



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

Court, Position, and Seat # for which you are applying: Circuit Court, At-Large, Seat 8.

1. Name: Ms. Ashley A. McMahan

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

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: Richland

Business Address: 2222 Devine Street
Columbia, SC 29205

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): 803-219-1110
(cell): [Redacted]

2. Date of Birth: [Redacted] 1978
Place of Birth: Greer, 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#: [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.

(a) Have not served in the military.

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

Single; Never divorced; No Children

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) University of South Carolina, Aug 1996 - May 2000. Bachelor of Science
 - (b) Vermont Law School, May 2002 – Feb 2004. Master of Studies in Environmental Law
 - (c) University of South Carolina, School of Law, Aug 2001-May 2004. 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.
 - (a) Environmental Law Clinic – Spring 2004
 - (b) Phi Delta Phi Legal Fraternity – 2002-2004
 - (c) Research Assistant for Professor Kim Diana Connolly – Fall 2003
 - (d) Student Bar Association – Council Representative & Social Chair – 2002-2004
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) South Carolina, admitted November 15, 2004 – took once
 - (b) North Carolina, took Bar Exam July 2005 – not admitted
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.

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.

- (a) McMahan Law, LLC – Columbia, SC
Owner, January 2022 - present
(formerly McMahan & Taylor Attorneys, LLC - Owner/partner, July 2016 – Dec 2021)

Defends criminal matters across the midlands.
Handles family based immigration matters such as fiancé(e) visas, spousal visas, etc.
Files and handles naturalization cases.
Prosecutes post-conviction relief matters across the state.
Files and handles civil matters in magistrate and Common Pleas courts
Handles appeals in the South Carolina Court of Appeals and the South Carolina Supreme Court.
Files pardons and expungements on behalf of clients.
Litigates vital record amendment matters in both Common Pleas and Family Court.
Litigates simple divorce matters in Family Court.

Handles all financial and administrative management of law firm, including trust accounts.

- (b) Sixth Circuit Solicitor's Office - Lancaster, SC
Assistant Solicitor, February 2017 – present
Lancaster & Fairfield Offices

Tried at least five cases to jury verdict.
Handled prosecution of special victims' crimes:
sexual misconduct, domestic violence, etc.
Prosecute felony level offenses including murders, armed robbery, etc.
Handle juvenile criminal cases in Family Court.

- (c) South University - Columbia, SC
Adjunct Professor, June 2010 – May 2018

Taught Environmental Law; Intro to Paralegalism; Intellectual Property; Real Estate; Trusts & Estates.

- (d) South Carolina Attorney General's Office - Columbia SC
Assistant Attorney General August 2006 – July 2016
Special Assistant United States Attorney, May 2011 – July 2016

Prosecution & State Grand Jury Section (2008-2016)
Handled State Grand Jury cases, including appeals and PCRs.
Sworn Delegate to the South Carolina State Grand Jury, with statewide jurisdiction.

Prosecuted South Carolina criminal environmental matters and other matters as assigned.

Handled all State Grand Jury post-conviction relief matters.

Indicted the first-ever State Grand Jury environmental criminal case.

Provided guidance and interpretation of laws to investigators.

Post-Conviction Relief & Criminal Appeals Section (2006-2008)

Handled approximately 550 Post-Conviction Relief and State Habeas Corpus cases.

Wrote approximately seven Petitions for Writs of Certiorari to the state Supreme Court and approximately 110 Returns to Petitions for Writs of Certiorari, and handled other Appellate Court briefings

(e) The Honorable Clifton Newman - Kingstree, SC

Judicial Law Clerk, November 2004 – July 2006

Wrote orders, handle scheduling, liaison between the judge and members of the Bar, organized the office, saved judge's life from a heart attack.

(f) Rogers, Townsend, & Thomas, PC - Columbia, SC

Law Clerk/Title Reviewer, June 2004 – November 2004

Reviewed title abstracts for title insurance binders.

(g) Anderson & Brown, LLC – Hampton, SC

Law Clerk, June 2004 – November 2004

General law clerk duties, drafting deeds, abstracting, assisting with court matters, etc.

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.

My experience with criminal law started once I graduated from law school and started clerking for Judge Newman back in 2004. I have been handling criminal law matters for eighteen years now. Most of my criminal law experience has been as a prosecutor; however, in private practice I have had criminal defense clients with cases in Summary Court as well as in General Sessions. I also work with the Sixth Circuit Solicitor's Office prosecuting all kinds of criminal matters from domestic violence court, to juvenile court, to high level felonies. I've referenced a few cases in Number 15.

The issues involved in my criminal cases are all over the board. It could be a juvenile waived up to General Sessions, it could be issues related to the chain of custody for drugs, it could be a statement made by a child in a forensic interview setting. I've had all of these issues come up before and then some. I am in Circuit Court at least five days a month, usually more.

My civil practice consists mostly of post-conviction relief matters, a few personal injury matters, as well some immigration cases. While most people probably don't think of post-conviction relief as a civil matter, these cases are civil and are filed in Common Pleas. Instead of a Summons & Complaint, the Applicant files an Application. Instead of an Answer, the State files a Return. Otherwise, all the same civil rules of procedure apply. I have been doing post-conviction relief matters since 2006. I continue to do them now via appointment or by being retained. I have probably handled close to 400 of these cases. Most of the issues involved in these cases related to ineffective assistance of counsel of their prior criminal attorney since these cases are collateral attacks on criminal convictions.

In addition, my civil practice also consists of general civil matters in magistrate courts as well as appeals from magistrate court, some family court matters, probate, and civil cases in federal court. Some of the types of cases I have handled/filed in magistrate courts include breach of contract type matters, restraining orders, etc. My family court experience has been with simple divorces, name changes, gender marker changes, as well as juvenile prosecution matters. In probate court I have mostly dealt with death certificate amendments, while in federal court I

have filed federal habeas corpus cases and writs of mandamus related to immigration matters. I have also handled vital records litigation in Circuit 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: 1%
- (b) state: 99%

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: 45%
- (b) criminal: 45%
- (c) domestic: 3%
- (d) other: 7%

14. During the past five years

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

a. The vast majority of my practice is in trial court. I would estimate at least 85% of what I do is in trial court. (I am including both jury trials and bench trials.) If I were to split between jury and non-jury practice, I would estimate that 20% of my criminal cases end up as a jury trial, while the remainder of my cases are bench trials or are matters that are generally handled short hearings. (i.e. Juvenile trials, post-conviction relief matters, and family court matters.)

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

a. This is a hard number to quantify as I handle both jury and non-jury matters but over the past five years I estimate I have tried to verdict at least five jury trials. (This includes during the COVID shut down.)

(d) 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.)

a. Again, difficult to quantify simply because record management does not distinguish between a matter that started as a trial and ended up with a guilty plea. I estimate I have had at least another five cases where a jury was pulled and/or opening statements or the State's case was presented and then the Defendant decided to plead guilty.

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

a. Please see the above answer.

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

(a) I most often served as sole counsel, occasionally co-counsel.

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?

(a) Not applicable.

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 of South Carolina v. David Matthew Carter (Lancaster County 2016-GS-29-00036, 37, 38) – Criminal Sexual Conduct with a Minor, First Degree. A week-long trial involving a minor who was the step-daughter of the defendant. Judge allowed the defendant to be in secondary courtroom while the minor victim testified. Matter is currently on appeal and oral arguments were recently held at the Supreme Court. <https://www.heraldonline.com/news/local/crime/article211857364.html>
- (b) Ivis Ahimara Reyes Yedra v. State of South Carolina (Lexington County 2017-CP-32-04132) – Post-Conviction Relief matter stemming from a State Grand Jury conviction. Applicant was not properly advised of immigration consequences, among other things. Was denied relief in lower court. Certiorari was denied. Remittitur sent on March 23, 2023.
- (c) State of South Carolina v. George W. Smolen (State Grand Jury 2013-GS-47-0003) – First and only State Grand Jury environmental case. Defendant was an armchair chemist and was attempting to create biodiesel. Contaminated large areas of land and runoff seeped into Lake Hartwell. <https://regionalassociations.org/upstate-businessman-target-of-first-sc-state-grand-jury-pollution-indictment/>
- (d) State of South Carolina v. Charlie Tillman (Abbeville County 2013-GS-01-00175, 176, 177) – Calhoun Falls town councilman was arrested for driving under the influence and threatening a public official. Trial was started but after two days of testimony, defendant decided to plead guilty. Very contentious matter within that community, defendant was the reason the entire police force of Calhoun Falls quit. <https://www.wyff4.com/article/upstate-councilman-charged-with-dui-takes-plea-deal/7009388>
- (e) State of South Carolina v. George Ralph Bobo – (Greenville County, 2013-GS-23-08476, 08477) – Defendant was former police officer for Simpsonville. During a job interview with SLED, he admitted to destroying evidence in a murder case. Charged with misconduct in office and obstruction of justice. <https://www.greenvilleonline.com/story/news/local/golden-strip/2015/06/16/bobo-guilty-misconduct-investigation-murder/28839239/>

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) Simuel v. State of South Carolina, 390 S.C. 267, 701 S.E.2d 738 (Sup. Ct. 2010)
 - (b) Robinson v. State of South Carolina, 387 S.C. 568, 693 S.E.2d 402 (Sup. Ct. 2010)
 - (c) Edwards v. State of South Carolina, 392 S.C. 449, 710 S.E.2d 60 (Sup. Ct. 2011)
 - (d) Barber v. State of South Carolina, 393 S.C. 232, 712 S.E.2d 436 (Sup. Ct. 2011)
 - (e) Yedra v. State of South Carolina, Appellate Case No.: 2019-1309. Remittitur sent on March 23, 2023. Not reported.
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) State of South Carolina v. Whitesides, 397 S.C. 313, 725 S.E.2d 487 (Sup. Ct. 2012).
 - (b) Rosetta Miller v. State of South Carolina, criminal appeal from magistrate court to Common Pleas. Not reported. (2022-CP-20-00253)
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.
- (a) Have not 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.
- (a) Not applicable
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) South Carolina, November 2004;
 - (b) United States District Court for the District of South Carolina, October 2006;
 - (c) United States Fourth Circuit Court of Appeals, August 2009;
 - (d) United States Supreme Court, May 2010.
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 taught law-related courses while an adjunct at South University between 2010-2018. I taught Environmental Law, which was an overview of the more significant federal environmental law as well as an overview of South Carolina's environmental laws. I also taught Introduction to Paralegalism, which was a basic overview of the court

system in the United States as well as South Carolina, basic legal terms, and how to find cases online, etc.

I also taught Real Estate (an overview of property rights and types of deeds), Trust and Estates (an overview of wills, intestacy, etc.), and Intellectual Property (an overview of trademarks, copyright, patents, etc.).

I taught Introduction to Information Literacy (LIBR 101) at the University of South Carolina from August 2013 through December 2016. While this is not specifically a legal or law type course, the course does relate to the legal field as it teaches basic research and information literacy skills, which apply to all fields. This course teaches the basics of how to do competent research online by analyzing the source, date of publication, the author, etc., while also teaching the differences between opinions (most blogs) to news and periodicals.

(b) I have lectured at the following:

1. Post-Conviction Relief and Habeas Corpus: Preserving the Conviction
South Carolina Bar Continuing Legal Education Seminar - September 18, 2009
Columbia, South Carolina
2. Protecting Convictions from Collateral Attack
South Carolina Solicitors' Association Annual Conference - September 29, 2009
Hilton Head Island, South Carolina
3. Environmental Statutes and Related Crimes & Preparing a Case for the Prosecutor
Southeastern Environmental Enforcement Network - June 28-30, 2010
Columbia, South Carolina
4. Environmental Crimes in South Carolina
South Carolina Bar Continuing Legal Education Seminar – January 21, 2011
Columbia, South Carolina
5. Natural Resources & Environmental Law
South Carolina Bar Continuing Legal Education Seminar – August 22, 2014
Columbia, South Carolina
6. Advanced Environmental Crimes Training Program
Federal Law Enforcement Training Center – July 2015 & April 2016
Glynco, Georgia
7. Environmental Law in South Carolina
South Carolina Bar Continuing Legal Education Seminar – June 3, 2016
Columbia, South Carolina
8. Thirty-First Annual Criminal Practice in South Carolina

South Carolina Bar Continuing Legal Education Seminar – February 18, 2022
Columbia, South Carolina

9. Prosecution CLE Series - Case Round Up

South Carolina Commission on Prosecution Coordination – October 11, 2022
Zoom Webinar

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
- (a) Please see attached.
23. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) Environmental Law in South Carolina, Fourth Edition, (SC Bar CLE 2016)
Contributing author, Chapter 12 – Environmental Crimes in South Carolina
- (b) The South Carolina Post-Conviction Relief Manual, Second Edition, (SC Bar CLE 2008)
Case law update through December 31, 2009 published March 2010
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.)
- (a) Please see 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.
- (a) No rating or membership status in these organizations.
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) Richland County Bar Association
(b) Lexington County Bar Association – Executive Committee 2020 & 2021
(c) Lancaster County Bar Association
(d) American Immigration Lawyers Association – CLE Committee 2019 to present
(e) Trial & Appellate Advocacy Committee – Executive Committee 2022 to present
(f) Practice & Procedure Committee

- (g) South Carolina Association for Justice
 - (h) Solo & Small Firm Section
 - (i) Fairfield County Bar Association
 - (j) Young Lawyers Division – YLD Executive Committee, 5th Circuit Representative
July 2009 – June 2013
 - (k) South Carolina Women Lawyers’ Association – 2005 to 2007 (approx..)
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.
- (a) Have not 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.
- (a) Not applicable.
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
- (a) Yes, I ran for a Circuit Court, At-Large Seat 3 in 2022. I withdrew from the race mid-November 2022.
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) I own Sup-Dog Ltd. Co., which is a sole member LLC where I make and sell pet collars online through Etsy, at local markets, and at a couple local stores. I have been doing this since 2013.
 - (b) From 2013-2016 I taught Library 101 at the University of South Carolina as an adjunct faculty member. It is an introduction to information literacy. (Finding materials, judging those materials for authenticity, etc.)
 - (c) From 2012-2013, I worked part time at Publick House on Devine Street here in Columbia, occasionally waiting tables to make some extra money on the side.
 - (d) I taught various courses at South University here in Columbia between 2010-2018.
 - (e) From 2019-2020 I would occasionally assist a friend who is a caterer when they were short-handed with staff and various types of events. (Mostly wedding receptions and a bat mitzvah.)
 - (f) From Fall 2000 – end of summer 2001 (before going to law school) I worked for a

financial services company in Mt. Pleasant, SC. I also worked for Shem Creek Bar & Grill during that 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.
- (a) I own Sup-Dog Ltd. Co., which is a sole member LLC where I make and sell pet collars online through Etsy, at local markets, and at a couple local stores. I have been doing this since 2013.
 - (b) I am owner of McMahan Law, LLC. It was incorporated late 2021 when McMahan & Taylor Attorneys, LLC was wrapping up business. It is my law firm.
 - (c) I was partner with April N. Taylor, in McMahan & Taylor Attorneys, LLC. It was dissolved at the beginning on January 2022. It was incorporated in March of 2016. It was a law firm.
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.
- (a) I am not now, nor have ever, 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.)
- (a) Please see attached.

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

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) None of these apply to me.

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.

(a) I have not.

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) I have not had any expenditures.

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.

(a) Upon information and belief, no such contributions have been made.

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.

(a) Upon information and belief, no soliciting has been made on my behalf.

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.

(a) I do not have any such financial arrangements or business relationships.

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.

(a) Not applicable.

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.

(b) Not applicable.

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.

(c) Not applicable.

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.

(d) Not applicable.

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.

(e) Not applicable.

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

(f) Not applicable.

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.

(a) To my knowledge I have not been under investigation.

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.

(a) Kasyjanski v. Fairfield County Solicitor's Office et. al.
0:23-cv-01756-JFA

US District Court for the District of South Carolina. I discovered this case while researching the answer to this question. Mr. Kasyjanski has several pending criminal matters in Fairfield County. Some are related to threats made to the Solicitor's Office. (He has also threatened to kill every judge that has touched his criminal cases in any way.) The Attorney General then stepped in to prosecute. Mr. Kasyjanski has been found not competent but likely to be restored. At the time he filed this action he was in the detention center awaiting a bed at the Department of Mental Health. He filed the complaint on April 27, 2023, against myself and many other individuals associated with Fairfield County. The case was dismissed on June 23, 2023. I was never served with the Complaint.

(b) Turner v. Donohue, et. al.
7:17-cv-02425-DCC

While I was at the Attorney General's Office I prosecuted a case against Mr. Turner, the former mayor of the Town of Lyman. He was charged with violation of the state wiretap statute and misconduct in office. (He allegedly conspired to destroy evidence in a federal investigation and set up video recording through town hall to listen to everyone's conversations.) After I left the Attorney General's Office the case against Mr. Turner ended up being dismissed, as it turned out the main witness against him was also embezzling from the Town of Lyman.

This civil case was removed to the US District Court for the District of South Carolina on September 8, 2017, and I was timely served with the Complaint. (I was never actually served with the Complaint while it was filed with the Court of Common Pleas in Spartanburg County.) I was sued in my individual capacity for compensatory and punitive damages. A motion to dismiss the case against me was filed on October 6, 2017, requesting dismissal based on prosecutorial immunity. A Stipulation of Dismissal on my behalf was entered on November 13, 2017.

(c) Pickett v. McMaster, et. al.
4:09-cv-01481-PMD

US District Court for the District of South Carolina. This was a federal habeas corpus matter filed on June 10, 2009. I was never served with the petition but was listed as a respondent in the matter because I was the Assistant Attorney General who had handled

Mr. Pickett's post-conviction relief matter for the state in state court. This matter was summarily dismissed on February 22, 2010.

- (d) LaConey v. Lott, et. al.
3:21-cv-02740-CMC

US District Court for the District of South Carolina. Mr. LaConey was a defendant in a harassment case I was handling just before I left the Attorney General's Office in 2016. Many Circuit Court judges were the victims of the underlying state criminal matter against Mr. LaConey. He filed this case on August 25, 2021, against numerous individuals including myself, the sheriff, and victims of his criminal matter attempting to sue under 18 U.S.C. §241 (a federal criminal statute). I was never served with the Complaint and this case was dismissed on March 31, 2022. I was dismissed as a defendant based on prosecutorial immunity.

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.

- (a) I have been covered by malpractice insurance since July 2016. I have not had a tail policy that I am aware of. I am covered through Attorney Protective (Policy LP004325) and my current policy limits are \$1,000,000.00 and the deductible is \$2500.00.

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.

- (a) I have never been investigated by the SC Department of Social Services.

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.

(a) I have not.

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.

(a) I have not.

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?

(a) I am aware of the 48-hour 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.

(a) I have not contacted the JMSC nor am I aware of anyone contacting the JMSC on my behalf.

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) Hon. Randy E. Newman, Jr.

(b) J. Andrew Ritner, Esquire

(c) Tricia A. Blanchette, Esquire

(d) Salley W. Elliot, Esquire

(e) Deputy Public Defender Megan B. Burchstead

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

(a) Twitter: [Redacted]

(b) Instagram: [Redacted]

- (c) Facebook: [Redacted]
- (d) LinkedIn: [Redacted]
- (e) Threads: [Redacted]

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

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

- (a) I don't believe my use of social media would be affected as I rarely post anything and when I do it is not political, controversial, or anything of that nature. Also, my accounts are set to private.

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.

- (a) SQ Rescue – SBT (pet rescue)
- (b) Carolina Hearts Aussie Rescue
- (c) South Carolina Bar Leadership Academy, Inaugural Class 2008-2009
- (d) South Carolina Bar YLD Star of the Quarter – FY 2010-2011
- (e) John R. Justice award – 2018 Solicitor's Conference
- (f) SC Women Lawyer's Association – Young Lawyer to Watch, September 2006
- (g) Series 6 & 63 securities licenses – 2000 to 2001
- (h) SC Life, Accident, & Health Insurance License – 2000 to 2001

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.

- (a) Upon information and belief, I have no other information at this time.

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: _____