



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2023**

Court, Position, and Seat # for which you are applying: Circuit Court, Judge, Fifteenth Circuit
Seat #3

1. Name: Mr. David P. Caraker, Jr.
Mrs.
Ms.

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.) No

Home Address: [Redacted]

County of Residence: Horry

Business Address: 1301 Second Avenue Conway, South Carolina 29526

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): 843-915-8628
(cell): [Redacted]

2. Date of Birth: [Redacted] 1968
Place of Birth: Columbia, South Carolina
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#: SCDL#: [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.

I have never served in the military

6. Family Status:
- (a) State whether you are single, married, widowed, divorced, or separated.
- Family Status: Married
- (b) If married, state the date of your marriage and your spouse's full name and occupation.
- We were married on August 18, 2001. My spouse's name is Kari Jackson-Caraker. She is a real estate appraiser, employed by Horry County.
Never divorced, no children
- (c) If widowed, list the name(s) of spouse(s). N/A
- (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.
- I was divorced from my first marriage on September 16, 1997. Stacey Lynn Caraker was the plaintiff, per our agreement, and the case was filed in the Superior Court of Richmond County, Georgia. The grounds were separation for a legally sufficient period of time. We 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.
- (a) August 1987 – December 1991, Francis Marion College, Bachelor of Science
(b) August 2008 – May 2011, Campbell University School of Law, Juris Doctor(cum laude)
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.
- (a) During the 2010 – 2011 academic year, I worked for the law school as a sort of tutor, or teaching assistant, for underclassmen. I held office hours and made myself available for students to come and receive assistance with a wide variety of legal education matters. These matters included, but were not limited to legal writing, issue spotting, legal analysis, and test-taking techniques and skills.
(b) Phi Alpha Delta law fraternity, 2009 – 2011.
(c) Campbell Advocates Against Domestic Violence, 2010 – 2011, to the best of my recollection

(d) Law clerk for the Horry County Solicitor's Office, May 2009-September 2009, and May 2010-August 2010

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.

(a) I have only been admitted to practice law in South Carolina. I was admitted in 2011, after taking the bar exam once.

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.

(a) August 2011 – December 2013: The Hyman Law Firm, Florence, South Carolina. I was an associate attorney in this firm. My areas of practice focused on civil plaintiff's work, and representing injured workers in worker's compensation claims. I also represented people who were seeking Social Security Disability benefits. I was not involved in the administrative or financial management of this firm, nor did I handle the trust account.

(b) January 2014 – present: Senior Assistant Solicitor, Horry County Solicitor's Office, Conway, South Carolina. I was hired at the Solicitor's Office to run the newly formed drug prosecution team. Although I have handled everything from misdemeanor drug possession to murder, my primary focus is on prosecuting drug cases of every description. With regard to administrative duties, in addition to my own caseload of approximately seven-hundred cases, I also supervise and train a team of prosecutors and paralegals, with a combined caseload of approximately another two thousand-eight hundred cases, who are also responsible for prosecuting all manner of drug cases. I am also brought in on some hiring and firing decisions, as well as disciplinary and personnel matters. Additionally, I train many newly hired prosecutors. I am not involved in the financial management of this office.

(c) February 2016 – present: Special Assistant United States Attorney, United States Attorney's Office, Florence, South Carolina. As a Special Assistant U.S. Attorney, I am assigned to the Violent Crimes Division. In general, my practice in this capacity is to prosecute firearms cases against convicted felons who meet a particular declination threshold, in federal court. This necessarily also includes some measure of federal drug prosecution, as firearms and drugs are often found together. I am not involved in the administrative or financial management of this office.

(d) February 2023 – present: Senior Assistant Solicitor, Georgetown County Solicitor's Office. My duties at the Georgetown office mirror my duties and responsibilities in the Horry County office. Solicitor Richardson has recently tasked me with overseeing this caseload as well as the Horry County, and my federal caseload.

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.

I am not a candidate for Family Court.

- (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.

- (a) With regard to criminal matters, in the past five years, I have handled a range of cases from drug possession, distribution, and trafficking, to burglaries, to assaults, to murder. In addition, I have handled gun and drug cases and their associated issues in federal court. The vast majority of cases that I have handled, however, have been drug cases of all description, with the number of warrants disposed of being in the thousands. Because of the sheer number of cases that I have worked, it is impossible to discuss the issues in each case. Generally speaking, however, I have had occasion to deal with issues involving search and seizure (search warrants, reasonable suspicion, warrantless searches, Terry stops), traffic stops and their attendant concerns, Miranda and identification issues, and questions involving knowledge and possession of an object or substance. I have also had, on occasion, to deal with delineating between murder and manslaughter, issues of self-defense, and differing degrees of assault

and battery. Although possibly not contemplated, one of the main issues in any drug case is that of sentencing or disposition. Working drug cases has allowed me to see and interact with the entire gambit of social, economic, and ethnic backgrounds. It gives me the opportunity to truly help those who are ready receive it. Although incarceration is appropriate in some cases, I often get to craft resolutions in cases that can result in people going into drug rehab or drug court of one description or another.

(b) In the civil realm, I must go back further than five years. In my time at the Hyman Law Firm, I had an opportunity to represent plaintiffs on cases ranging from car and truck accidents, to premises liability, products liability, nursing home negligence, worker's compensation, and Social Security disability. I also was assigned two Post Conviction Relief matters, and handled one matter at the Court of Appeals. Issues that I commonly dealt with were that of determining liability or compensability, existence and extent of injury, the nature and extent of disability, and proving damages. Because of mandatory Alternative Dispute Resolution, the vast majority of cases were settled at mediation, or shortly thereafter. I tried cases in civil court, before the Worker's Compensation Commission, and before a Social Security Disability judge.

(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.

I am not a candidate for Master-In-Equity.

(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.

I am not a candidate for the Administrative Law Court.

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: Several times per month. It is very difficult to state a number, as my appearances depend greatly upon the number of cases that I have indicted at any given time. I appear before a magistrate judge, as well as a District Court judge.

(b) State: When court is in session in our County, I am in court several times a week on one matter or another. In many weeks, I will often appear in both state and federal courts in the same 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: No civil practice in the past 5 years.

- (b) criminal: I have devoted 100% of my practice the past 5 years to criminal practice.
- (c) domestic: No domestic practice the past 5 years
- (d) other: N/A

14. During the past five years

(a) What percentage of your practice was in trial court, including cases that settled prior to trial?

This is difficult to ascertain, but likely around ninety-five percent. So as not to mislead anyone, we have dedicated non-jury terms of court, where we plead the vast majority of our cases, while at the same time preparing other cases for trial. Most of those cases also plead prior to trial. We also actively use diversion programs to try to help people get help with drug addiction, and to try to keep their records clean.

(b) What number of cases went to trial and resulted in a verdict?

Approximately five cases

(c) What number of cases went to trial and resolved after the plaintiff's or State's case?

(Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.)
None that I recall.

(d) What number of your cases settled after a jury was selected but prior to opening statements?

Approximately three to five cases

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

Although my role is difficult to categorize in these terms, I would say that I served most often as chief counsel - that being sole counsel on my own caseload, and co-counsel should any of my subordinates have a case go to trial. I would also have a younger attorney with me for training purposes should any of my cases go to trial, or go to a suppression hearing.

For sitting judges seeking a judgeship different than your current position,

During the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial? N/A

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) State v. David Harold Campbell. This case was on Trafficking Cocaine third or subsequent offense. It involved a defendant running from police in a high speed chase through Myrtle Beach. Once he stopped, he got out of his car and ran away, throwing a bag containing drugs up onto a balcony in an apartment building. A family member who may or may not have even been in the area took the stand and claimed that he was the one who had the drugs, and dropped the bag when he heard police chasing the

defendant. At trial, we had to overcome, not only the fact that the defendant had no drugs on him when apprehended, but the family member's testimony.

- (b) Jill Susan Wolfsie v. Social Security Administration. Ms. Wolfsie suffered from a number of infirmities due to colon cancer, and was unable to work. This case was significant because it was imperative that it be decided "on the record," which means without a hearing. I did not believe that she could physically make it through a hearing. We engaged in very intense study of her medical issues, with several doctors. I also devised a questionnaire that mirrored the requirements set forth by the Administration, such that, if answered truthfully by the doctors, we thought we would obtain a favorable decision. In the end, we were granted a decision on the record, in favor of Ms. Wolfsie.
- (c) State v. Abel Gause. This was a case of a third or subsequent Possession With Intent to Distribute Heroin. The main issue was the "intent" to distribute. During the course of the trial, I found out that another police agency had been investigating the defendant, and had numerous trafficking level buys on him. After the jury convicted the defendant, and he was sentenced, we dismissed the other pending charges.
- (d) United States v. Byran Bromell. This case involved a defendant who was a prohibited felon. He got caught with 2 guns and a significant amount of marijuana, after fleeing a traffic stop two days after being put on probation in state court for Attempted Armed Robbery, Failure to Stop, and PWID Marijuana. He pleaded guilty in District Court, and was sentenced to eighty months. Bromell filed a pro se motion, seeking relief pursuant to 28 U.S.C. §2255. Bromell argues that under United States v. Taylor, 142 S. Ct. 2015 (2022), his prior conviction for Attempted Armed Robbery is no longer a predicate crime of violence that can enhance his Guidelines range. This appeal was decided on the briefs that had been submitted by the parties. The Judge ruled in favor of the Government, and Bromell's sentence remained at eighty months.
- (e) Christiana Juaire v. United States of America. I was co-counsel on this case where a United States Post Office truck struck our client while she was working on a road crew on the side of the roadway. She sustained injury to her spine to the point where she had to have a spinal cord stimulator implanted. The case was significant because we had to overcome a Harvard expert hired by the Government who said that her injuries could not have happened the way she described. The case was tried as a bench trial, and a verdict rendered for the plaintiff in the case.

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) Hembree v. One Thousand Eight Hundred Forty-Seven dollars (\$1,847.00), 404 S.C. 241, 743 S.E.2d 864, 2013 S.C. App. LEXIS 162, 2013 WL 2601574 (Ct. App. 2013)

This case was heard at the Court of Appeals, and decision rendered on June 12, 2013

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. Sean Patrick Murphy, United States District Court, District of South Carolina. The case is still pending

- (b) United States v. Byran Bromell, United States District Court, District of South Carolina, decided on May 19, 2023
- (c) United States v. Lenada Hunt, United States District Court, District of South Carolina. The case is still pending.

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.

I have never held judicial office.

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.

N/A

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) Admitted to South Carolina State court on November 14, 2011.

(b) Admitted to Federal Court, District of South Carolina, on January 27, 2012.

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 been an instructor at Prosecution Boot Camp, which is a program sponsored by the South Carolina Commission on Prosecution Coordination. This week-long seminar has many instructors, and is for newer prosecutors. The instructors cover many areas, to include trial advocacy, direct and cross examination, ethics, plea negotiations, sentencing, discovery obligations, and restitution.

Prior to arrival at Boot Camp, each student participant will be assigned a case, with a narrative, witnesses, photos, statements, and certain evidence. They are told to prepare openings, closings, direct and cross examination, and to admit evidence as if at trial. The students then attend lectures about certain subjects, and then break out into different, assigned groups, to put what they have learned into practice. The instructors listen and observe the presentations, and critique students on their performances, providing feedback in the form of constructive criticism and real world advice.

- (b) In addition to Boot Camp, I have lectured at countless Inservice trainings for several law enforcement agencies in our jurisdiction, including the Horry County Police Department, the Myrtle Beach Police Department, and the Conway Police Department. I have taught classes on courtroom presentation and etiquette, presentation of evidence,

search and seizure, report writing, and Miranda issues. Moreover, I have given classes specifically on the legal issues surrounding drug interdiction.

(c) I have also given talks regarding drug court, drug treatment, mental health court, and issues surround the incarceration of drug addicts to community and church groups in our area.

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

Those reports are attached.

23. List all published books and articles you have written and give citations and the dates of publication for each. N/A

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.)

Those items are attached.

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.

I have never sought a rating in any forum. Further, I have no knowledge that I have a rating in any of the above.

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) South Carolina Bar

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.

I have never held public office.

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. N/A

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

I have never run for any elective, judicial, or other public office.

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.

(a) December 2000 – January 2002; Horry County Police Department, Uniformed Patrol Division, Conway, South Carolina. After graduating the Police Academy, my duties as a patrol officer were centered on responding to calls for service. In that capacity, I had an opportunity to interact with people from all walks of life, many of them having the worst day of their lives. I answered calls of every description, from petit larcenies to murder.

(b) January 2002 – September 2008; Horry County Police Department, Detective, Conway, South Carolina. I was first assigned to the Violent Crimes section. While a member of that section, I investigated many serious crimes, including murder, home invasions, criminal sexual conduct, robbery, and aggravated assaults. I was responsible for working crime scenes, interviewing suspects and witnesses and apprehending suspects, and gathering and preserving other evidence. I would then, if called upon, testify in court as to what I did in a particular case.

I was later assigned to the Narcotics and Vice section, where I generally concentrated on investigating people who either dealt or trafficked illegal drugs. This necessarily meant that I conducted surveillance, investigated financial holdings, conducted controlled buys through the use of informants, and participated in undercover operations.

(c) October 2009 – September 2014, Bartender, Angelo's Steak and Pasta, Myrtle Beach, South Carolina. This was my part-time job that I had during, and for a little while after, law school.

(d) Prior to starting my employment with the Horry County Police Department, starting at age 14, I worked in the restaurant business. I worked in several restaurants, holding every position from cook to bartender, to general manager, to owner. I have had responsibilities for hiring and firing, payroll, scheduling, taxes and basic accounting, inventory, and marketing.

(e) I worked for Enterprise Car Rental from 1994 – 1997. As a branch manager, I was responsible for training, personnel issues, sales and marketing, day to day operations, and several million dollars' worth of inventory at any given time.

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 not now an officer or director or involved in the management of any business enterprise.

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.

I have never been employed as a “lobbyist.”

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.
- (a) I have never had a tax lien or other collection procedure against me by any government authority.
 - (b) I have never defaulted on a student loan.
 - (c) I have never filed for bankruptcy.

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.

I have never accepted anything from any lobbyist or lobbyist’s principal.

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?

(a) \$1.59, for postage, on 8/1/2023

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.

There are no contributions to report.

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.

Neither I nor anyone on my behalf has solicited or collected funds to aid in the promotion of my candidacy.

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.

I am not aware of any financial arrangement or business relationship that would constitute or result in a possible conflict of interest, should I be elected to the judiciary. In the event that such a matter may present itself, I would inform the parties as to the relationship or perceived relationship, and recuse myself to avoid even the appearance of impropriety.

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;

There is none.

- (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;

There is none

- (c) Or, which was sold, leased, or rented to a state or local public agency in South Carolina.

There is none.

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.

There is no such property owned by either myself or a member of my immediate family.

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.

There is no such property owned by either myself or a member of my immediate family.

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. N/A

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. N/A

44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office? N/A

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.

I have never been sued by a client. See below for the cases to which I have been a party.

- (a) Caraker v. Horry County Police Department, Worker's Comp., Horry County, WCC# 0201362. In that case, I was in an on-duty car accident with Ms. Guadalupe Montero. She unlawfully turned left in front of me at a traffic light, causing me to strike her vehicle. My injuries were admitted to be compensable, and I received treatment as a result. I also received an award based upon an impairment rating given that was commensurate with my injuries. The date of injury in this case was January 29, 2022. The claim was closed on a Form 19.
- (b) Caraker v. Guadalupe Hernandez Montero, Florence County, Civil Action # 04-CP-21-513. This is a companion case to the above Worker's Compensation case. In this case, my attorney filed against my UIM coverage for the recovery of additional damages as a result of the accident. That filing date on this case was March 17, 2004, and the case was settled and closed on September 7, 2005.
- (c) Caraker v. Horry County Police Department, Worker's Comp. Horry County, WCC# 0175623. In that case, I was on duty, sitting stopped at a red light. Mr. George Livingston struck our vehicle from behind, causing myself and others to be injured. My injuries were admitted to be compensable, and I received treatment as a result. I also received an award based upon an impairment rating given that was commensurate with my injuries. The date of injury in this case was September 18, 2007. The claim closed on June 2, 2009 on a Form 19.
- (d) Caraker v. George Frederick Livingston, Horry County, Civil Action # 10-CP-26-8613. This is a companion case to the above Worker's Compensation case. In this case, my attorney filed against Mr. Livingston's liability insurance company for the recovery of additional damages as a result of the accident. This case was filed on September 14, 2010, and the case was settled and closed on July 6, 2011.
- (e) Caraker v. Samuel Claude Cramer, Florence County.
This was a civil action that settled prior to a lawsuit being filed. To the best of my recollection, this case was sometime in 1990. Mr. Cramer was driving left of center, around a curve, and ran me off the road, causing damage to my vehicle. This claim was only for damages to my vehicle. It settled after he agreed to pay to have my vehicle repaired.

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.

I am not in private practice, and I have no knowledge of any coverage by a tail policy.

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.

I have never been investigated by the Department of Social Services, nor have I ever been enrolled on the Central Registry of Child Abuse and Neglect.

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.

Neither I, nor has anyone on my behalf requested the pledge of any member of the General Assembly as to my election for the position for which I am being screened, nor have I been offered a conditional pledge of support by any legislator pending the outcome of my screening. Further, I have not 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 my election for the position for which I am being screened

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 contacted members of my local delegation to tell them that I seeking this office. I have not sought anyone's commitment to vote for me for this position. Further, I have contacted Hood Temple to seek his advice, and to procure a letter of recommendation from him. I do not know that anyone is campaigning for me at this time.

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?

I am familiar with this rule.

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) Brad C. Richardson
[Redacted]
- (b) Jimmy A. Richardson
[Redacted]
- (c) Ronald W. Hazard
[Redacted]
- (d) Larry B. Hyman
[Redacted]
- (e) E. Hood Temple
[Redacted]

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

The only social media that I might have been a part of in the past was LinkedIn. I am unsure as to whether I actually ever signed up for an account or not. It would have been right out of law school. I searched that site to try to recover any username or password for any account I might have had, but was unable to find anything.

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

I have no social media accounts.

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

I do not use social media now, and that would not change should I be elected to the bench.

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.

There have been none in the past five years.

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.

My parents, both of whom worked the school system, instilled in me hard work, respect for others, and personal responsibility. I believe that my diverse background would be of great benefit to the people of South Carolina, should I be elected to serve as a Circuit Court Judge. Not only have I been in law enforcement, but I have practiced civil and criminal law at the state and federal level, and have been in business in the private sector. I understand the practice of law in the courtroom, and at the business level.

My father taught me that we are at our best when serving others. My entire adult professional life has been dedicated to public service. It is through that public service that I have come to realize that the court system impacts ordinary people in ways that no other branch of government can. Because of that, I will work hard every day to prepare myself for the task at hand. If I am elected, I believe that I will be the type of judge who embodies hard work, demonstrates respect for the law and the people before me, and who ensures that our judicial system remains worthy of esteem.

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 _____, 2023.

(Notary Signature)

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