

EXECUTIVE ORDER NO.

2023-26

WHEREAS, the undersigned has been notified that there presently exists a vacancy in the office of Sheriff of Dillon County due to the death of Douglas Pernell, Sr. on August 7, 2023; and

WHEREAS, section 23-11-40(D) of the South Carolina Code of Laws, as amended, provides that in the event of a vacancy in the office of a county sheriff, “except in the case when a vacancy occurs as a result of an indictment,” “[t]he chief deputy or second-in-command of the sheriff’s office shall act as sheriff until the vacancy is filled” by gubernatorial appointment or election and “[w]hile acting as sheriff, the chief deputy or second-in-command is subject to the duties and liabilities incident to the office of sheriff”; and

WHEREAS, upon the death of Douglas Pernell, Sr., James Lee Hamilton, Chief Deputy Sheriff of Dillon County, temporarily assumed the duties of Sheriff of Dillon County in accordance with section 23-11-40(D) of the South Carolina Code of Laws; and

WHEREAS, pursuant to section 23-11-40(B) of the South Carolina Code of Laws, “[i]f any vacancy occurs in the office more than one year prior to the next general election for county sheriffs, the Governor shall appoint some suitable person,” who shall be an elector of the county, to serve as sheriff “until a special election is held to elect a sheriff to hold the office until a sheriff is elected and qualifies in the next general election for county sheriffs”; and

WHEREAS, for the aforementioned reasons, and in accordance with the cited authorities and other applicable law, the undersigned has determined that it is necessary and appropriate under the circumstances presented to appoint a suitable person to serve as Sheriff of Dillon County “until a special election is held to elect a sheriff to hold the office until a sheriff is elected and qualifies in the next general election for county sheriffs” as provided by section 23-11-40(B) of the South Carolina Code of Laws; and

WHEREAS, James Lee Hamilton, of Dillon, South Carolina, is a fit and proper person to serve as Sheriff of Dillon County.

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NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby appoint James Lee Hamilton to serve as Sheriff of Dillon County until a successor shall qualify as provided by law. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 11th DAY OF
AUGUST, 2023.**

HENRY MCMASTER
Governor

ATTEST:

MARK HAMMOND
Secretary of State