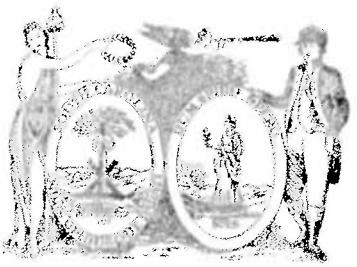
State of South Carolina

Executive Department

FILED

JUL 18 2012

Mark Hammond
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO. **2012-08**

WHEREAS, the Grand Jurors of Orangeburg County indicted James Arren Preacher, Jr., Mayor of the Town of Norway, on July 18, 2012, for impersonating a law enforcement officer in violation of Section 16-17-720 of the South Carolina Code of Laws and for official misconduct to include receiving an increased salary without approval from the Norway Town Council and violating the anti-nepotism law, Section 8-13-750, all in violation of the Common Law of South Carolina; 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 includes a crime that involves moral turpitude; and

WHEREAS, James Arren Preacher, Jr. 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 James Arren Preacher, Jr. 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 James Arren Preacher, Jr. from the office of Mayor of the Town of Norway until such time as he shall be formally acquitted or convicted.

This action in no manner addresses the question of the guilt or innocence of James Arren Preacher, Jr. 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 18th DAY OF JULY, 2012.

NIKKI R. HALEY
Governor

ATTEST:

MARK HAMMOND
SECRETARY OF STATE