

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



Court, Position, and Seat # for which you are applying:

Circuit Court, At-Large, Seat 16

1. Name: Mr. Sanford Cox Graves

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

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:

913 Third Avenue, Conway SC 29526

E-Mail Address:

[Redacted]

Telephone Number: (home): [Redacted]
(office): (843) 465-9619
(cell): [Redacted]

2. Date of Birth: [Redacted] 1968
Place of Birth: Conway, Horry County, 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.

Yes. I currently serve in the South Carolina State Guard (April 2016 - present). I was promoted from Captain and currently hold the rank of Major in the Professional Services Command as a Judge Advocate. My serial number is [Redacted]. As this is state, not federal, military service, there is no DD214.

6. Family Status:

- (a) State whether you are single, married, widowed, divorced, or separated.

Married

- (b) If married, state the date of your marriage and your spouse's full name and occupation.

November 30, 1996. Jennifer Lee Alexander Graves, Medical/Pharmaceutical Sales

- (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.

No. N/A.

- (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) University of South Carolina (Columbia) 1986-1990 B.A. (English).

(b) University of South Carolina (USC-Coastal Carolina) 1989 Summer/Fall.

(c) Marymount University (Arlington, VA) 1997-1999 M.B.A. Studies (No Degree Awarded). In Summer 1999, I left this course of study to accept my seat at USC Law School.

(d) University of South Carolina School of Law 1999-2002 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) I was selected as a member of an academic law journal. I served on the Editorial Board of the South Carolina Environmental Law Journal as Associate Editor (2001-2002), and as an article author (2000-2001).
 - (b) I Served as a Law Clerk for The Office of The South Carolina Attorney General (Prosecution Section) (2000-2001).
 - (c) I was a summer law clerk for the office of the Fifteenth Judicial Circuit Solicitor (2000-2001). In this capacity, and among many other activities, I supported the Solicitor in the full trial and penalty phase of a death penalty case.
 - (d) I served as a law student intern for Hon. Matthew J. Perry, Senior Judge of the Federal Courts for the District of South Carolina
 - (e) I was a member of the Phi Delta Phi legal fraternity (2000-2002) and the Student Bar Association (1999-2002).
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 (2002), and Florida (2004).
 - (b) I have not sought bar admission in any other states.
 - (c) In both instances, I passed the exam in one attempt.
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) Immediately following law school, and prior to the bar exam results, I became the judicial law clerk to the Hon. John L. Breeden, Jr. (2002-2003) Circuit Court, At-Large, Seat 13. In this position, I experienced and assisted in the exercise of judicial responsibilities, and the procedural and mechanical operations of the judge within the Court system. in this capacity, I served the Court during two death-penalty matters, one of which went to a full trial and sentencing.
 - (b) In 2003, I joined the Fifteenth Judicial Circuit Solicitor's Office as an Assistant Solicitor (General Sessions). I managed a caseload of between 300-550 warrants from filing to final disposition in Circuit Court. The allegations within the warrants ranged from misdemeanor citations to all degrees of homicides, including homicide by child abuse, criminal sexual conduct, drug offenses, and other serious violent crimes against persons and property. in each instance, I sought justice for every defendant and victim, and the public, as appropriate.

I attended several training courses at the US DOJ's National Advocacy Center. I was approved by the SC Criminal Justice Academy to teach the Legal portions of the SC Constables Training Courses at the Horry-Georgetown Technical College.

- (c) Between 2008-2009, I served as a college-level Adjunct Professor of Business Law teaching night classes at The Golf Academy of America's Myrtle Beach Campus.
- (d) In 2010, I joined the Office of The Horry County Attorney as the Assistant County Attorney. During the course of my tenure, and with growth in the office, I was promoted to Chief Deputy County Attorney. In these capacities, I acted as a counselor-at-law to assist the Council, department heads, and all County Boards and Commissions in the legal and functional aspects of government within their scopes of operations. I served as an attorney/advocate and represented governmental entities as needed in the Courts of the state, to include the Circuit, Magistrates, and Administrative Law Courts. I served in the role of a mediator to assist in reducing and/or resolving intra-county conflicts of opinion or procedure. I acted as lead counsel for the decennial redrawing of County Council (and Horry School Board) Districts following the release of relevant US Census Data. I acted as the advisor to the County Elections Commission and represented the County in Circuit Court elections disputes.
- (e) In 2014, I opened The Office of Sanford Cox Graves, P.A. in Conway as a sole practitioner. I serve as the administrator and financial manager, including oversight of the firm's trust accounts. The office handles general legal matters as they present themselves to include defense of criminal and traffic matters, business entities, and some governmental consultation.
- (f) Also in 2014, I was appointed by the SC Chief Justice to serve as the Interim Presiding Judge over the Horry County Drug Court: the incumbent Probate Court Judge who had presided lost her primary election for the office. I continued in this capacity until April 2015.
- (g) In 2015, I became an Associate at the Floyd Law Firm in Surfside Beach, SC where I practiced general business law. While I was included in general discussions regarding firm finances, beyond my own client billing and expenses, I exercised no power over any accounts, trusts, balances, or dispositions. I resigned from this position in 2017 to become the contract City Attorney for the City of Conway.
- (h) In 2015, I was appointed to the Board of Directors of The Horry County Solid Waste Authority by the Horry County Council. While the Board secured its own official legal counsel, I used my legal training and experience to guide and influence my positions and votes to benefit the Authority. I resigned from this position in 2017 to become the Contract City Attorney for the City of Conway.
- (i) In 2016, I was nominated and elected State Chancellor (Attorney) of the South Carolina Society of the Sons of The American Revolution where I served for one year.
- (j) In 2016, I joined the South Carolina State Guard (SCSG) at the rank of Captain in the Professional Services Division serving as a Judge Advocate. In 2020, I was promoted to the rank of Major. In this capacity I have been a legal advisor to the SCSG Brigade III in the coastal counties of SC, provided legal analysis to my superiors within command authority, been the legal advisor attached to the South Carolina Military Academy overseeing the training of SCSG Officers and Enlisted

Troops, earned numerous commendations and citations, attended military training and disaster relief exercises, and was deployed for disaster relief efforts following major storms in South Carolina. I have presented content at the annual SC Bar Military Training CLE program. I have participated in several free wills clinics and provided free legal services to veterans and law enforcement officers throughout the state. I have participated in Soldier Readiness Processing (SRP) activities for the South Carolina Army National Guard (SCANG) at McEntire Joint National Guard Base. I have contributed over 1,000 volunteer hours to this organization.

- (k) In 2017, I reopened Sanford Cox Graves, P.A. and physically located at 913 Third Avenue, Conway SC. As the sole practitioner and operator of the firm, I am in control of the general and specific finances of the firm, as well as the safekeeping of assets and accounts held in trust. While my primary client was the City of Conway, I assisted other clients with wills and trusts, business entities, defense against criminal charges in Municipal, Magistrate, and General Sessions Courts typically within the Fifteenth Judicial Circuit. In 2021, I became a Certified Circuit Court Mediator.
- (l) In 2017, I secured the contract to serve the City of Conway as the City Attorney and Municipal Prosecutor. In this role, I prosecuted municipal level criminal offenses in the City Court, gave legal support and advice to the municipal police department to include operations, certifications, and cases, and representation at SLED/Criminal Justice Academy appeals. I supported the operations of the City Council and departments to include general counseling in business and contracts, real estate transactions, administrative hearings, FOIA, governmental regulations and compliance, public relations and actions, ADA disputes, and mediation functions.
- (m) In 2020, I was appointed to the position of Associate City Judge in Conway. In this capacity, I was the City's Department Head for the Municipal Court. I managed staff, including the Clerk of Court, and held ultimate responsibility for the Court's cash transactions. on a daily basis, including weekends and holidays, I attended to the business of the Court including: presiding over Court sessions in the absence of the City Judge, daily bond hearings and associated documentation, warrant requests from law enforcement and the public, record-keeping, legal education and certification, and Court correspondence with Court Administration, City Council, and other authority.
- (n) From 2023 to present, I am an Adjunct Professor of Business Law at Coastal Carolina University. I teach an upper-level (300) general business course to business major students seeking non-legal business degrees within the E. Craig Wall College of Business. Successful completion of the course is a specific graduation requirement. the covers foundations of legal principles and law, jurisdiction and operation of the Courts, agency and employment, and business forms and entities.

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.

N/A.

- (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.

I have extensive experience in criminal matters before the Circuit Courts in South Carolina. I have experience gained as a Judicial Law Clerk for one year in the Circuit Court, followed by almost 7 years as an Assistant Solicitor assigned to General Sessions. In both roles, I was in the Courts on a daily, or at least, weekly basis. I have tried or co-tried several cases in the Circuit Courts, including murder, homicide by child abuse, assault & battery with intent to kill, trafficking in drugs, burglary, and other lesser crimes. I have assisted in the judicial process on death penalty trials as a Judicial Clerk, and I have supported the prosecution in other death penalty cases within the office. I have processed several hundreds of warrants through the Circuit Courts by way of guilty plea: several of these cases were extremely technical including Felony DUI resulting in deaths which involve the SCHP MAIT Team. I have prosecuted evidentiary (i.e. Schmerber) motions, preliminary trial motions, and other scheduling motions in the Court. My successful prosecution rate was over 90%.

In General Sessions, within the past five-years, I have represented several defendants accused of criminal charges to include: Armed Robbery (bank), Armed Robbery (persons), Kidnapping, Criminal Sexual Conduct with a Minor, Distribution of Drugs, gun violations, etc. these matters did not go to a full trial because of the relevant and available facts in each case, as well as the consideration of the

individual solicitors involved to reach the ends of justice. As such, I have appeared in General Sessions Court approximately 10 times within the past 5 years.

Again, I have significant experience in the Court of Common Pleas relating to my work as a Judicial Law Clerk. I have additional experience representing the governmental bodies for whom I was employed. Most of this work involved right-of-way condemnations, civil disputes where my government was a named defendant, cases brought on behalf of governmental entities motions practice and injunctions hearings, as well as representing a police agency to have superfluous and extraneous materials excluded from a criminal case. I have represented civil defendants in Common Pleas where no insurance defense was available to them.

While my most significant experiences in Circuit Court are beyond the time frame requested by the Commission, it is primarily driven by the nature of the business and legal exposure of clients I recently served. as well as the fact that during part of the time I served in a judicial capacity. I do not believe that I lack experience in this area. however, to compensate for any suspected gaps, I read and study the Rules of Civil and Criminal Procedure, the Appellate Court Rules, the Rules of Evidence, the Advance Sheets, and Black's Law Dictionary, and I will attend Court in-session as a nonparticipant.

Please also note that the published starting date for the individual selected this judgeship is January 1, 2025. that date is 17-months from this application, screening, and campaigning, and about 11-months from the General Assembly vote. As an outcome of this 2023 judicial selection process, and pursuant to South Carolina Constitution Article V, §18, the newly elected judge will serve the unexpired term of 6-months from the incumbent judge's published retirement on December 31, 2024, until the expiration of his remaining 6-year term on June 30, 2025. The individual elected in this current process will need to re-apply and run again next year in the 2024 judicial election process to secure their own first 6-year term beyond June 2025. Factually, they will effectively face a second election before they ever meaningfully take the bench to preside.

I assure this Commission, the General Assembly, and the public that within the denoted times frame given, I will continue to be an active practitioner in the field of law, and a diligent student of the law and procedure, and I will be preeminently prepared to assume the role and to be a successful representative of your trust.

- (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.

N/A.

- (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.

N/A.

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: None
(b) state: Weekly (in the Municipal Courts)

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: 30% (acting as counsel for a public body, I frequently advised Council and staff on legal matters and resolving actual and potential disputes)
(b) criminal: 65% (Municipal Court Prosecutions)
(c) domestic: 1% (argued one motion for municipality)
(d) other: 4% (Mediation/Probate)

14. During the past five years

- (a) What percentage of your practice was in trial court, including cases that settled prior to trial? 80%
(b) What number of cases went to trial and resulted in a verdict? None
(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.) One
(d) What number of your cases settled after a jury was selected but prior to opening statements? None

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

Sole 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?

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 of South Carolina v. J. Bardelli: I appeared as defense counsel, guilty plea not Appealed or reported. the defendant in this case was one of several people charged in an armed robbery and drive-by shooting, followed by another armed robbery/kidnapping. What made this case significant was that my client was not a primary actor to any of the crimes, and that a factual showing of ‘mere presence’ was required. once the fact was established to a degree agreeable to the prosecution, a resolution in the interests of justice was crafted. The defendant now owns his own business and makes a significant and positive contribution to society.
- (b) State of South Carolina v. R.A. Eargle: I appeared as defense counsel, guilty plea not appealed or reported. Defendant accused of sexual relations with a minor. Discovery disclosure from an unrelated case showed the victim was involved with gang-related individuals and was arguably depicted in photographs performing a sex act with a different gang-involved male. The prosecution was unwilling to consider the mitigating evidence, however, as the Rules of Evidence would bar its admission in a trial. The case was resolved by a guilty plea, wherein the judge sentenced the defendant in a manner that was calculated to meet the ends of justice.
- (c) State of South Carolina v. Wesley Smith: 705 S.E.2d 491, 391 S.C. 353 (S.C. Ct App. 2011), 406 S.C. 215 (S.C. 2013) Co-Counsel in the prosecution at trial of Homicide by Child Abuse (HBCA)/Aiding Abetting HBCA. Victim: Ebony (4 months old) cause of death: pseudoephedrine poisoning and numerous fractures to the infant’s ribs. This case and week-long trial necessitated evidence and expert opinions from numerous medical professionals as to the nature, extent, and timing of the victim’s injuries, and her eventual cause of death.

The prosecution used State of South Carolina v. Fletcher, 664 S.E.2d 480 (S.C. 2008) (reversed on other grounds) to bring in evidence of infant’s prior radial fracture of the femur as absence of mistake. The case resulted in a conviction for Aiding and Abetting Homicide by Child Abuse and the defendant was sentenced to 20 years in SCDC. While the SC Court Of Appeals upheld the conviction, the Supreme Court reversed and remanded on the grounds that the Aiding and Abetting HBCA was not a lesser-included offense to HBCA, and as the particular charge was not the subject of its own indictment, the conviction could not stand.

- (d) State of South Carolina v. Steven Edward Latham: appeared as prosecutor, guilty plea Felony DUI with Death (x2). Prosecution involved detailed technical presentation of expert testimony from SChP MAIT Team including computer reenactments of the collision.
- (e) State of South Carolina v. D.A. Brown: Appeared as defense counsel, guilty plea not appealed or reported. Case involved a charge of Armed Robbery of a bank (the presence of a weapon was represented in a note, but not actually presented into view). The defendant was quickly arrested in his nearby home with the stolen cash. This case involved the mitigating factor of capacity based on severe drug addiction and accompanying acute mental health issues. The defense made sufficient

showings to support the Court's referral to SC DMH and SC DDSN for official medical/mental evaluation reports. During the pendency of the evaluations, the defendant remained incarcerated. The judge considered all the factors and sentenced the defendant in a manner to meet the ends of justice.

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.

None

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.

None

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.

Yes. Twice.

First, I served as the Presiding Judge of the Horry County Drug Court (2014-2015) after being appointed by the South Carolina Chief Justice. The incumbent Probate Court Judge, who normally presided, lost her primary election. No candidate had won the general election or taken the oath. I was appointed to preside until such time as a newly elected judge chose to exercise the authority of their office.

The outermost authority of this Court is limited to the sentence imposed by the Circuit Courts as exercised in Horry County criminal cases, and as additionally based on elements of contract. the participants of the Drug Court are sentenced by the General Sessions Court to an active-time sentence in the state prisons, however such sentence is "suspended pending the successful completion of the Drug Court." The Drug Court Judge's role is to supervise the weekly progress of every participant as to their health, wellness, addiction recovery, positive social interactions, curfews, monetary obligations, employment, and absence of police interactions. compliant participants receive public praise, relaxed obligations, and promotions from the judge. Non-compliant participants receive public constructive criticism, sanctions, increased obligations, demotions, and, in the most extreme cases, a revocation. the result of a Drug Court Judge's finding for revocation is that the participant is removed from the program and the Circuit Court Judge's sentence, suspended pending "successful completion" of the program, becomes an active sentence, and the participant goes from the Drug Court directly to prison.

I also served as the full-time Associate Municipal Court Judge for the City of Conway (2020-2021) as appointed by the Conway City Council. The jurisdiction of the Court is limited to criminal matters and ordinance violations which have factually occurred within the city limits, and within the 30-days/\$500.00 jurisdictional amounts. In this role, and after

the completion of Court Administration's mandatory training, I worked daily, including weekends and holidays, to set criminal bonds, judge factual presentations for warrant requests, preside over Court sessions, prepare and file legal documentation and Court records, supervise staff, and bear responsibility for the financial activity within the Court.

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.

I answer this question from the perspective that the orders and opinions listed are the most significant to me. While much of the judicial work in which I have participated would not be significant in the greater scope and scale of statewide justice, and far short of appearing in a report or worthy of critical review or appellate adjustments, I believe these examples can illustrate to you the mechanisms of South Carolina justice at the lowest personal and functional level, as well as to show how I approach my work therein.

(a) Drug Court Management: I am very pleased to have been chosen for the role as Presiding Judge over the Horry County Adult Drug Court, and to be a member of the team of professionals and staff who are the real operators of the program. I believe that the goal of the Drug Court is consistent with uplifting the dignity of mankind, and is a difficult and firm, but compassionate, method to help change the destructive behavior of people who may no longer be capable of manifesting their own positive choices. While there is no one person or participant I would name to address this question 19, please know that on numerous occasions, I have encountered participants and graduates in public: these people offer me their appreciation and are unhesitatingly proud to tell me about their new lives, accomplishments, professions, successes, and family reunifications. I remind them that while I may have been a visible agent, they were the authors of their own change.

(b) Drug Court Revocation: Not everyone has the heart, stamina, and concentration to complete this transformational program. Some participants could have possibly made better time by not entering the program at all. As unforgiving as the program can be, there are mechanisms included which are designed to retain participants who are truly struggling, but also to highlight and add additional pressure to those who are attempting to manipulate the process. As to the latter, one such individual stands out to me as an example. During his time within the Drug Court, he made misleading statements relating to the way he spent his time and efforts towards his mandatory employment requirements. For these mid-level transgressions, he was sanctioned to additional community service hours. In reporting at the next Court session, it became evident within the documentation provided to the Court that he was claiming the same clock-based hours for both work and community service. When confronted with the deception he initially denied the facts. At a hearing set for the following week, and in session with all the other Drug Court participants, the individual was removed from the program, and his previously suspended sentence was activated. There is a community within the Drug Court participants, and it is a

moving moment to see one of their own that was not focused on recovery to be sent to prison.

- (c) Drug Court Graduation: The pinnacle of success for struggling former drug addicts is graduation. As the Presiding Judge, I have witnessed the gradual and foundational changes the participants undergo within the program. It is a blessing to see and recognize the new lives the Drug Court graduates have, and it is a heartfelt joy to release the graduates from their suspended sentences and move them out of the criminal justice system by virtue of officially processing their successful completion of the program.

After my term, I have returned to the Drug Court for graduation ceremonies.

- (d) As the Associate Municipal Court Judge for the City of Conway, one of my main daily duties was the processing of bond documents and the holding of bond hearing for individuals charged with crimes committed within the city limits. Within this special role, and following the training promulgated by Court Administration, it is important to recognize that the mere charging of an individual does not equate to guilt, and following the presumption of innocence before a neutral and detached authority the purpose is to set a bond sufficient to protect the community and to ensure that the individual will return for subsequent Court proceedings. I developed several scripts to use as guidelines and rewrote them after completing judicial training through Court Administration. I efficiently and fairly completed these tasks on an almost daily basis and included weekends and holidays as required for the position.

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 State Courts, November 18, 2002
- (b) Florida State Courts, May 4, 2004
- (c) Federal District Court of South Carolina, May 7, 2004
- (d) United States Court of Appeals (4TH Cir), May 11, 2004
- (e) United States Court of APPEALS (11TH Cir), April 26, 2006-May 1, 2021
- (f) United States Supreme Court, May 15, 2006

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.

Yes.

- (a) I am currently contracted with Coastal Carolina University as an Adjunct Professor at the E. Craig Wall School of Business. I teach 300-level business law courses to students seeking a business degree from CCU.

(b) While employed as the Conway City Attorney, I presented DUI tactics and training courses to the officers of the Conway Police Department as a component of their annual law enforcement training requirements.

(c) In August 2019, as a member of the South Carolina State Guard and a Judge Advocate, I presented 1 hour of CLE at the 2019 South Carolina State Guard CLE conference (course no. 196219). The title of my presentation was “SCSG Military Code Summary.” The subject matter was the Uniform Code of Military Justice and relevant sections of the Code of Laws of South Carolina and their application to the South Carolina Military Department. This presentation was a more comprehensive reflection of a 1-hour course I presented in March 2017 at the Advance Topics in Military Law for SC State Guard Lawyers CLE (course no. 173506).

(d) In 2008-2009, I taught sections of Business Law at the Golf Academy of America, Myrtle Beach Campus.

(e) In 2008-2009, I presented the “Legals” section of the South Carolina Constable Training/Refresher Courses at the Horry-Georgetown Technical College.

(f) In 2007, I presented certain “Legals” sections of the South Carolina Constable Training Courses for the Conway Citizens Reserve Police Officer Training Course.

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

Please see the attachments.

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

South Carolina Environmental Law Journal (S.C. Env'tl. L.J., No. 10, Spring, 2002)
“Greenbacks Trump Green Acts: The High Cost of Power in the Pacific Northwest”.

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.)

Writing Samples Submitted

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.

None. I have never sought or requested my inclusion in such publications.

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 Association (2002-present)
- (b) SC Bar House of Delegates Fifteenth Judicial Circuit (2004-2010)
- (c) SC Bar Judicial Qualifications Committee (2008-2013)
- (d) Florida Bar Association (2004-present)
- (e) Horry County Bar Association (2005-2009, 2011-2013)
- (f) South Carolina Solicitor's Association (2003-2010)

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) I served as a Board Member for the Horry County Solid Waste Authority from 2015 to 2017. I was appointed by the Horry County Council to oversee the authority, which is valued in excess of \$120m with ongoing obligations to serve the public with solid waste disposal and recycling efforts. Within the board I was selected to hold the office of Secretary. I consistently filed timely reports with the State Ethics Commission and was never subject to penalties.

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.

- (a) In 2015, I unsuccessfully ran for the vacant SC House Seat 106 in a special election.
- (b) In 2019, I presented myself for consideration for the Circuit Court, At-Large, Seat 12.

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.

From 1987-1999, I worked in capacities of increasing responsibility for several business entities related to the Coca-Cola Company. While attending the University of South

Carolina, I was a Retail Space Specialist Summer Intern for Johnston Coca-Cola in St. Louis, MO. In 1991, after Johnston Coca-Cola merged with the national Coca-Cola Bottling Company to form Coca-Cola Enterprises (CCE), I was hired as the General Manager of the Coca-Cola distributorship (Kirkconnell Bros.) in the Cayman Islands from 1993-1995. I was sent by senior management to the Coca-Cola Company's international training school, Coca-Cola University (Class V). From 1995-1999, I worked for CCE'S Commonwealth (Virginia) and Capital (VA/MD/DC) Divisions as a Sales Center General Manager, a District Manager, and within the Capital Division's corporate marketing department.

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 currently own and operate Sanford Cox Graves, P.A. as a law firm. I also own and operate Millstone Mediation as a mediation service provider.

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.)

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

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.

No. N/A.

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?

None at this time. N/A.

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) In 2022, my family contributed \$200.00 to (Luke) Rankin for Senate.

(b) In 2019, my family contributed \$100.00 to Rep. Russell Fry, SC House 106.

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.

No.

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.

None. However, if I were a judge with a close business relationship with a party over whom I could exercise authority, I would disclose the relationship to the other parties such that they would have knowledge of it and retire to allow them the opportunity to act to knowingly move forward, or to act to move the matter to another judicial authority.

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.

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.

I would not consider there to be a conflict of interest or any potential for a claim. However, for a complete disclosure I relate the following: in 2016, a parcel of land we own located at the intersection of SC HWY 378 and SC HWY 134 was the subject of a condemnation action for right-of-way acquisition by SCE&G (2016CP2606089). The case was settled, and SCE&G took possession. The parcel was the subject of several other contemporary public easement requests from SC public utilities including SC DOT, Horry Telephone Company (HTC), Horry Electric Company, and Bucksport Water and Sewer. These interactions were in the normal course of business and there have been no new easement requests or interactions since 2017.

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.

None additional to those disclosed in Question 40.

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. N/A.

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) No. I have never been sued by a client.

(b) Consistent with my answer to Questions 40-41, I have been a named party as a landowner in an eminent domain case in 2016 with SCE&G.

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.

Yes, I have carried coverage since I operated an office. I have been listed as covered by the Floyd Law Firm policy. I have never been covered by a tail policy. My current coverage is \$500,000.00/\$500,000.00 and my deductible is \$1000.00.

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.

No. N/A.

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.

I have not requested nor received a pledge from any member. As of this draft, I have respectfully contacted my Representative (Guest) and my Senator (Goldfinch) to inform them of my candidacy to seek election to this office. I have made no impermissible requests to anyone.

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.

No third party has been asked to contact members. I don't know anyone who has campaigned for me.

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. N/A.

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) J Marshall Biddle, Esq.
Biddle Law Firm

- [Redacted]
- (b) Hon. John L. Breeden, Jr., Esq.
(Retired Circuit Court Judge)
John L. Breeden, Jr., P.A.
[Redacted]
 - (c) Col. William H. Floyd, III
South Carolina State Guard
[Redacted]
 - (d) Jimmy Richardson II
Fifteenth Judicial Circuit Solicitor
[Redacted]
 - (e) J. Tim Suggs
Twelfth Judicial Circuit
Juvenile Drug Court Coordinator
[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.

FACEBOOK:

[Redacted]

INSTAGRAM:

[Redacted]

LINKEDIN:

[Redacted]

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 am typically a passive user on most platforms, but post occasionally on family events, weather, travel or topics of interest. As I have previously served in judicial offices, I do not believe my usage or manner of participation would require change. My participation is exclusively positive and non-combative. I can easily eschew any post, comment, or "like" for subject matters addressed within the Judicial Canons and Rules of Ethics, and particularly those which could be misrepresented or tend to reflect poorly on the judiciary, or judicial independence.

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) South Carolina Society of The Sons of the American Revolution, Col. Lemuel Benton Chapter (2005-present) (as a descendant of William Lewis of Horry County who served in Marion's Brigade). State Chancellor (Attorney) (2016-2017), Chapter President (2015-2017), Chapter Vice President (2014-2015), Chapter Historian (2017-present), Chapter Treasurer (2005-present). Received national awards for service including the Roger Sherman Award (2018), and the Law Enforcement Commendation Medal (2009).
- (b) South Carolina State Guard. Captain (2016-2019) Major (2019-present), OIC Limited Duty Officer's Course at South Carolina Military Academy. Member of SCSG 350TH Anniversary Committee. Commendations include: Meritorious Service Medal, Humanitarian Service Ribbon, Volunteer Service Ribbon, Emergency Service Training Ribbon, Individual Achievement Ribbon (2), Service Ribbon. Certified FEMA/Military Emergency Management (MEMS), FEMA Community Emergency Response (CERT).
- (c) South Carolina WWII Honor Flight 2016, Guardian to John Deloss Smith, USN, CIA (1926-2018)
- (d) Myrtle Beach Area Chamber of Commerce Leadership Grand Strand, Class XXVII (2006-2007)
- (e) SC Notary Public (2012-2023, 2023-2033)
- (f) Academy of Hope Charter School (Horry County), Board Member (2019-2021)
- (g) Horry County Schools Academy for Arts, Science, And Technology (AAST) School Improvement Council (2017-2021, 2022-present), Chairman (2020-2021, 2022-present), Superintendent's Cabinet (2022-present)
- (h) The (US) Supreme Court Historical Society (2017-present)

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 have had the great blessing to be a native to South Carolina and Horry County and to be a descendant from individuals on both sides of my family who served the colonial efforts for independence under Col. Francis Marion. I have also been fortunate to be the product of a loving family who encourages and celebrates high achievement earned through concentration, patience, diligence, intelligence, and traditional and biblical values.

Additionally, I have overcome recent personal hardships which have increased my value of life, liberty, freedom, and appreciation. While I have internalized these feelings, I believe that they manifest in my treatment of others and reflect the high aspirations of justice, tempered with mercy.

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: _____