

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

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

1. NAME: The Honorable David Craig Brown
BUSINESS ADDRESS: 180 N. Irby St., MSC-CC
Florence, SC 29501
TELEPHONE NUMBER: (office): (843) 679-7156
2. Date of Birth: 1969
Place of Birth: Sumter, SC
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 June 18, 1994 to Kay Hunt Brown. Never divorced, three children.
6. Have you served in the military?
N/A.
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) Francis Marion University
January 1988 – May 1988
No degree – Transferred to The Citadel
 - (b) The Citadel
Summer 1988 – May 1992
B.S. Political Science
 - (c) The USC School of Law
August 1994 – May 1997
JD
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.
SC – 1998 – Bar examination taken twice.
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) The Citadel
College Football – 1988-90
Member 1992 Summerall Guards
Member 1991 – 1992 Honor Committee
Big Brother Program – 1991-92
Kilo Company Platoon Leader – 1991-92
Member of The Citadel Training Cadre – Fall 1990
Commandant's Distinguished Service List (Date Unknown)



- (b) USC School of Law
Student Bar Association

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</u>
(a) SC Circuit Court Judges Association	05/05/2010;
(b) The Investigation and Prosecution of CDV and CSC Crimes	05/28/2010;
(c) Orientation School for New Judges	07/07/2010;
(d) SCAJ Annual Convention	08/05/2010;
(e) 2010 Judicial Conference	08/18/2010;
(f) Lunch and Learn the Repot of the Task Force on Professional Potential	12/10/2010;
(g) SC Bar: Criminal Law Section	01/21/2011;
(h) SC Bar: Trial and Appellate Advocacy Section	01/21/2011;
(i) Sporting Clays CLE: Ethics with Judges	04/14/2011;
(j) SC Circuit Court Judges' Conference	05/04/2011;
(k) 2011 Orientation School for New Judges	07/06/2011;
(l) SCAJ Annual Convention	08/04/2011;
(m) Annual Judicial Conference	08/17/2011;
(n) Sporting Clays CLE: Ethics with Judges	10/13/2011;
(o) SCDTAA Annual Meeting	11/03/2011;
(p) SC Bar: Part 2 Criminal Law Section	01/20/2012;
(q) SC Bar: Trial and Appellate Advocacy Section	01/20/2012;
(r) Northwestern Univ. Economics Institute For Judges	04/23/2012;
(s) NJC: General Jurisdiction	04/29/2012;
(t) The 11 Hour Evidence Clock	06/07/2012;
(u) SCAJ Annual Convention	08/02/2012;
(v) Sporting Clays CLE: Ethics with Judges	10/18/2012;
(w) SCDTAA Annual Meeting	11/08/2012;
(x) George Mason Univ. 7 th Annual Judicial Symposium on Civil Justice Issues	11/11/2012;
(y) SC Bar: Part 2 Criminal Law Section	01/25/2013;
(z) SC Bar: Trial and Appellate Advocacy Section	01/25/2013;
(aa) NJC: Sentencing and Management of Sex Offenders	02/11/2013;
(bb) Spring Sporting Clays CLE: Ethics with the Judges	04/25/2013;
(cc) Spring Judicial Conference	05/01/2013;
(dd) Annual Judicial Conference	08/21/2013;
(ee) Fall Sporting Clays: Ethics with the Judges	10/17/2013;
(ff) Handling Capital Cases	11/04/2013;
(gg) SC Bar: Trial and Appellate Advocacy	01/24/2014;
(hh) SC Bar: Part 2 Criminal Law Section	01/24/2014;
(ii) Spring Circuit Court Judges Conference	03/24/2014;
(jj) Sporting Clays CLE: Ethics with Judges	04/24/2014;
(kk) Mason Judicial Symposium on the Economics and Law of Public Pension Reform	04/27/2014;
(ll) Fundamentals of E-Discovery	06/11/2014.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.
 - (a) Francis Marion University–Adjunct Professor–Business Law. August 1999–May 2005;
 - (b) Florence–Darlington Technical College–Adjunct Professor–Business Law. March 2000–May 2000;
 - (c) The Investigation and Prosecution of Criminal Domestic Violence and Criminal Sexual Conduct Crimes – Lectured on Bonding Issues–May 2010;
 - (d) Panelist – Sporting Clays CLE: Ethics with Judge –April 2011;
 - (e) Lecturer – Orientation School for New Judges–July 2011;
 - (f) Panelist – Sporting Clays CLE: Ethics with Judges–October 2011;
 - (g) Panelist – Sporting Clays CLE: Ethics with Judges–October 2012;
 - (h) Panelist – Sporting Clays CLE: Ethics with Judges–April 2013;
 - (i) Panelist – Sporting Clays CLE: Ethics with Judges–October 2013;
 - (j) Panelist – Sporting Clays CLE: Ethics with Judges–April 2014.
12. List all published books and articles you have written and give citations and the dates of publication for each.
N/A.
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) All SC Courts–May 11, 1998;
 - (b) United States District Court–December 2, 1998;
 - (c) United States Court of Appeals–July 7, 2004.
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) Judicial Law Clerk for the Honorable M. Duane Shuler, SC Circuit Court. August 1997–Summer 1998;
 - (b) Bridges, Orr, Derrick & Ervin –August 1998–April 2001. Engaged in the practice of civil litigation, primarily defense;
 - (c) The Law Office of D. Craig Brown, P.C. May 2001–March 2010. Engaged in the practice of civil litigation (plaintiff and defense) and criminal defense (state and federal);
 - (d) Florence County Public Defender –Part-time–July 2006–August 2007;
 - (e) Marion County Public Defender–Part-time–July 2006–March 2010;
 - (f) SC Circuit Court Judge, At-Large Seat No. 8–Elected February 2010–Present.
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.
Last rating in Martindale-Hubbell prior to being elected to the bench in 2010 was BV.
22. Have you ever held judicial office?

- I was elected to the SC Circuit Court, At-Large Seat No. 8 on February 3, 2010. I was sworn in on March 25, 2010, and have been serving continuously since then.
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) Affirmative Insurance Services, Inc., v. Salvador Cruz-Campos. Affirmed by the SC Court of Appeals, May 16, 2012. Unpublished Opinion No. 2012-UP-308;
 - (b) Mark Fountain v. First Reliance Bank, et. al. Affirmed by the SC Supreme Court, July 11, 2012. Opinion No. 27141;
 - (c) Sease v. State of South Carolina. Affirmed by the SC Supreme Court, September 11, 2013. Memorandum Opinion No. 2013-MO-025;
 - (d) State v. Matthews. Affirmed by the SC Court of Appeals, February 12, 2014. Unpublished Opinion No. 2014-UP-063;
 - (e) Susan Ann Bell Lynch v. Carolina Self Storage. Affirmed by the SC Court of Appeals, March 26, 2014. Opinion No. 5213.
24. Have you ever held public office other than judicial office.
- Florence County Voter Registration and Election Commission. Appointed March 2007 and resigned on February 5, 2008. While serving on this Commission, I did timely file my report with the State Ethics Commission.
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.
- None.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
- I previously ran for Circuit Court, At-Large Seat No. 1. The screening process took place in the Fall of 2008. The Judicial Merit Selection Commission found that I was qualified and nominated me for election. The election for this particular seat took place in February 2009. I withdrew as a candidate for this seat on the morning of the election.
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?
- SC Department of Probation, Parole and Pardon Services – Probation and Parole Agent. Fall 1993–Summer 1994.
28. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
- (a) KMH Properties, LLC, f/k/a KatMar Properties, LLC, Owner – Engaged in real estate investment;
 - (b) Old Stallions, LLC, Owner – Engaged in real estate investment.
- My involvement in the two LLC's is limited to financial contributions. The properties are managed by a property management company.
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.
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?

I was arrested in December 1988 for DUI. I pled guilty to possession of alcohol by a minor and open container in 1989 and paid a fine. The DUI charge was dismissed and has since been expunged.

On May 22, 2013, I was ticketed for "Following Too Closely." The charge was reduced to "Improper Start" and I paid a fine in the amount of \$237.00.

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.

No.

36. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect?

No.

37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance?

N/A.

38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.?

I am a member of Twitter. I only use it to follow personal interest matters. It is not used at all in my judicial capacity. Therefore, my use of such would not be affected while serving in a judicial capacity.

39. 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.

40. 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?

No.

41. 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.

42. 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.

43. 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.

44. 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.

45. 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.

46. 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.

47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy?

No.

48. 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.

49. 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 Association;

(b) Florence County Bar Association.

50. 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) Florence County Small Fry Baseball Coach – 2010-11 & 2014;

(b) Florence County Minors Baseball Coach – 2012-13;

(c) City of Florence Junior Football League Coach – 2013;

(d) Delmae Baseball League Board Member – 2013-14;

(e) City of Florence Junior Football League Board Member – 2013-14.

51. 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.

As I stated in my Personal Data Questionnaire in July 2009 when applying for the judicial seat that I now hold, I conveyed to the Commission the values of honesty, integrity, hard work, and treating others with dignity and respect. These values were instilled within

me from a very young age by my parents and they have been values that I relied upon as a practicing attorney and now rely upon as a sitting judge. The importance of these values were confirmed when practicing law and have now been confirmed as a judge. Finally, they will continue to be values that I will rely upon in carrying out my job responsibilities as a Judge.

52. References:

- (a) James G. Carsten
1123 Rock Creek Dr.
Florence, SC 29505
(843) 679-0770
- (b) Vasker Calvineau Bartell
711 Bartells Road
Lake City, SC 29560-7564
(843) 621-1812
- (c) Dr. William J. Curtis
2570 Double C Farm Ln.
Timmons ville, SC 29161
(843) 206-7766
- (d) The Honorable Ralph King Anderson, Jr.
P.O. Box 1562
Florence, SC 29503
(843) 662-0557
- (e) Marion Blake Gibson
4304 Blue Heron Circle
Florence, SC 29501
(843) 661-6334

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: David Craig Brown

Date: July 9, 2014