. . . 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 8-13-130 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 8-13-1308(A) for failing to file a 2020 Initial CDR within ten (10) days of spending or receiving \$500.00; one (1) count of violating Section 8-13-1308(D)(1) for failing to file a 2020 Pre-Election CDR prior to the November 3, 2020 election; one (1) count of violating Section 8-13-1356 for failing to file a 2020 SEI on or before March 30, 2020; and three (3) counts of violating Section 8-13-1140 for failing to file 2022, 2023, and 2024 SEIs on or before March

30 of each year.¹ Through this Consent Order, Respondent admits she violated the Ethics Act as described herein. In mitigation with regard to the 2020 filings, Respondent states that these reports were due during the onset and height of the Covid-19 pandemic. Respondent states that she and her office were overwhelmed during the pandemic, particularly in the first several months after its onset.

DISPOSITION

1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1308(A), one (1) count of Section 8-13-1308(D)(1), one (1) count of Section 8-13-1356, and three (3) counts of Section 8-13-1140.
2. The Commission adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues this Public Reprimand and orders Respondent to pay to the Commission, within eighteen (18) months from receipt of this Order, a late-filing penalty of \$5,500.00 (\$100.00 for the 2020 Initial CDR, \$100.00 for the 2020 Pre-Election CDR, \$100.00 for the 2020 SEI, \$5,000.00 for the 2022 SEI, \$100.00 for the 2023 SEI, and \$100.00 for the 2024 SEI) and an administrative fee of \$600.00, for a total of \$6,100.00. The Commission declines to assess the accrued late-filing penalties with regard to the 2020 Initial CDR and the 2020 Pre-Election CDR given the extenuating circumstances caused by the Covid-19 pandemic. In addition, pursuant to Section 8-13-1510, the Commission is limited to a \$100.00

¹ The Commission also found probable cause to believe Respondent failed to disclose sources of private and government income on her 2022, 2023, and 2024 SEIs in violation of Section 8-13-1120. Because Respondent has since disclosed sources of private and government income, the Commission declines to proceed on these charges. Additionally, the Commission found probable cause to believe Respondent violated Section 8-13-1308(B) by failing to file 2020 Quarter 1 and 2020 Quarter 2 CDRs. Upon further review, the Commission finds Respondent was not required to file these CDRs given that she had no active campaign bank account and engaged in no contributions or expenditures during the relevant time frame.

late-filing penalty with regard to the 2020, 2023, and 2024 SEIs because Respondent did not receive notice of her failure to file these reports via certified mail.

By executing this Consent Order, Respondent understands that she is admitting to violations of the Ethics Act and confessing to a judgment of the maximum possible penalty of \$15,900.00 (less any money paid to the Commission) in the event she 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 the maximum possible penalty of \$15,900.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission

AND IT IS SO ORDERED THIS 17th DAY OF APRIL 2025.

STATE ETHICS COMMISSION

[Redacted Signature]

SAMUETTA V. MARSHALL
RESPONDENT

[Redacted Signature]

Neal D. Truslow, Vice-Chair

[Redacted Signature]

SKYLER HUTTO
RESPONDENT'S ATTORNEY

4-4-2025