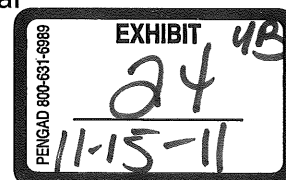


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Circuit Court, Eleventh Judicial Circuit, Seat 1

1. NAME: Mr. William Paul Keesley
BUSINESS ADDRESS: PO Box 1
127 Courthouse Sq.
Edgefield, SC 29824
TELEPHONE NUMBER: (office): 803-637-4095
2. Date of Birth: 1953
Place of Birth: Augusta, GA
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
5. Family Status: Married on May 22, 1976, to Linda Fay Black Keesley. Never divorced; one child.
6. Have you served in the military? No
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) Wofford College, 1971-1975, B.A., Government;
(b) University of S.C. School of Law, 1975-1978, J.D.
8. 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. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
South Carolina, 1978. No other states. Passed the Bar exam on first attempt.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
(a) Track team, Wofford College, 1972 – 1975;
(b) Fellowship of Christian Athletes, Wofford College, 1974-75, Vice-President;
(c) Residence Hall Education Program, Wofford College, 1975, Lecturer;
(d) Elected to Phi Beta Kappa, Wofford College, 1975.
10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) 2006 Annual Judicial Conference	08/23/06;
(b) 22 nd Annual Criminal Law Update, SC Bar	01/26/07;



- (c) 5th Annual Civil Law Update, SC Bar 01/26/07;
- (d) 2007 Annual Judicial Conference 08/22/07;
- (e) Wofford College – The Constitution: The Third Branch 09/26/07;
- (f) 23rd Annual SC Criminal Law Update, SC Bar 01/25/08;
- (g) 6th Annual Civil Law Update, SC Bar 01/25/08;
- (h) Spring Conference, SC Assoc. of Circuit Judges 05/14/08;
- (i) 2008 Annual Judicial Conference 08/20/08;
- (j) Commissions on Judicial Conduct/Atty. Conduct Training 10/21/08;
- (k) 7th Annual Civil Law Update, SC Bar 01/23/09;
- (l) 24th Annual SC Criminal Law Update, SC Bar 01/23/09;
- (m) Spring Conference, SC Assoc. of Circuit Judges 05/06/09;
- (n) 2009 Annual Judicial Conference 08/19/09;
- (o) SC Defense Attorneys Association Annual Convention 11/05/09;
- (p) 25th Annual SC Criminal Law Update, SC Bar 01/22/10;
- (q) 8th Annual Civil Law Update, SC Bar 01/22/10;
- (r) Spring Conference, SC Assoc. of Circuit Judges 05/05/10;
- (s) Commissions on Judicial Conduct/Attorney Conduct Training 10/26/10;
- (t) 26th Annual SC Criminal Law Update 01/21/11;
- (u) 9th Annual Civil Law Update 01/21/11;
- (v) Spring Conference, SC Assoc. of Circuit Judges 05/04/11.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

- (a) I was on a panel of speakers discussing the work of the Sentencing Reform Commission for the 2010 Spring Conference of the SC Association of Circuit Judges.
- (b) I spoke at a SC Bar sponsored CLE, Tips from the Bench IV in 2003 and at a seminar on evidence many years ago.
- (c) I was on the faculty of the National Drug Court Institute and have conducted training for drug court judges from across the US, the most recent being in 2003. The sites for those training sessions were in San Diego, CA; Columbia, MO; Dallas, TX; Buffalo, NY; and, Pensacola, FL.
- (d) I spoke at the National Association of Drug Court Professional's training conference in Miami, Florida on drug court issues.
- (e) I have been a lecturer for CLE training and spoken several times at meetings of the SC Association of Drug Court Professionals concerning drug court.
- (f) I have lectured at the SC Solicitors' Convention on drug courts and on a panel dealing with tips from the bench.
- (g) I lectured to personnel of the SC Department of Corrections annually for several years on drug courts.

- (h) I spoke at the SC Annual Judicial Conference on drug courts and participated in the 2010 Conference on the work of the Sentencing Reform Commission, though I was not listed on the program.
 - (i) I spoke at the SC Public Defenders' Association Annual Meeting, discussing drug courts and observations from the bench. I was also part of the ethics presentation when the new oath for attorneys was implemented (which included the civility oath) and administered the new oath to all the Public Defenders.
 - (j) I lectured to personnel of the SC Department of Probation, Parole and Pardon Services concerning drug courts.
 - (k) I have been a speaker at the training given annually to the Chief Judges for Administrative Purposes, discussing the administrative functions of circuit judges.
 - (l) I lectured at the Pre-Trial Intervention Conference on the topic of drug courts.
 - (m) I lectured at a CLE program held at the Medical University of SC dealing with drug courts.
 - (n) I spoke at training conferences of the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) concerning drug courts.
12. List all published books and articles you have written and give citations and the dates of publication for each.
Drug Courts, (S.C. Bar Lawyer, July/August 1998), Author
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) Admitted to practice before the State Courts of South Carolina in 1978;
 - (b) Also admitted to practice before the Federal District Court around 1987.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) 1978-80: Associate, John F. Byrd, Jr., Esq., Edgefield, SC, General practice primarily involving real estate;
 - (b) 1980-83: Associate, J. Roy Berry, Esq., Johnston, SC, General practice primarily domestic relations;
 - (c) 1983-91: Sole practitioner, Johnston, SC, General practice;
 - (d) From 1983-87, part-time Public Defender for four counties;
 - (e) From 1983-89, part-time town attorney for Johnston, SC;
 - (f) From 1988-89, part-time Assistant Solicitor, 11th Judicial Circuit.
15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I never applied for a rating by Martindale-Hubbell or any other rating organization. It was rarely used in my practice, and I saw no need to seek to be rated.

22. Have you ever held judicial office?

Yes. I have been the Resident Circuit Judge of the 11th Judicial Circuit, Seat 1, elected by the General Assembly, serving since August 13, 1991. This is a court of general jurisdiction.

23. If the answer to question 22 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) State v. Johnny Rufus Belcher, 385 S.C. 597, 685 S.E.2d 802 (2009). This case changed the law in South Carolina and held that the jury should no longer be instructed that malice may be inferred from the use of a deadly weapon when evidence is presented that would reduce, mitigate, excuse or justify a killing or attempted killing.
- (b) Bursey v. S.C. Dept. of Health and Environmental Control, 369 S.C. 176, 631 S.E.2d 899 (2006). This case dealt with the largest mining project in the history of South Carolina, which took place with the reconstruction of the Lake Murray Dam. It was a review of the decision of the South Carolina Mining Council and concerned issues under the Administrative Procedures Act.
- (c) Johnson v. Catoe, 345 S.C. 389, 548 S.E.2d 587 (2001). The South Carolina Supreme Court stayed the execution of a death row inmate and appointed me to serve as a Special Referee to the Supreme Court. I was given the task of evaluating whether a witness who had claimed responsibility for killing a South Carolina Highway Patrol Trooper was competent and credible.
- (d) State v. Michael Rian Torrence, 322 S.C. 475, 473 S.E.2d 703 (1996). The South Carolina Supreme Court designated me to serve as a Special Referee in this death penalty case to evaluate whether the defendant was competent to waive his right to appeal and proceed to be executed.
- (e) Calcaterra v. City of Columbia, 315 S.C. 196, 432 S.E.2d 498 (S.C.App. 1993). This case established that a municipality may charge higher rates to non-resident users of municipal water systems.

24. 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?

Yes. I served in the SC House of Representatives, District 82, from November 1998 to August 12, 1991. It is an elected position. The ethics reports were properly filed.

25. 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

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

Yes. I was defeated in a special election primary race in February 1987, seeking to fill the unexpired term for a seat in the SC House of Representatives (District 82).

27. 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? None, other than part-time or summer employment while attending school.

28. Are you now an officer or director or involved in the management of any business enterprise? No.

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

30. 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. Explain how you would resolve any potential conflict of interest. None known

31. 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? No.

32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.

33. 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? No.

34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?

As a judge, I have been named as a defendant in three lawsuits by a *pro se* litigator, Joseph T. McQuatters. Mr. McQuatters appears to advocate positions that seem to me to be akin to those advanced in "sovereign citizen" claims. My impression is that Mr. McQuatters will sometimes just add names to the caption of a pending lawsuit and alter the captions of cases as they proceed, without any authority to do so. He also appears to change names unilaterally asserting various positions about "legal fictions."

- (a) It seems that he added my name to a foreclosure action against him filed in Lexington County wherein it is alleged that Mr. McQuatters has not paid his regime fees [Case Number 2009-CP-32-05255 Yacht Cove Owners Association v. Joseph Thomas McQuatters]. He asserts that I acted inappropriately in ruling in favor of the plaintiff on a motion, which I believe to be an assertion that is completely without merit. In

actuality, after he added my name to this suit, I recused myself. At that point, I had issued a memorandum order, but not a final one. The recusal made the preliminary ruling ineffectual. While I do not believe that I have been served with this alleged lawsuit, the case is listed as pending. I believe that my attorney has filed a motion to dismiss any claim that may have been asserted against me.

- (b) Mr. McQuatters also has a suit pending that my attorney removed to the United States District Court for the District of South Carolina [C/A No. 3:10-1375-CMC-PJG, Joseph T. McQuatters v. Town of Irmo, et al.]. My understanding is that Mr. McQuatters was stopped by officers with the Irmo Police Department and given a traffic citation. Before going to municipal court, he somehow managed to file documents with the Clerk of Court for Lexington County seeking an emergency hearing in the Court of Common Pleas to enjoin the Town of Irmo from proceeding. Unbeknownst to me, my law clerk apparently sent an email to the docketing clerk in which she used a derogatory term in referring to Mr. McQuatters. When Mr. McQuatters did not appear for the hearing, I dismissed his motion (which in my judgment did not appear to have been appropriate for filing in the first place). He has lodged claims against various attorneys, the Municipal Judge, the Clerk of Court, the docketing clerk, and me. The United States Magistrate issued her Report and Recommendation on July 27, 2011, in which she recommended that the case be dismissed. The federal magistrate noted in that document that Mr. McQuatters has refused to accept documents sent to him by the federal court and the attorneys, claiming that his correct name is not Joseph T. McQuatters. The Report and Recommendation states that Mr. McQuatters has referred to himself in the following ways in captions in this suit: Joseph T. McQuatters, Alleged Defendant, a legal fiction; Joseph-Thomas: family McQuatters, Third Party Plaintiff; and, Joseph-Thomas, Petitioner, Third Party Intervenor, Real Party in Interest under injury. This case is pending and awaiting a decision by the United States District Judge as to whether to accept the magistrate's recommendation of dismissal.
- (c) Mr. McQuatters attempted to add my name to an earlier lawsuit filed against him in Lexington County [Case Number 2004-CP-32-04277, ABN AMRO Mortgage Group, Inc. v. Joseph T. McQuatters, et al.]. That was a foreclosure action. He had filed an Answer and Counterclaim in which he demanded a jury trial. Under the Rules of Civil Procedure, foreclosure actions are subject to referral to the Master-in-Equity without the consent of any party. I signed a routine order referring the foreclosure case to the Master. The order included a notation that read, "if there are any counterclaims requiring a jury trial, any party may file a demand under Rule 38, SCRPC, and the case will be returned to the Circuit Court." When Mr. McQuatters received the

Order of Reference, he notified the court as provided in the order, and I immediately scheduled a hearing and vacated the order. Mr. McQuatters then added some denomination on the caption of that case that purportedly included me. It appears that the suit went through various forms, with the gist of Mr. McQuatters' claim against me being that I acted without jurisdiction. The claim against me was dismissed summarily.

36. 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? No.
37. 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)? No.
38. 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?

I attended the South Carolina Association for Justice's 2011 convention in Hilton Head. SCAJ provided a room, complimentary registration, and some food and beverages to me from August 4 to August 7, 2011.

39. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
40. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
41. 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.

None, except that I paid postage to mail the form to the Commission indicating my intent to seek re-election.

42. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None
43. 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? 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? No.

44. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
45. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
46. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.
47. 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) SC Bar;
 - (b) Edgefield County Bar Association, President 1985, Treasurer for many years;
 - (c) SC Association of Circuit Judges, Vice-President, 2010-2011, Sec., 1991-2010;
 - (d) SC Assoc. of Drug Court Professionals, President, 1997-98, Board Member.
48. 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, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
- (a) Mason, Concordia Lodge #20, Edgefield, SC (no offices held);
 - (b) Phi Beta Kappa (no offices held);
 - (c) Pine Ridge Country Club, Edgefield, SC, social member (no offices held).
49. 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.
- Twenty years of experience as a circuit judge.
50. References:
- (a) Patsy Easler
Wachovia Bank, N.A.
PO Box 528
Edgefield, SC 29824
803-637-3117
 - (b) G.W. Rauton, III, D.V.M.
PO Box 326
Johnston, SC 29832
803-275-4652
 - (c) C. David Sawyer, Jr.*
110 S. Main St.

Saluda, SC 29138

864-445-4644

(d) Thomas C. Brittain,*

4614 Oleander Dr.

Myrtle Beach, SC 29577

843-353-0365, Toll Free 866-524-4784

(e) John W. Pettigrew, Jr.*

209 Woodridge Rd.

Edgefield, SC 29824

803-637-2227

*Note: Mr. Sawyer and Mr. Brittain are attorneys, but they do not appear before me.

Mr. Sawyer has a real estate practice and does not appear in court.

Mr. Brittain is a former roommate, and I recuse myself from his cases.

Mr. Pettigrew is a member of the Bar, but does not practice law.

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: William Paul Keesley

Date: August 8, 2011