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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM CALHOUN COUNTY
Court of Common Pleas

Honorable Diane S. Goodstein, Circuit Court Judge

Case No. 2025-CP-09-00195

ANNE CROOK,.....Respondent,

v.

SOUTH CAROLINA¹ ELECTION COMMISSION,.....Appellant,

NOTICE OF APPEAL

Appellant appeals pursuant to SCACR 203(d)(1)(A)(iv) from the *ex parte* Order of the Honorable Diane S. Goodstein dated September 2, 2025. Appellant accepted service of the Summons and Complaint on September 2, 2025, and received the *ex parte* Order contemporaneously with service. A copy of the Order is attached to this Notice of Appeal.

S.C. Code Ann. § 7-5-186(C) authorizes Appellant to enter into agreements “to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section” and to provide confidential information or data to others engaged in “legitimate governmental purposes related to the maintenance of the statewide voter registration database.”

¹ There is no entity known as the South Carolina Election Commission. The agency is the State Election Commission.

The temporary restraining order impinges on Appellant's statutory right under § 7-5-186(C) and may impinge on its ability to continue negotiating to share information or data with the Department of Justice Civil Rights Division as the Election Commission deems necessary, pursuant to a proper Memorandum of Understanding that protects the confidentiality of such information.

Rule 65(d), SCRPC, requires that

Every order granting an injunction and every restraining order ... shall be specific in terms; shall describe in reasonable detail, and not by reference to the complaint or other document, the act or acts sought to be restrained; and is binding only upon the parties to the action, their officers, agents, servants, employees, and attorneys, and upon those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise.

As the United States Supreme Court has emphasized with regard to the substantially similar federal Rule 65(d),

[T]he specificity provisions of Rule 65(d) are no mere technical requirements. The Rule was designed to prevent uncertainty and confusion on the part of those faced with injunctive orders, and to avoid the possible founding of a contempt citation on a decree too vague to be understood ... Since an injunctive order prohibits conduct under threat of judicial punishment, basic fairness requires that those enjoined receive explicit notice of precisely what conduct is outlawed.

Schmidt v. Lessard, 414 U.S. 473, 476 (1974) (internal citations and footnote omitted); *see also Spartanburg Buddhist Ctr. of S.C. v. Ork*, 417 S.C. 601, 609, 790 S.E.2d 430, 434 (Ct. App. 2016) (describing these provisions of Rule 65 as mandatory).

[Signature on Following Page]

Respectfully Submitted,

s/ M. Elizabeth Crum

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September 4, 2025
Columbia, South Carolina

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Calhoun Common Pleas

Case Caption: Anne Crook VS South Carolina Election Commission

Case Number: 2025CP0900195

Type: Order/Temporary Restraining Order

It is so Ordered!

s/Diane S. Goodstein

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