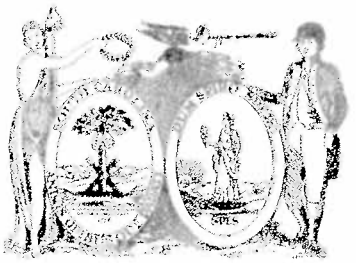
State of South Carolina

Executive Department

FILED

FEB 19 2014

Mark Hammond
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO. 2014-15

WHEREAS, a one count indictment was filed against Michael L. Johnson, Sheriff of Williamsburg County, on February 19, 2014, in the United States District Court for the District of South Carolina, Columbia Division stating charges of Conspiracy to Commit Wire Fraud in violation of Title 18, United States Code Section 1349, to include unlawfully, knowingly, and willfully conspiring to combine, confederate, and agree with another to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and to transmit and cause to be transmitted by means of wire communications in interstate commerce, writings, signs, and signals for the purpose of executing such scheme and artifice; 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, Michael L. Johnson 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 Michael L. Johnson 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 Michael L. Johnson from the office of Sheriff of the Williamsburg County 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 Michael L. Johnson 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 19th DAY OF FEBRUARY, 2014.

NIKKI R. HALEY
Governor

ATTEST:

MARK HAMMOND
SECRETARY OF STATE