

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

Thomas A. Bryson on behalf of himself and all similarly situated persons, Petitioner,

v.

State Budget and Control Board; Nikki R. Haley; Curtis M. Loftis, Jr.; Richard Eckstrom; and Hugh K. Leatherman, Jr.; in their official capacities as members of the State Budget and Control Board, Respondents.

Appellate Case No. 2012-213099

ORIGINAL JURISDICTION

Opinion No. 27245
Heard January 23, 2013 – Filed April 24, 2013

JUDGMENT FOR PETITIONER

Michael S. Medlock and C. Lance Sheek, of South Carolina Legal Solutions, LLC, of Columbia, for Petitioner.

C. Mitchell Brown, William C. Wood, Jr., and Michael J. Anzelmo, of Nelson, Mullins, Riley, & Scarborough, LLP, of Columbia for Respondents Nikki R. Haley, Richard Eckstrom, Curtis M. Loftis, Jr., and the South Carolina Budget and Control Board.

Michael R. Hitchcock, John Potter Hazard, V, and
Kenneth M. Moffitt, of Columbia, for Respondent Hugh
Leatherman, Jr.

JUSTICE HEARN: Petitioner brought this suit in the Court's original jurisdiction seeking a declaration that the South Carolina Budget and Control Board's August 8, 2012 decision raising enrollee premiums for the State's health insurance plan was a violation of the constitutionally mandated separation of powers. In *Hampton v. Haley*, Op. No. 27244 (S.C. Sup. Ct. filed April 24, 2013), we held the Board's decision violated the separation of powers. Accordingly, for the reasons stated therein, we enter judgment in favor of petitioner. We need not consider any of the other issues presented by petitioner because the separation of powers issue is dispositive. See *Futch v. McAllister Towing of Georgetown, Inc.*, 335 S.C. 598, 613, 518 S.E.2d 591, 598 (1999) (declining to address the remaining issues where a prior issue was dispositive).

TOAL, C.J., BEATTY, and KITTREDGE, JJ., concur. PLEICONES, J., concurring in result only.