## JUDICIAL MERIT SELECTION COMMISSION PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying: Circuit Court, At-Large, Seat 2

1. NAME:

The Honorable Rupert Markley Dennis, Jr.

**BUSINESS ADDRESS:** 

PO Box 1800

Moncks Corner, SC 29461

TELEPHONE NUMBER:

(office): 843-719-4434

2. Date of Birth:

1947

Place of Birth:

Charleston, 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?

- 5. Family Status: Married to Janis Sherill Galbreaith on January 16, 1971. Never divorced. Three children.
- 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) USC 9/66 thru 6/70 Bachelor of Science in Business Administration;
  - (b) USC 9/70 thru 6/73 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 1973

- 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) During my college years, I was a member of Kappa Alpha Order, pledging in the fall of 1967.
  - (b) During my senior year, I was the corresponding secretary for the Fraternity. I also participated in the State Student Legislature during Spring 1969.
- 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.

Conference/CLE Name		<u>Date</u>
(a)	Civil Law Update	1/2010;
(b)	Criminal Law Update	1/2010;
(c)	SC Circuit Court Judges Assoc.	5/2010;
(d)	Orientation School for New Law Clerks	7/2010;
(e)	Judicial Conference	8/2010;
(f)	Sporting Clay Seminar: Ethics	10/2010;
(g)	Sporting Clay Seminar: Ethics	4/2011;
(h)	SC Circuit Court Judges Conf	5/2011;



(i)	Orientation School for New Law Clerks	7/2011;
(j)	2011 Annual Judicial Conf	8/2011;
(k)	Sporting Clay Seminar	10/2011;
(1)	Part 2 Criminal Law –SC Bar	1/2012;
(m)	Trial & Appellate Advocacy SC Bar	1/2012;
(n)	Sporting Clay Seminar SC Bar	4/2013;
(o)	SCCJC Spring Conf.	5/2013;
(p)	Annual Judicial Conf.	8/2013;
(q)	Criminal Law Section – SC Bar	1/2014;
(r)	Trial and Appellant Advocacy SC Bar	1/2014;
(s)	Torts & Insurance SC Bar	1/2014.

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

For over ten (10) years I have been one of the teachers of the Civil Law Portion of the New Judge's School and because of being Chairman of the Advisory Committee have served as a moderator for the Program for over five (5) years. I have spoken on numerous occasions to classes at the Charleston School of Law and have been on panels with Programs with the SC Bar and the SC Defense Trial Lawyers Association, dealing with topics such as allocation of fault among joint feasors, strategies of the use of Depositions at Trial and ethics issues involving judges and practitioners.

- 12. List all published books and articles you have written and give citations and the dates of publication for each. None
- 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) State Courts of South Carolina in 1973;
  - (b) Also admitted to practice before the Federal District Court and Fourth Circuit Court of Appeals.
- 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.

Upon graduation from law school in 1973 and admission to the Bar, in November, 1973, I practiced law in Moncks Corner, SC. My practice was a general nature dealing primarily in litigation in Family Court, Civil Court, Criminal Court, Probate Court and some administrative agencies, primarily Worker's Compensation. I represented the Berkeley County School District for seven years and was retained counsel for it. My representation resulted in my having to handle various legal matters, including issues involving school law and employment law. I handled several matters in the Court of Appeals in this State and was associate counsel in a matter heard by the Court of Appeals in this State and was associate counsel in a matter heard by the SC Supreme court. During my practice in Moncks Corner, I also had occasions to handle several matters in the Federal Court, including an association in a case which resulted in an appeal to the Fourth Circuit Court of Appeals. In addition to litigation, I have been involved in real estate work, ranging from suite to remove clouds on title, to simple loan closings. My practice also involved occasions for minor estate planning, as well as some corporate work.

15. What is your rating, if any, by any legal rating organization, such as, <u>Best Lawyers</u>, <u>Chambers</u>, <u>Legal 500</u>, <u>Martindale-Hubbell</u>, <u>Who's Who Legal</u>, <u>Super Lawyers</u>, <u>etc.</u>? If you are currently a member of the judiciary, list your last available rating, if any.

Martindale-Hubble BV Ration in 1993

- 22. Have you ever held judicial office?
  - I was elected Circuit Court Judge, At-Large, Seat 2, in February, 1994, to fill the unexpired term of The Honorable William T. Howell, and have been serving continuously since that date.
- 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) <u>State v. Sapp</u>, 366 SC 283, 621 S.E. 2d 883 (2005). This is a Death Penalty Case tried by me in Berkeley County;
  - (b) <u>Hospitality Management Associates, In. vs. Shell Oil Co.</u>, 356 S.C. 644, 591 S.E. 2d 611 (2004). This is an Appeal from an Order granting Summary Judgment, giving full faith and credit to Orders recognizing and affirming a National Class Act ion settlement:
  - (c) <u>Branham v. Ford Motor Co.</u>, 390 S.C. 203, 701 S.E. 2d 5 (2010). This is an Appeal taken from a products liability case involving design defect in the Ford Bronco;
  - (d) <u>Sinkler vs. County of Charleston</u>, 367 S.C. 67, 690 S.,E. 2d 777 (2010) This is a case involving an Ordinance rezoning land in which the Court of Appeals reversed my decision but the South Carolina Supreme Court reversed the decision by the Court of Appeals, thereby affirming my decision declaring the Ordinance invalid;
  - (e) Town of Mt. Pleasant vs. Chimento, 401, S.C. 522, 737 S.E. 2d 830 (2013). This is a case in which I declared the gambling statute unconstitutional.
- 24. Have you ever held public office other than judicial office? No
- 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? No.
- 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? No
- 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.

  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? 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?

I have been sued twice, being named personally in lawsuits arising out of a business venture known as Palmetto Wellness & Fitness Center, Inc. One involved a suit filed by a disgruntled stockholder alleging fraud against me and the other stockholders of the corporation, This suit was settled with the purchase of the Plaintiff's stock and his interest in the real property used by the corporation.

I was also named as a party-defendant in a suit against Palmetto Wellness & Fitness Center when a former director of the fitness center sued for breach of contract and attempted to pierce a corporate veil. This suit was settled prior to trial.

I have also been named as a defendant in suits filed by various inmates, all of which have been dismissed. The names of the suits are as follows, to-wit:

- 1. Edward B. Bennett vs. Sheriff Al J. Cannon, et al.
- 2. Robert J. Schieble, Jr. vs. Code Officer Horner, et al.
- 3. Steven McBlain vs. Judge R. Markley Dennis, Jr., et al.
- 36. Have you ever been investigated by the Department of Social Services? 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.? No
- 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? 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) American Bar Association;
  - (b) South Carolina Bar Association;
  - (c) South Carolina Circuit Judges Association:
    - -Circuit Judges Advisory Committee
    - -Judicial Council of the State of South Carolina.
- 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) USC Gamecock Club;
  - (b) The Hibernian Society.
- 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. None
- 52. References:
  - (a) The Honorable Wayne Dewitt Sheriff of Berkeley County 223 North Live Oak Drive Moncks Corner, SC 29461
  - (b) Mrs. Dot Gatlin
    First Citizens Bank
    Main Street
    Moncks Corner, SC 29461
  - (c) The Honorable Robert E. Watson Master in Equity, Berkeley County 300 California Avenue Moncks Corner, SC 29461

- (d) Mr. David Fashion, Agent in Charge Probation and Parole Berkeley County 300 California Avenue Moncks Corner, SC 29461
- (e) The Honorable Julie J. Armstrong Clerk of Court, Charleston County 100 Broad Street Charleston, SC 29401

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

Signature: R. Markley Dennis, Jr.

Date: August 5, 2014