

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

South Carolina Secretary of State,

Petitioner,

v.

Wild Things Freedom Center, Inc.,

Respondent.

Docket No. 23-ALJ-30-0498-IJ

FINAL ORDER

STATEMENT OF THE CASE

This matter came before the Administrative Law Court (ALC or Court) pursuant to a Petition for Injunctive Relief filed December 21, 2023, by the South Carolina Secretary of State (Petitioner) seeking to enjoin Wild Things Freedom Center, Inc. (Respondent) from engaging in charitable solicitation activities in South Carolina in violation of the South Carolina Solicitation of Charitable Funds Act. The ALC has jurisdiction to hear this matter pursuant to S.C. Code Ann. §§ 33-56-140(C) and 33-56-140(E) (Supp. 2023).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

On December 28, 2023, the Court issued a Notice of Hearing to the parties, which stated that the contested case hearing would be held on Tuesday, February 13, 2024, at 10:00 a.m., at the South Carolina Administrative Law Court, Edgar A. Brown Building, Second Floor, 1205 Pendleton Street, Columbia, South Carolina. The Notice of Hearing advised the parties that failure to appear at the hearing may result in a finding that the party who fails to appear does not object to relief of which notice has been given; dismissal of the case of the party who fails to appear; exclusion of evidence proffered by the party who fails to appear; or such other rulings as are deemed appropriate by the Court.

Pursuant to Rule 5 of the Rules of Procedure of the Administrative Law Court, the Notice of Hearing was served upon Respondent by depositing a copy in the United States mail, addressed to the following last known address of Respondent: Wild Things Freedom Center, Inc., ATTN: Jeanette L. Ouellette, Owner/Director, 308 Ryan Morant Lane, Georgetown, SC 29440. The Notice of Hearing sent was not returned to the Court by the United States Postal Service.



On February 13, 2024, the contested case hearing was convened at the time prescribed in the Notice of Hearing. Respondent did not appear at the hearing and no attorney made an appearance on behalf of Respondent. Consequently, Petitioner moved for the Court to find that Respondent did not object to the relief sought by Petitioner based on Respondent's failure to appear, and to enter judgment against Respondent for the relief as stated in the Petition for Injunctive Relief. Rule 23(A) of the Rules of Procedure for the Administrative Law Court provides that:

The administrative law judge may dismiss a contested case or dispose of a contested case adversely to the defaulting party. A default occurs when a party fails to plead or otherwise prosecute or defend, fails to appear at a hearing without the proper consent of the judge or fails to comply with any interlocutory order of the administrative law judge. Any non-defaulting party may move for an order dismissing the case or terminating it adversely to the defaulting party.

The Court finds that a default judgment in favor of Petitioner is appropriate under Rule 23(A), because Respondent failed to appear at the hearing without consent of the Court, or respond in any manner to Respondent's Petition for Injunctive Relief or the Court's Notice of Hearing.

ORDER

Having found that Respondent failed to appear at the hearing without consent of the Court and after service of the Notice of Hearing as required under Rule 5 of the Administrative Law Court's Rules of Procedure, the Court grants the relief requested by Petitioner in its Petition for Injunctive Relief.

IT IS THEREFORE ORDERED THAT:

1. Respondent Wild Things Freedom Center, Inc. is hereby enjoined from engaging in the solicitation of charitable contributions in the State of South Carolina until Respondent has filed with Petitioner its annual financial report for fiscal years January 1, 2020 to December 31, 2020 and January 1, 2021 to December 31, 2021, and has remitted to Petitioner the administrative fines of four thousand dollars (\$4,000.00) assessed for its violations of §§ 33-56-30 and 33-56-60 of the Solicitation of Charitable Funds Act.
2. Respondent Wild Things Freedom Center, Inc. is also enjoined from engaging in the solicitation of charitable contributions in the State of South Carolina until such time, if ever, that it properly registers with Petitioner pursuant to S.C. Code Ann. § 33-56-30.

3. Respondent is hereby notified that failure to comply with the terms of this Order and the requirements of the Solicitation of Charitable Funds Act shall subject Respondent to contempt of court, including fine or imprisonment or both.

IT IS FURTHER ORDERED that the South Carolina Secretary of State may, but is not required to, file a copy of this final order as a judgment as provided in S.C. Code Ann. § 1-23-600(I) (Supp. 2023), provided that any such filing shall not relieve Respondent of the obligation created by this final order to pay the administrative fine. Further, the South Carolina Secretary of State shall have the option to collect said judgment, as provided by the law applicable to collection of judgments.

AND IT IS SO ORDERED.

Deborah Brooks Durden, Judge
S.C. Administrative Law Court

February 22, 2024
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Robin E. Coleman, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or by electronic mail to the address provided by the party(ies) and/or their attorney(s).

Robin Coleman

Robin E. Coleman
Judicial Aide to Judge Deborah Brooks Durden

February 22, 2024
Columbia, South Carolina

