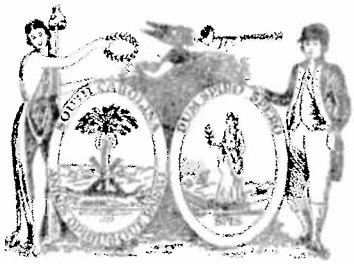
State of South Carolina
Executive Department

FILED
OCT 30 2009
Mark Hammond
SECRETARY OF STATE 8



Office of the Governor

EXECUTIVE ORDER NO. **2009-19**

WHEREAS, the Grand Jurors of Horry County indicted Retha Pierce, Mayor of Atlantic Beach, on October 29, 2009, for Leaving the Scene of an Accident Resulting in Property Damage; and

WHEREAS, South Carolina law recognizes that "an act in which fraud is an ingredient involves moral turpitude...," see *State v. Horton*, 248 S.E.2d 263 (1978); *In re Derrick*, 392 S.E.2d 180 (1990), and the above-referenced indictment is for a crime that involves moral turpitude; and

WHEREAS, Retha Pierce is an officer of a political subdivision of the State and Article VI, Section 8, of the South Carolina Constitution provides that "[a]ny officer of the State or its political subdivisions...who has been indicted by a grand jury for a crime involving moral turpitude...may be suspended by the Governor until he shall have been acquitted;" and

WHEREAS, a certified true copy of the indictment against Retha Pierce has been provided to me.

NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby suspend Retha Pierce from the office of Mayor of Atlantic Beach until such time as she shall be formally acquitted or convicted.

This action in no manner addresses the question of the guilt or innocence of Retha Pierce and should not be construed as an expression of any opinion one way or another on such question.

This Order shall take effect immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 30th DAY OF OCTOBER, 2009.

MARK SANFORD
Governor

ATTEST:

MARK HAMMOND
SECRETARY OF STATE