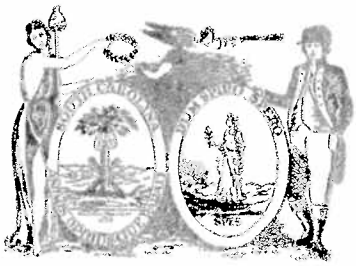
State of South Carolina
Executive Department

FILED

OCT 30 2009

SECRETARY OF STATE 8



Office of the Governor

EXECUTIVE ORDER NO.

2009-20

WHEREAS, the Grand Jurors of Pickens County indicted Elouise James, a member of the Clemson City Council, on October 20, 2009, for exploitation of a vulnerable adult, forgery, and obstruction of justice; 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 all of the above-referenced indictments are for crimes that involve moral turpitude; and

WHEREAS, Elouise James 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 Elouise James 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 Elouise James from the office of Council Member of the City of Clemson 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 Elouise James 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