



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

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

1. Name: Mr. Daniel E. Martin, Jr.  
Circuit Court, Ninth Judicial Circuit  
Judge  
Seat #4 (newly created)

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

Danny Martin  
Danny Martin, Jr.

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

Yes. Charleston County Family Court Judge

Home Address: [Redacted]

County of Residence: Charleston

Business Address: 100 Broad Street, Suite 236  
Charleston, S.C. 29401

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]  
(office): 843-958-4416  
(cell): [Redacted]

2. Date of Birth: [Redacted] 1963  
Place of Birth: Charleston, S.C.  
Social Security Number: [Redacted]

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

4. SCDL# or SCHD#: SCDL No.: [Redacted]  
Voter Registration Number: Chas. Co. Reg. No. [Redacted]

5. Have you served in the military? No 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.

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.

Married on April 29, 1989

Reba Z. Hough-Martin

Retired (former deputy director of Palmetto Community Action Partners)

(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.

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.

Howard University

1980-1985

Bachelor of Arts

University of South Carolina School of Law

1985-1988

Juris Doctorate

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) BLSA (1985-1988)

(b) Inns of Court (1987-1988)

(c) SC House Judiciary Committee law clerk (1986-1988)

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

South Carolina  
Admitted in 1989  
Took bar exam twice

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.

1989 - 2011	Private Practice Law
1989 - 1993	Part-time Magistrate (Charleston County)
2011 - present	Family Court Judge (Charleston County)

From 1989-2011, I engaged in a general practice of law. During most of that time, I was a sole practitioner. I employed a secretary and at times a paralegal to assist me. I was responsible for all administrative duties including the payment of payroll, insurance, worker's compensation expenses and other business expenses. I also compiled records for filing state and federal taxes, maintained IOTA and other trust accounts and monitored checking accounts. I dictated letters, prepared HUD-1 settlement statement, drafted deeds, notes, mortgages, contracts, wills, powers-of-attorney, accident settlement statements and other instruments necessary for the practice.

I drafted and filed summons, complaints, answers, affidavits, motions, briefs, discovery requests and responses, subpoenas and other such documents necessary in my day to day practice. I deposed witnesses and prepared witnesses for their deposition(s) and in-court testimonies. I conducted voir dire in jury selections, directed and cross-examined witnesses, presented evidence at trial, and made both opening and closing statements before juries.

I mostly filed actions on behalf of Plaintiffs but occasionally acted as counsel for Defendants. The actions I filed included various tort claims, medical malpractice claims, claims of excessive use of force and claims for wrongful death. I brought quiet title and partition actions, determination of heirs actions, petitions for the appointment of guardians and conservators, breach of contracts actions and non-compete lawsuits. I did hundreds of real estate closings involving the sale of residential and commercial property and the refinancing of mortgages. I was proficient in searching real estate titles and handled many land dispute actions. A significant part of my practice was in the field of domestic law. In addition to representing parties in divorce actions, I handled paternity actions, child custody disputes, abuse and neglect cases, juvenile defense, name changes and correction of birth certificates. I also represented persons charged with crimes, mostly at the magistrate and municipal court level.

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

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

Before being elected to the Family Court bench in 2011, I represented people charged with various criminal offenses, mostly at the municipal and magistrate court level. I had several jury trials where my clients were charged with offenses like assault and battery and DUIs. I also represented people at guilty plea hearings in the Court of General Sessions but very rarely. Over the last 12 years, as a Family Court judge, I've presided over thousands of trials and hearings involving juveniles charged with criminal offenses. As the sole trier of fact(s) and interpreter of the law, I gained a unique perspective concerning the rights of the accused and deciding when the state had met its burden of proof beyond a reasonable doubt. I believe that this experience has prepared me for handling matters in criminal court.

The larger part of my private practice was civil in nature. I handled many personal injury, medical malpractice, excessive use of force, dog bite and slander cases over the 22 years in private practice. (see answer to #10 above). Real estate closings and

Family Court matters encompassed a significant portion of day to day practice. While I did represent Defendants from time to time, I mostly represented Plaintiffs in tort actions.

- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.
- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?

- (a) federal: One (1) four-day trial in 2008
- (b) state: I had at least two (2) jury trial in the Court of Common Pleas during the five years prior to me being elected to the family court. I also had at least five (5) bench trials and perhaps a dozen or more motions and non-jury hearings in the Court of Common Pleas. I had well more than 500 appearances in Family Court, Master-in-Equity Court, Probate Courts, Municipal Courts and Magistrate Courts in the five years before I went on the bench. I argued a case before the South Carolina Supreme Court in 2009, and appeared before the South Carolina Election Commission in 2009 and the Administrative Court in Columbia for a trial in May, 2010. I successful argued an appeal before the South Carolina Court of Appeals in 2011. I had scores of hearings in Probate Court for formal appointments of personal representatives, conservators and guardians, determination of heirs actions and will contests. My appearances in the tri-county Family Courts normally averaged between 3 to 8 times each week. It was not unusually for me to have three (3) hearings in one day in more than one Family Court.

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: 15%
- (b) criminal: 5%
- (c) domestic: 50%
- (d) other: 30%

14. During the past five years

- (a) What percentage of your practice was in trial court, including cases that settled prior to trial? 75%

- (b) What number of cases went to trial and resulted in a verdict? 10+
- (c) What number of cases went to trial and resolved after the plaintiff's or State's case? 2  
(Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.
- (d) What number of your cases settled after a jury was selected but prior to opening statements? Only 1 that I can remember

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? 75%

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) USA vs. Larry Blanding (Operation Lost Trust)

Case No.: CR-90-434-CHH

In this case, Larry Blanding, a member of the South Carolina General Assembly, was charged with violating the Hobbs Act. Mr. Blanding was accused of accepting a cash bribe from a lobbyist working under cover with the FBI in exchange for support a para-mutual betting bill. The criminal trial was tried in federal court in Columbia. Although Mr. Blanding was found guilty, my law partner and I appealed his conviction to the Fourth Circuit Court of Appeals. The conviction was reversed. This case was significant because it allowed me to experience the federal criminal process at an early stage in my legal career. It also exposed me to the criminal appeals process and allowed me to witness oral argument before the US Court of Appeals. The case itself was significant because it involved the alleged corruption of a state official and is credited with making the lobbying process before the South Carolina General Assembly more transparent.

(b) Connell Brown and Illya Brown vs. Adolpho Cofino, Joseph Gabe and the City of Charleston

Case Nos.: 2:92-1745-2 and 2:92-1744-2

These cases involved the shooting of a citizen in his own home by a Charleston city police officer and the unlawful arrest of his brother. Illya Brown, while walking home carrying his family's typewriter, was followed onto his front porch by two city officers. Mr. Brown was immediately grabbed by the officers, one of whom placed a handcuff around his wrist. His brother, Connell Brown, came to the front door of the residence and was immediately shot in the doorway. He survived his injuries but suffered significant injuries and permanent damages. Illya Brown was released without any criminal charges several hours after the shooting. Both brothers filed actions in federal court claiming violations of their civil rights and certain state torts

claims. I, along with 2 other attorneys, represented the brothers. The case received significant coverage by the local press. The case was tried before a jury. Verdicts were returned in favor of the Defendants. However, the state court claims were preserved and litigated in the Charleston County Court of Common Pleas. The case involving Illya Brown resulted in a settlement after several days of testimony where I served as lead counsel. This case was significant because it challenged the over aggressive behavior of the Charleston Police Department. Because of the heavy publicity, claims of police brutality were reduced. Subsequently, the city of Charleston placed more emphasis officer training and how better to engage citizens they believe to be suspects.

(c) Julia T. Gregory vs. Chief John R. Zumult and the City of North Charleston  
Case No.: 2:05-CV-0306-DCV

In this case, Asberry Wilder, a mentally ill adult, was shot to death by a member of the North Charleston Police Department after being accused of stealing a package of meat from a Piggly Wiggly grocery store. It was alleged by the officers that Mr. Wilder had a screw driver and posed a threat to one of the many officers that surrounded him. Mr. Wilder's mother filed an action against NCPD for his wrongful death. The case was tried over the course of several days in the United States District Court. After both parties presented their respective cases and just prior to presentation of closing arguments, the trial judge reversed his prior ruling and granted a directed verdict in favor of the Defendants. During the trial, testimony revealed that the officer who claimed to suffer an injury at the hands of Mr. Wilder was actually struck by a fellow officer. Also, the Defendants' expert witness confirmed that the victim's fatal wounds were inflicted while he was already on the ground. Despite this significant revelation during trial, the judge ended the case in favor of the Defendants. Although the result was a painful loss for the Wilder family, the North Charleston police equipped their officers with taser guns after the filing of the lawsuit. The use of such a weapon would have most likely prevented the untimely death of Mr. Wilder and has perhaps spared the lives of other mentally challenged people in North Charleston since. I feel that the case was significant for this reason and how it benefitted me in better understanding the complexity between police encounters and the mentally ill community.

(d) Dana E. Winters and Daniella C. Winters vs. Joyce Fiddie, C.W. Burbage, Barbara Daniels and Prudential Carolina Real Estate

Case No.: 07-CP-08-0973

S.C. Court of Appeals No.: 2009115366

Vol. 7, Issue 10 of Verdict Search National, October 2008

In this case, Dana and Daniella Winters purchased a house shown to them by a real estate agent who acted as a dual agent for the sellers and the buyers. The sellers and their agent had prior knowledge that the home contained toxic mold, yet they failed to disclose this information to the buyers. After learning about the dangerous conditions in the home, my clients sued sellers, the agent and Prudential Carolina for failure to disclose and violating other provisions of the state code. The jury returned a verdict in favor of the Winters for \$125,000 in actual and punitive damages. The

case was significant because it was the first verdict in the country against a real estate agent and real estate company for failure to disclose the presence of mold in a residence. The case has been published in several national publications including Verdict Search. Although the Defendants appealed the verdict, the jury's decision was upheld by the South Carolina Court of Appeals.

- (e) Fred Hamilton, Jr., and Allyne Mitchell vs. Jeff Fulgham, Norman Thomas and the Beaufort County Board of Elections and Voter Registration  
South Carolina Supreme Court Opinion No.: 26747

In November 2008, Fred Hamilton and Allyne Mitchell won the most votes for the two open seats on the Bluffton town council election. The town of Bluffton had no board of elections and commissioned the Beaufort County election board to conduct the election. Jeff Fulgham and Norman Thomas, the other two candidates, failed to win enough votes to win their elections. They filed a protest before the Beaufort County Board of Elections and a new election was ordered. Fred Hamilton and Allyne Mitchell retained the services of my firm and appealed the decision to the South Carolina State Election Commission. The commission reversed the decision. Fulgham and Thomas then filed an appeal to the South Carolina Supreme Court. On May 13, 2009, I presented oral argument on behalf of Hamilton and Mitchell. Because the Bluffton township had not clarified the procedure for appeals in contest elections, the Supreme Court remanded the case to the Beaufort County Court of Common Pleas. Both Allyne Mitchell and Fred Hamilton, Jr., were sworn in and continued to serve as duly qualified members of the Bluffton town council. Mr. Hamilton still remains as a member of the council. This case is significant because it afforded me the opportunity to make an oral argument before the state's highest court. Also, but for the challenge, the town of Bluffton may have been deprived two very able and deserving members of its town council.

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) Dana E. Winters and Daniella C. Winters vs. Joyce Fiddie, C.W. Burbage, Barbara Daniels and Prudential Carolina Real Estate  
Decision issued on August 13, 2008  
S.C. Court of Appeals No.: 2009115366

- (b) Fred Hamilton, Jr., and Allyne Mitchell vs. Jeff Fulgham, Norman Thomas and the Beaufort County Board of Elections and Voter Registration  
Decision issued on December 7, 2009  
South Carolina Supreme Court Opinion No.: 26747

- (c) None  
(d) None  
(e) 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.

- (a) None
- (b) None
- (c) None
- (d) None
- (e) 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.

From 1989 – 1993, I served as a Magistrate (part-time) for the County of Charleston. I was appointed to this position by the Governor after being recommended by my local state Senator and approved by the local delegation. This was a Court of limited jurisdiction that handled small claims, landlord tenant disputes, claim and deliveries and presided over Bond Court. The jurisdiction of the Court was peninsula Charleston.

Since 2011, I have served as a judge of the Family Court in the Ninth Judicial Circuit. I am a resident judge in Charleston County and occupy seat no. 1. I was elected by the South Carolina General Assembly in February, 2011. The jurisdiction of the Family Court is established by state statute.

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) Adoptive Couple vs. Baby Girl, Birth Fathers and the Cherokee Indian Nation,  
Case No. 2009-DR-10-3803  
S.C. Appellate Case No.: 2011-205166

This action involved custody of a minor child of Cherokee Indian decent. The mother, a white female, and father, a native of the Cherokee tribe, had a child born out-of-wedlock. (The child has since come to be widely known as “Baby Veronica”) The child was placed for adoption without the knowledge of the father. Unbeknownst to the biological father, the adoptive parents obtained physical custody shortly after the child’s birth. After later becoming aware of the pending adoption action, the biological father and the Cherokee Indian Nation objected to the adoption. At the adoption hearing, the trial judge granted the biological father’s counter petition for adoption. The child was placed with the father and both left South Carolina and moved to Oklahoma.

The adoptive parents appealed the case. A media storm brewed in South Carolina and Oklahoma. The South Carolina Supreme Court ultimately reversed the lower Court decision and remanded the case to Charleston County. I was assigned the case. At the

first hearing, the Court approved the petition for adoption filed by the adoptive parents and issued a Decree of Adoption. The Court ruled that the child was to be returned to South Carolina immediately. Because the father failed to comply with my ruling, it was also necessary to issue orders to enforce the ruling. The unfolding situation drew national attention with governors of both South Carolina and Oklahoma getting involved. The father, after exhausting efforts in the Oklahoma state court system, the Indian tribal court system and the federal court system, ultimately allowed the child to be returned with her legal parents to South Carolina.

(b) Keith Alan May vs. Denise Marie May

Case No. 2015-DR-10-3222

S.C. Appellate Case No.: 2017-000030

The order issued by me in this matter involved a motion to relieve a party from an order which approved the parties' agreement. The agreement contained inconsistent language which impacted whether one party would be obligated to pay the other \$60,000 as their share in the marital home. I decided that the parties' agreement should be reformed and made the necessary adjustment to the agreement and final order. The former wife appealed the decision. The decision was affirmed.

(c) Harrison Shelby Nelson vs. Melissa Starr Nelson

Case No. 2015-DR-10-1870

S.C. Appellate Case No.: 2017-000291

In this divorce case, the parties had resolved the child custody, visitation and support issues. The unresolved issues involved equitable distribution of significant marital assets and liabilities. After hearing all the testimony, the Court reached certain findings that the husband did not agree with. In his appeal, he challenged the Court's determination of his interest in property valued at more than a million dollars. He also asserted that my valuation of the marital home was incorrect. The wife also appealed my decision to grant a Rule 60(b) motion after the trial. The appellate court made a de novo review of the trial and all the evidence presented.

In South Carolina Court of Appeal's decision, it agreed with my decision to grant the Rule 60(b) motion. In doing so, it directly quoted language that I put in my final order. The Court also agreed that my valuation of the husband's investment property and that the Court's valuation of marital home was within the range of the evidence presented at the final hearing. The final order was affirmed.

(d) SCDSS vs. Nina Ward and Benjamin R. Clayton, Sr.

Case No. 2016-DR-10-2327

S.C. Appellate Case No. 2016-002327

This case involved the termination of the parental rights of Nina Ward and Benjamin Clayton to their minor children. Actions involving the termination of parental rights are some of the hardest for Family Court judges to make. In most cases, the parents truly

love their children. However, their love is sometimes not enough to keep the families together. The judge is always governed by the best interest of the children. In this matter, the parents failed to complete their drug treatment and other provisions required in their treatment plan. I determined that the best interest of the children demanded that the Defendant's parental rights be terminated. The parents appealed the case but the South Carolina Court of Appeals confirmed my decision.

- (e) SCDSS vs. Teoshi Etoya Manigault White and Jawaan Frederick  
Case No. 2018-DR-10-1582  
S.C. Appellate Case No.: 2018-000888

In this case, the father, Jawaan F. White, appealed my final order terminating his parental rights to his minor daughter. Again, determinations in such cases are always difficult. Based upon the evidence, I determined that the Father had failed to make any material contribution toward the support of his child and that it would be in the child's best interest that his parental rights to her be terminated. The father appealed. The appellate court affirmed my decision.

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.

I was admitted to practice before all state courts in the State of South Carolina on May 17, 1989. I was admitted to practice before the United States District Court on May 4, 1990. I was also admitted to practice before the United States Court of Appeals on December 28, 1990.

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.

I have been a presenter at the Orientation School for New Family Court Judges for the last six (6) years. In 2018, 2019 and 2019, my presentation covered court rules. In 2020, my presentation concerned court hearings. In 2021, 2022 and 2013 my topic focused on domestic hearings.

I have spoken at CLE presentations and also at the South Carolina Judicial Conference.

At the 2020 annual Judicial Conference in Columbia, I spoke on the subject of Court security.

On January 20, 2020, I served on a CLE panel entitled "What Works." The subject I covered was "best practices" for attorneys coming before the family court.

I have spoken numerous times at the Charleston School of Law at the invitation of the Black Law Student Association and several of the professors. The discussions mostly centered on

family law and the procedure for seeking judicial office. I recently made a similar presentation to students at Charleston Pro Bono.

On April 28, 2020, I hosted a webinar with the Charleston County Bar Association to discuss new court procedures during the COVID-19 pandemic. More than 100 lawyers tuned in for the event. These are some of the most recent activates in which I lectured or spoke before members of the Bar and the judiciary.

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

Attached

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

None

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.)

Attached, please find briefs that I authored in the following matters:

- (a) Dana E. Winters and Daniella C. Winters vs. Joyce Fiddie, C.W. Burbage, Barbara Daniels and Prudential Carolina Real Estate.
- (b) Fred Hamilton, Jr., and Allyne Mitchell vs. Jeff Fulgham, Normand Thomas and the Beaufort County Board of Elections and Voter Registration [Also counsel Daniel E. Martin, Jr., signed the final brief, I was the author of the brief and solely made the argument before the South Carolina Supreme Court]

Also attached, please find orders that were drafted pursuant to my findings and instructions:

- (c) Shelly Clark-Anglin vs. Benjamin A. Rae
- (d) Joy H. Wymer vs. Floyd B. Hiott, II
- (e) Lionel Hartwell vs. Dequanette Whitlock

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

I have not been rated

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
  - (b) Charleston County Bar Association – former executive committee member
  - (c) SC Black Lawyers Association – former treasurer

27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.

I have never held public office other than Family Court Judge

28. For sitting or former judges, list all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor.

None

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

No

30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

No

31. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.

No

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.)

Attached  
My statement is current as of July 1, 2023

**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

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

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.

None

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

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; N/A
- (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; None 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; None
- (b) nature and value of any public improvements; None and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property. None

Attach a copy of any contract or agreement.

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. None Identify the property, its amount or value, and the name of the agency. N/A. Attach a copy of any contract or agreement. N/A

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

Primerica and Edward Jones accounts statements attached

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? No 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?

No

45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. N/A. 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. N/A. If you have questions regarding whether to include an offense, please contact the Commission.

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

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

No

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

There were three lawsuits in which I was named as a co-Defendant because I held a judgment against Lawrence E. Smith. The lawsuits were brought by lenders who held a security interest in real property owned by Mr. Smith. I was named in foreclosure proceedings against Lawrence Smith to determine the priority of liens and judgments filed against him. My judgment was never satisfied. The actions are Georgetown Greenhouse, Inc., vs. Lawrence E. Smith, Case No. 2008-CP-10-7049; Palmetto Mortgage Corporation vs. Lawrence E. Smith, Case No. 2009-CP-10-6913; and Wells Fargo Bank vs. Lawrence E. Smith, Case No. 2010-CP-10-6334. No judgments were issued against me as a result of these actions.

I was appointed by the Charleston County Probate Court to serve as Special Administrator for the Estates of Richard and Florence Simmons. The Simmons died leaving a heavily mortgaged home with heirs unwilling to pay. The property was listed for sale and the mortgagor initiated a foreclosure action. The action, although naming me a Defendant, was



filed after another Special Administrator had already been substituted in my stead. That action was filed under case no. 2011-CP-10-4828. The lender obtained the property in satisfaction of its lien. A quiet title action was later brought to clear delinquent taxes on the lot held by Florence Simmons by Equitable, Inc., (Case No.: 2012-CP-10-7567). I was not served with that action. No judgments were issued against me as a result of these actions.

Jerry Dotson vs. Ben Smith, et. al., Case No.: 2002-CP-10-1729. In 2001, I was named as a co-Defendant as a result of an error in drafting a deed used in a real estate transaction. The seller of a parcel of land initiated the action after our office incorrectly failed to use the correct legal description. As a result, the purchaser inadvertently acquired an undeveloped adjoining lot owned by the seller. After the mistake was discovered, the buyer refused to voluntarily return the lot. The seller filed an action against the buyer. Having been the person responsible for drafting the deed, I was also named as a co-Defendant. I consented to the entry of a judgment which was satisfied through my professional liability insurance company. I was represented by Attorney John Massalon.

I also recall that my name appeared as a Defendant in a federal lawsuit brought by a Ms. Rosa Pringle years ago. I don't recall ever being served with the action and believe that it was dismissed as a frivolous lawsuit. I was made aware of it when I was screened for this position in 2010. I have no further details about this matter and believe that it happened more than 20 years ago.

Since becoming a judge, I was name as a Defendant as a result of my service on the bench. The Cherokee Nation, in an effort to prevent me from holding a hearing in the matter of Adoptive Parents vs. Baby Girl a/k/a "Baby Veronica" case, attempted to obtain a temporary restraining order against me. The action was filed in the United States District Court under V.B., by her Next Friend, Angel Smith vs. Daniel E. Martin, Jr., Judge, Family Court for the Ninth Judicial Circuit, Civil Action No. 2:13-cv-02073-DCN-BM. J. Emory Smith, Jr., Deputy Solicitor from the Office of the South Carolina Attorney General was appointed to represent me. The action was dismissed.

Other than the above listed actions, I am unaware of any other lawsuits ever being filed against me.

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

N/A

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? Yes. 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. No Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No If so, give the details.

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

No

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

No

53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?

Yes

54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.

No

55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with original letters of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission

directly. *You must return the five (5) original letters of recommendation to the Commission with your application.*

- (a) Willi Glee  
Attorney at Law (retired)  
[Redacted]
- (b) Dudley Gregory  
Councilman, City of Charleston  
[Redacted]
- (c) Arthur C. McFarland  
[Redacted]
- (d) Rev. Eric C. Manning  
Pastor, Emanuel AME Church  
[Redacted]
- (e) Deborah Smalls  
ILA Pension and Welfare Fund  
[Redacted]

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

I do have an Instagram account to receive videos from my family and friends. I have no other social media accounts

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

[Redacted] on Instagram

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 have no intent to engage in the use of social media other than to observe videos from my children and friends which do not contain any political or controversial material. I do not have a Facebook or Twitter account and have never had one.

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) Alpha Phi Alpha Fraternity, Inc., - life member
- (b) Sigma Pi Phi Fraternity – current Sire Archon (president)
- (c) Prince Hall Mason – Nehemiah Lodge No. 51
- (d) George Washington Consistory No. 162 (33rd degree Mason)
- (e) Arabian Temple No. 139 (Shriner)
- (f) South Carolina Aquarium – current Board member
- (g) Coastal Carolina Boy Scouts – current Board member

- (h) Avery Institute – current Board member
- (i) James L. Petigru chapter of Inns of Court – current member
- (j) Charleston Pro Bono – current Board Member
- (k) 2023 recipient of the Buchan, Brown and Jacobs award given by the South Carolina Conference of Family Court Judges

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 do not believe that judges should live a nomadic and isolated life. I believe that the more life experience that one has to bring to the bench, the better jurist he/she would make. I have always been active in my church and in my community. I have been affiliated with numerous charitable organizations including the Prince Hall Masons. As a 33 ° Mason, I held the position of Grand Legal Advisor for the state of South Carolina before joining the Family Court. I currently serve on many local boards of directors including Charleston Pro Bono, the Coastal Carolina Boy Scouts, the South Carolina Aquarium and Avery Institute. I actively participate in Inns of Court and have spoken individually and also on panels before fellow judges, lawyers, law students and students of all ages. As a sole practitioner with an office located in downtown Charleston for so many years, I consistently engaged with people from all walks of life. My clients came from every social-economic sector of our community. I believe that this well-rounded exposure to life and real-world situations and people of diverse backgrounds has given me the tools necessary to serve on the Circuit Court bench. I feel that I have the compassion, empathy, knowledge, work ethic and moral compass that would make be able to serve with distinction as a judge on the Circuit Court.

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 July, 2023.

\_\_\_\_\_

(Notary Signature)

\_\_\_\_\_

(Notary Printed Name)

Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_