



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2022**

Court, Position, and Seat # for which you are applying: S.C. Supreme Court, Seat 4

1. Name: Hon. David Garrison Hill

Name that you are known by if different from above
(Example: A Nickname): Gary

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.) Yes

Home Address: (Redacted)

County of Residence: Greenville

Business Address: 305 E. North St., Suite 209, Greenville, SC 29601

E-Mail Address: (Redacted)

Telephone Number: (home/cell): (Redacted)
(office): 864.467.8484

2. Date of Birth: (Redacted) 1964
Place of Birth: Greenville, SC
Social Security Number: (Redacted)

3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes

4. SCDL# or SCHD#: (Redacted)
Voter Registration Number: (Redacted)

5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

N/A

6. Family Status:
(a) State whether you are single, married, widowed, divorced, or separated.

- (b) If married, state the date of your marriage and your spouse's full name and occupation.
- (c) If widowed, list the name(s) of spouse(s).
- (d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds.

Divorced from Amanda T. Hill (n/k/a Harrison) in November 2012. I was the moving party and the grounds were one year continuous separation.

I was divorced from my first wife in 1995. I was the moving party and the grounds were one year continuous separation. We had married in 1994 and had no children.

- (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

(Redacted)

- 7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.

Wofford College, 1982-1986 BA magna cum laude
U.S.C. School of Law 1986-1989 Juris Doctor

- 8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.

1988-89 Wig & Robe
1987-89 S.C. Law Review

- 9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state.

South Carolina 1990 (twice)
District of Columbia 1993

- 10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.

From 1989-90 I was a law clerk to Judge Billy Wilkins on the United States Court of Appeals for the Fourth Circuit. In 1990, I joined the law firm of Hill, Wyatt & Bannister. I became a partner in the firm in 1994. I had a general practice that included civil and criminal cases and appeals in all courts. In 2000, I started the law firm of Hill & Hill, LLC with my late father, Leo H. Hill. We enjoyed a wide client base and practice area, concentrating in business litigation and representation of governmental bodies including municipalities and special purpose districts. I also handled numerous civil and criminal appeals. We were fortunate to be listed in the Martindale-Hubbell Register of Pre-Eminent Lawyers. I was the managing partner and responsible for the trust accounts.

Justices/judges applying for re-election to their current position may omit Questions 11–17. If you are a full-time judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience *prior to serving on the bench*.

11. Please answer the following:
 - (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court judge. Please also indicate the frequency of your appearances before a Family Court judge within the past five years.
 - (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years, and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years, and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, and whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court judge within the past five years.
 - (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.

- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.
12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?
- (a) federal: From 1999-2004 I appeared in federal court on civil and criminal matters several times each month.
 - (b) state: Once or more each week.
13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?
- (a) civil: 65%
 - (b) criminal: 15%
 - (c) domestic: 20%
 - (d) other:
14. What percentage of your practice in trial court during the past five years or in the five years prior to your election to the bench involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: Not more than 10%. Like most trial attorneys, most of my litigation cases began as potential jury trials but settled before trial.
 - (b) non-jury: The remaining 90% of my practice in trial court consisted of motion practice and bench trials.

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel? Sole counsel.

15. List five of the most significant litigated matters you have personally handled in either trial or appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

(a) American Heart Association, et al. v. County of Greenville, et al., 331 S.C. 498, 489 S.E.2d 921 (1997). In this case I represented pro bono the American Heart Association and the American Cancer Society. These two charities were the residuary beneficiaries under the Will of Mrs. Kate Jackson, the widow of Baseball Legend Joseph "Shoeless Joe" Jackson. The charities sought possession and ownership of Mr. Jackson's original Last Will and Testament, on the ground that it was an asset that passed to Mrs. Jackson at her husband's death. The original was extremely valuable, as it contained one of the few known genuine signatures of "Shoeless Joe," who rarely gave autographs. Experts contend that an original "Shoeless Joe" signature is the third most valuable signature in the world, outranked only by that of Martin Luther and Button Gwinnett, a Georgia signer of the Declaration of Independence. The charities wanted to auction the original Will and use the proceeds for medical research.

Although we lost the case, it was significant to me because of the uniqueness of the parties, the subject matter and the legal principles involved.

(b) WCRSA v. DHEC, et al.

Our firm was general counsel to Western Carolina Regional Sewer Authority (WCRSA) (n/k/a REWA), the largest sewer treatment facility in Upstate South Carolina. WCRSA brought this action challenging numerous actions of DHEC as arbitrary, unlawful rulemaking in excess of DHEC's regulatory authority. The case was eventually settled but involved important issues of administrative law and rulemaking under our state Administrative Procedures Act and the S.C. Constitution.

(c) Gardner v. S.C. Dep't of Revenue, 353 S.C. 1 (2003)

Although I was by no means lead counsel, I represented the City of Seneca as a class defendant in this case where the plaintiffs challenged the constitutionality of the Setoff Debt Collection Act, Act 474 of 1988.

(d) SCDOT v. Antonakos. I represented the Landowner in this condemnation case that arose out of construction of the "Southern Connector" toll road in Greenville County. The case was significant because the jury returned a sizeable verdict in favor of the Landowner, and the trial also involved some novel issues under the Eminent Domain Procedures Act, S.C. Code section 28-2-10 et seq.

(e) In Re: Safety Kleen Litigation. This was a class action case litigated in federal district court for the District of South Carolina. It involved allegations of securities fraud, corporate wrongdoing, and other causes of action on behalf of certain Safety Kleen shareholders. I served as local counsel to one of the lead Plaintiffs.

16. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.

(a) Poole v. Incentives Unlimited, Inc., 338 S.C. 271, 525 S.E.2d 898 (S.C. Supreme Court June 4, 2001).

This employment law case presented the issue of whether continued at-will employment constitutes sufficient consideration for a covenant not to compete.

(b) Nedrow v. Pruitt, 336 S.C. 668, 521 S.E.2d 755 (S.C. Court of Appeals September 13, 1999).

This appeal from a jury verdict involved a challenge to the trial court's jury instructions and rulings on the admissibility of impeachment evidence.

(c) Nalley v. Nalley, 53 F.3d 649 (4th Cir. 1995).

This appeal concerned the appropriate measure of damages for violations of the federal wiretap act.

(d) Medlock v. 6.18 Acres of Real Property (S.C. Sup. Ct. 1992)

This arose out of and was the companion case to Medlock v. 1985 Ford F-150, 308 S.C. 68, 417 S.E.2d 85 (1992), which established the right to a jury trial under the civil forfeiture statute, S.C. Code section 44-53-30.

(e) Bradley v. Cherokee School District, 322 S.C. 181, 470 S.E.2d 570 (S.C. Supreme Court May 2, 1996).

This appeal addressed the constitutionality of Act No. 588 of 1994, specifically whether the Act constituted special legislation, amounted to taxation without representation, and unlawfully delegated taxing power.

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.

(a) United States v. Holmes, et al., 2002 WL 440225 (4th Cir. 2002).

This appeal raised Bruton issues, and challenged the admissibility of expert testimony and juror conduct.

(b) State v. Anders, 331 S.C. 474, 503 S.E.2d 443 (S.C. Supreme Court July 20, 1998).

This appeal involved whether a defendant's statement was admissible under the co-conspirator exception to the hearsay rule, SCRE 801, or as a statement against penal interest, SCRE 804.

(c) State v. Harry, 321 S.C. 273, 468 S.E.2d 76 (S.C. Court of Appeals February 5, 1996).

This appeal raised issues related to circumstantial evidence, impeachment evidence, and severance.

(d) State v. Thrift, 312 S.C. 282, 440 S.E.2d 341 (S.C. Supreme Court January 17, 1994) (on brief).

This appeal from a State Grand Jury prosecution decided important questions concerning enforceability of plea agreements and immunity from prosecution.

(e) United States v. Winchester, 993 F.2d 229 (4th Cir.1993).

This appeal presented the issue of whether the offense of entering a bank with the intent to commit a felony constituted a "crime of violence" sufficient to support a conviction under 18 U.S.C. section 924(c).

18. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

Resident Circuit Judge for the Thirteenth Judicial Circuit, Seat No. 4, 2004-2017
Judge, South Carolina Court of Appeals, Seat 9, 2017-present.

19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also, list citations to any appellate review of these orders or opinions.

(a) Cornelius v. Oconee County, 369 S.C. 531, 633 S.E.2d 492 (2006)

I was invited to sit as an acting Associate Justice of the S.C. supreme court, and wrote this opinion for the unanimous court concerning whether a 1976 voter referendum and the S.C. Constitution precluded Oconee County from expanding its sewerage system using certain financing sources.

(b) Hackworth v. Greenville County, 371 S.C. 99, 637 S.E.2d 320 (2006)

This was a claim by the Hackworths against the Greenville County Sheriff's office for return of monies forfeited under the gambling laws. The Court of Appeals affirmed dismissal of the claim based on the Statute of Limitations.

(c) State v. Jeffrey Motts

I wrote the trial court order granting Mr. Motts' request to waive his right to appeal his death sentence. The supreme court affirmed. State v. Motts, 391 S.C. 635, 707 S.E.2d 804 (2011).

(d) In Re South Carolina Asbestos Docket

While a circuit judge, I was assigned by the supreme court to handle the asbestos trial docket throughout the state, which consists of hundreds of civil lawsuits claiming personal injury due to asbestos exposure. I wrote several significant orders in this capacity, involving such issues as product identification, proximate cause, product liability, and the sophisticated user defense.

(e) In Re ITG Merger Litigation

This case, which I was assigned through the complex case procedure, was a shareholder and derivative class action related to the merger of two Upstate textile companies. The plaintiffs alleged hundreds of millions of dollars in damages. During the pre-trial phase, I wrote opinions dealing with Rule 23 class certification, civil conspiracy, fiduciary duty, discovery, damages and numerous other issues arising under both South Carolina and Delaware law.

20. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.

(a) S.C. Bar-- 1990

- (b) Also admitted to practice before the Federal District Court and Fourth Circuit Court of Appeals in 1990.
- (c) U.S. Supreme Court-1993
- (d) D.C. Bar-1993

21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

- (a) I have appeared on panels at SC Bar Ethics CLEs.
- (b) I have appeared on panels at the Solicitors' conference.
- (c) I have spoken on trial advocacy at CLEs held at the Southeastern Asbestos Conference.
- (d) I have spoken on Crawford v. Washington and the Confrontation Clause at a conference held by the Greenville Bar, Batson v. Kentucky at a SCAJ conference, Ethics to the SCDTAA Trial Academy, given a caselaw update at a conference sponsored by the Colleton County Bar Association, spoken at the York County Bar Association, and presented at "Super CLEs" sponsored by the Greenville Bar and the Hilton Head Island Bar. In February 2020 I moderated a panel discussion on State constitutional law at the USC School of Law.
- (e) As a member of the Circuit Judges Advisory Committee, I gave annual presentations on "Judicial Ethics" and "Inherent Powers of Courts" to the New Judges' Orientation School sponsored by S.C. Court Administration.
- (f) I have taught a January Interim course at Wofford College entitled "The Bill of Rights and Modern Citizenship." This course involves intensive study of the origins and development of the Bill of Rights, and also provides the students the opportunity to be exposed to volunteer community service as they in turn teach what they have learned to students of a local literacy association who are preparing for the civics portion of the GED exam or the Naturalized Citizenship exam.
- (g) "Doing Business with S.C. Local Governments," S.C. Bar CLE, 2001.
- (h) "Construction Contracting for Public Entities," Lorman, 2001.
- (i) "Appellate Advocacy," S.C. Bar 2000.
- (j) "Representing a Public Body," S.C. Bar 1997
- (k) "Freedom of Information Act Update" S.C. Ass'n of counties CLE, 1999.
- (l) I have spoken on the Freedom Information Act at a seminar for employees of the S.C. Department of Revenue and at conferences held by the S.C. Ass'n of Public Service Districts.
- (m) I have spoken on Trial Advocacy to the Construction Law section of the S.C. Bar, the S.C. Ass'n of Counties, and the SCDTAA.
- (n) I have taught the Ethics class at the LEAPP program presented by the S.C. Bar

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

See Attachment A

23. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) "Back to the Future: United States v. Jones and the search for Fourth Amendment Coherence," May 2012 South Carolina Lawyer
 - (b) "Celebrate the Bill of Rights and act as its Guardian," December 12, 2010 Op-Ed column in The Greenville News (article also published in The State)
 - (c) "Celebrate That We're a Nation of Laws, Not Men," May 2, 2008 Op-Ed column in The Greenville News.
 - (d) "Lay Witness Opinions," September 2007 South Carolina Lawyer at 34.
 - (e) "Rule 30(j), Charlie McCarthy and The Potted Plant," September 2005 South Carolina Lawyer at 26.
 - (f) Doing the Public's Business, (2001) (book authored with Leo H. Hill).
 - (g) "Recent Changes to the South Carolina Freedom of Information Act," South Carolina Lawyer May/June 1999.
 - (h) "The Fourth Amendment, Substance Abuse and Drug Testing in the Public Sector," South Carolina Lawyer, May/June 1997
 - (i) "Mayhem," 7 S.C. Juris. 213 (1991)
 - (j) "Direct Criminal Contempt," South Carolina Lawyer, Sept/Oct 1992

From approximately 1994 to 1998 I served on the editorial board of the South Carolina Lawyer magazine published by the S.C. Bar. I served as editor-in-chief for three of these years.

I also published three student Notes in volume 40 of the South Carolina Law Review (1988). These Notes examined recent state supreme court and U.S. Court of Appeals cases dealing with post-conviction relief, the 6th amendment right to counsel, and federal civil procedure.

24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

See Attachment B

25. What is your rating or membership status, if any, by any legal rating organization; such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

My last rating as of 2004 was AV by Martindale-Hubbell. I was also listed in the Martindale-Hubbell Register of Preeminent Lawyers.

26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.

(a) S.C. Bar

Member House of Delegates, 1997-2004
President, Government Law Section, 1999
(b) Greenville County Bar Association, Member of Executive Committee
(c) Haynsworth-Perry Inn of Court, 2012-current

27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates. No.
28. For sitting or former judges, list all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor. None.
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

In May 2014, I was one of three candidates qualified and nominated for Court of Appeals Seat No. 7 but withdrew before the election.

30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer. No.
31. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
I am a member of several LLCs that act as holding companies for real estate that is beneficially owned by a Trust created by my Father's Estate upon his 2010 death and my Mother's death in May 2022. I serve as Trustee of this Trust. I manage the LLCs and the Trust, pay expenses, file taxes and perform general bookkeeping.
32. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed. No.
33. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and

- (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.)

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

A complete, current financial net worth statement was provided to the Commission.

34. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details. Also, proof of satisfaction of any liens or defaults must be submitted with your application package. No.
35. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved. No.
36. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

Postage- \$ 70
Stationery- \$109.95
Clerical assistance- \$250

Yes I have reported these amounts to the House and Senate Ethics Committees.

37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years. If you are a sitting judge, please include such contributions since your last screening. N/A
38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation. N/A

39. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek or currently hold. Explain how you would resolve any potential conflict of interest. N/A
40. Describe any interest you or a member of your immediate family has in real property:
- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
 - (b) in which there have been public improvements of \$200 or more that adjoins property in which there have been public improvements of \$200 or more; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement.

N/A

41. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.

N/A

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.

I own a de minimis amount of Enbridge stock (fmv less than ~\$300).

43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received. No.

44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office? No.

45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No.

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

No, I have never been sued by a client. In 1988, my law school roommate and I were sued in magistrate's court by the purchaser of an apartment we had previously rented for allegedly leaving the apartment unkempt. We counterclaimed for refund of the security deposit and the case was settled upon return of our security deposit.

I have been made aware that I have been named in several lawsuits brought against me in my capacity as a judge, none of which I was ever served with. A list of these cases is attached as Attachment C. Also listed on Attachment C is a case in which I was named as a defendant solely in my capacity as a personal representative for an estate that was opened so a lawsuit could be filed against it.

48. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.
N/A

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details.

No.

51. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened, or have you

been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details.

No.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

I have not requested any third party to contact any member. I have contacted several members and sent out a letter to members only to inform them of my intent to file for this seat.

53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule? Yes
54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details. No.
55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application.*

- (a) E. Jean Howard
(Redacted)
- (b) Hon. David H. Wilkins
(Redacted)
- (c) Christopher P. Robinson
(Redacted)
- (d) Rev. Ludwig Weaver, ret.
(Redacted)
- (e) Patrick Martin
Grand South Bank
(Redacted)

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?

If so, please list the account names for each account and the relevant platform.

I am only an active member of Instagram. I receive Linked In requests but to my knowledge have never responded to one and am not a member of that platform. (Redacted) is my Instagram account name.

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

Judges have to be extremely circumspect in all their communications, particularly those on social media. I try not to make any postings other than the occasional family photo, and the last time I did that was several years ago.

57. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.

Member of Westminster Presbyterian Church

58. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

I am grateful to this Commission and the Legislature for the faith they placed in me 18 years ago when I was elected a circuit judge. I have done my level best to contribute to the fair and impartial administration of justice. There is nothing more professionally satisfying than having a positive impact on others, and knowing you made a difference in an important matter in a fellow person's life.

If given the opportunity, I would like to continue to serve the public in our judicial branch. I would strive to uphold the great traditions of our bench and bar and to make positive contributions to the public image of the justice system. I firmly believe we have the finest justice system in the world, and it is a humbling honor and solemn responsibility to be entrusted with a judicial office.

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: _____

Sworn to before me this ____ day of _____, 2022.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____