

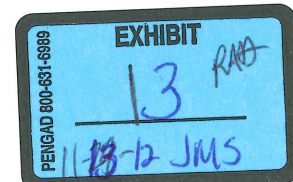
**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Circuit Court, At-Large, Seat 15

1. NAME: Mr. Curtis A. Pauling, III
BUSINESS ADDRESS: 1000 Assembly Street, Suite 501
Columbia, SC 29201
TELEPHONE NUMBER: (office): 803-734-2816
2. Date and Place of Birth: 1975; Jacksonville, NC
3. Are you a citizen of SC? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married on 5/24/2003 to Noelle Elaine Pauling; 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) Clemson University, 8/1993-5/1997, BA English;
 - (b) USC School of Law 8/1997-5/2000, 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, 2000
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) Member, Student Bar Association, USC School of Law, 1997-2000;
 - (b) Black Law Students Association, USC School of Law
Vice President, 1999-2000
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Solicitor's Association Conference	09/25/11;
(b) Courtroom Technology Training	06/27/11;
(c) Following the Money	12/16/10;
(d) Practice in the Administrative Law Courts	10/15/10;
(e) With Great Power Comes Great Responsibility	09/26/10;
(f) Criminal Domestic Violence in SC	06/18/10;
(g) SC Solicitor's Association Conference	09/28/09;
(h) Internet Crimes Against Children	08/14/09;



- | | | | |
|--|-----|---------------------------------------|-----------|
| | (i) | Capital Litigation: Practice Tips | 07/17/09; |
| | (j) | Criminal Domestic Violence Cases | 10/29/08; |
| | (k) | SC Solicitor's Association Conference | 09/28/08; |
| | (l) | Westlaw | 07/24/08; |
| | (m) | Prosecuting Adult and Child | 06/26/08; |
| | (n) | Ethics for Government Lawyers | 11/09/07; |
| | (o) | Legal Writing | 10/18/07; |
| | (p) | SC Solicitor's Association Conference | 09/23/07. |
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 an Adjunct Instructor at ITT Technical Institute (Columbia, SC) from June 2010 to December 2010. I taught students in the Criminal Justice program Constitutional law and substantive criminal law.
- (b) I was a speaker for a CLE entitled Introduction to the State Grand Jury (10/28/11) This CLE explained the functions, uses and procedures of the State Grand Jury system in SC.
- (c) I was a speaker for a legal education seminar for law enforcement officers entitled Basic Training for Street Gang Investigators (4/13/12). This course instructed law enforcement officers on investigative techniques as related to gang investigations. The portion I conducted involved legal updates and the explanation of the jurisdiction of the State Grand Jury as it relates to gang investigations.
12. List all published books and articles you have written and give citations and the dates of publication for each.
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.
- Admitted to practice before the State Courts of SC in 2000
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.
- 14.(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, 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 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.

Upon graduation from the University of SC School of Law in May 2000, I became employed as a judicial law clerk for the Honorable L. Casey Manning, Resident Judge for the Fifth Judicial Circuit. I assisted Judge Manning with the civil and criminal court docket by performing legal research and reviewing legal memoranda, motions and orders. My clerkship with Judge Manning afforded me the opportunity to gain insight into how both Common Pleas and General Sessions cases are handled in our court system. I was admitted to the SC Bar on November 13, 2000.

After my clerkship with Judge Manning, I took a position as an Assistant Solicitor with the Fifth Judicial Circuit Solicitor's Office in August 2001. As a prosecutor I handled both magistrate level and General Sessions cases. I managed a docket of on average 300 to 350 cases. My cases ranged from general property offenses to violent crimes. I gained valuable trial experience and handled several hundred guilty pleas. In June 2004 I was employed as an Assistant Solicitor with the SC Attorney General's Office. Initially I handled civil commitment matters pursuant to the Sexually Violent Predator Act. I soon became a member of the Prosecution Division in November 2004. I began handling cases ranging from insurance fraud to conflict cases ranging from official misconduct to murder.

In August 2005 I became a member of the State Grand Jury Division. I began prosecuting multi-county drug trafficking organizations and public corruption matters. I also assisted in gang violence prosecutions and Internet Crimes Against Children (ICAC) matters. I am currently an Assistant Deputy Attorney General and supervise three prosecutors and five support staff members.

I have tried several criminal cases and handled numerous other matters. In the State Grand Jury Division I have been lead attorney on ten State Grand Jury investigations ranging from multi-county drug trafficking conspiracies to public corruption to internet crimes. I have assisted on fourteen other SGJ investigations. I have also handled asset forfeiture matters as a result of the drug conspiracy investigations.

My employment at the Attorney General's Office has allowed me to appear in court all across the state.

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.?

I do not have a rating, but I also do not subscribe to any of these publications.

16. What was the frequency of your court appearances during the last five years?
- (a) federal: none;
 - (b) state: weekly.

17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
- (a) civil: 0%;
 - (b) criminal: 100%;
 - (c) domestic: 0%;
 - (d) other: 0%.

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: 100%;
 - (b) non-jury: 0%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Chief Counsel

19. List five of the most significant litigated matters you have personally handled in either trial or appellate court or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

(a) State v. Ricky Brannon

This case involved a career criminal whose crime of choice was burglary and arson. This case was significant because he was served LWOP notice prior to trial. He then was a suspect in a courthouse fire that occurred shortly before his trial date. His case was transferred to the SC Attorney General's Office where my co-counsel and I successfully prosecuted him and he was subsequently sentenced to life in prison.

(b) State v. Nicanor Rodriguez

This case stemmed from a multi-county drug conspiracy investigation through the State Grand Jury. This defendant was at the top of a drug trafficking organization distributing large scale quantities of methamphetamine, cocaine and marijuana. After jury trial this individual was convicted and sentenced to a 45 year prison term.

(c) State v. Vander Simmons, Jr.

This case involved the death of a young woman at the hands of her husband, Vander Simmons, Jr. The unfortunate witnesses were the minor age children of the defendant and victim. This case had a series of unusual events. The children did not disclose what they had seen until after the funeral at the request of their father. When they did disclose to their maternal grandmother an autopsy was requested. Unfortunately when the body was exhumed it was discovered that a considerable amount of water had breached the casket post burial. The water damage made performing an autopsy very difficult at best due to the damage to the corpse. This of course hampered the ability of the pathologist to make any finding of cause and manner of death. With other medical information that was available, Vander Simmons, Jr. was indicted for Voluntary Manslaughter. He was convicted of Involuntary Manslaughter after jury trial.

(d) In the Matter of the Care and Treatment of Kenneth Outen

This case involved the civil commitment of an individual pursuant to the Sexually Violent Predator Act. Kenneth Outen had two qualifying convictions.

In 1987 he pled guilty in North Carolina for molesting his thirteen year-old stepdaughter. In 2001 he pled guilty in York County for molesting an eleven -year-old girl. He had molested this particular child three to four years before being arrested. Mr. Outen was deemed to suffer from pedophilia by the State's expert Dr. Pamela Crawford. The defense expert witness Dr. Tom Martin agreed that Mr. Outen suffered from pedophilia but indicated he could be treated in Dr. Martin's outpatient treatment facility. The jury found Mr. Outen to be a sexually violent predator and committed him to the Department of Mental health for treatment.

(e) State v. Christopher Campbell and Tim Ford

This case involved public corruption and election fraud. I was co-counsel in this matter. This involved the Mayor of Eastover (Campbell) and the Chief of Police for Eastover (Ford) in a scheme to manipulate the town council elections. This involved a system of manipulating the absentee ballot option to stack votes for certain candidates. Christopher Campbell was convicted after jury trial.

20. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.
None.
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.
State v. Ramsey, SC Court of Appeals, June 6, 2012
*I did not prepare the brief. I only participated in the oral argument due to the fact that I handled the case at the trial level. One of our appellate attorneys wrote the brief.
22. Have you ever held judicial office? No.
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.
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. N/A
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
No, I have never been a candidate for elective, judicial or public office.

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. N/A
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 to all three questions.
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? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No to both questions.
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 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.
39. 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.
40. 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." None.
41. 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." None.

42. 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.

There are none.

43. 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.

There are none.

44. 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 to both questions.

45. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? If so, give details. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No to both questions.

46. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.

47. 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.

48. 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) SC Solicitor's Association.

49. 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.

50. 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.

My parents Curtis A. Pauling, Jr., and Mildred Glaze Pauling have had the greatest impact on my life. They both set high expectations and standards for me at an early age. My father was a career United States Marine and expected me to do things the right way. My mother was a public school teacher who instilled in me the value of an education and the necessity of an honest work ethic. My parents also illustrated to me the importance of maintaining proper balance and keeping the proper perspective. They both provided me stability and afforded me a variety of opportunities in my life. They have always empowered me to reach beyond limited expectations. They

taught me the importance of integrity and fairness and treating others with both. I believe the value system they ingrained in me will serve me well if elected to the bench.

While in high school I was afforded the opportunity to work for and be mentored by a local attorney in my hometown. It was there where I received a genuine perspective of the day to day life of a lawyer. I gained valuable lessons during that time and the realization that the true success of lawyer is found in helping advocating for those who cannot speak for themselves.

I am a member of the Church of the Harvest in Lexington, SC. I dedicate a good portion of my time there in various ministries. A considerable amount of the charitable activities I take part in are through my church.

51. References:

- (a) David M. Stumbo
574 Turtleback Trail
Waterloo, SC 29384
(803) 422-2781
- (b) Jason P. Peavy
1720 Main Street, Suite 301
Columbia, SC 29201
(803) 779-4857
- (c) Dietrich A. Lake
1034 Briargate Circle, Suite 201
Columbia, SC 29210
(803) 750-8311
- (d) T. DeWayne Pearson
3617 Carriage House Road
Columbia, SC 29206
(803) 343-3175
- (e) Sherika Sims
Allsouth Federal Credit Union
7454 Woodrow Street
Irmo, SC 29063
(803) 736-3110

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: Curtis A. Pauling, III

Date: August 9, 2012

Curtis A. Pauling, III
114 Stampport Circle
Irmo, SC 29063
(803) 407-8680

September 17, 2012

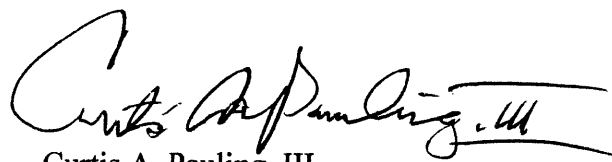
Jane O. Shuler, Chief Counsel
Judicial Merit Selection Commission
Post Office Box 142
Columbia, South Carolina 29202

RE: Application for Judicial Office

Dear Ms. Shuler:

Per this letter, I am amending the Personal Data Questionnaire portion of my application packet. Specifically I am amending my answer to Question #34. At the time I submitted my application I was unaware that a lawsuit had been filed against me in my professional capacity. I submitted my application packet on August 9, 2012. It came to my attention on August 23, 2012 that a lawsuit had been filed. The lawsuit is entitled Joseph Ambrosia, #336478 v. Curtis A. Pauling, III, Asst. Attorney General; South Carolina Department of Corrections; and the State of South Carolina. This lawsuit was filed in the Court of Common Pleas for the Fifth Judicial Circuit on July 27, 2012. Our office, via our Civil Division, received a copy of the Summons and Complaint on August 14, 2012. This matter is being handled by Assistant Attorneys General Kristin Simons and Adam Whitsett. I have spoken with Ms. Simons regarding this matter. Our office per Ms. Simons filed a Motion to Dismiss On September 10, 2012 as it relates to me and the State of South Carolina. I have attached a copy of the lawsuit and our Motion to Dismiss for your review. Please contact me should you have any questions or need additional information.

Sincerely,


Curtis A. Pauling, III

Enclosures

JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Circuit Court
(New Candidate)

Full Name: Curtis A. Pauling, III
Business Address: 1000 Assembly Street, Suite 501
Columbia, SC 29201
Business Telephone: (803) 734-2816

1. Why do you want to serve as a Circuit Court judge?
In my legal career so far I have been a public servant. I take great pride being able to serve in my community in this capacity. While the system I work in is adversarial in nature it is necessary to settle disputes. I believe that as a Circuit Court Judge I can continue to serve my community with fairness and integrity. As a prosecutor I believe I was able to handle a variety of legal matters and issues and represent the interests of the State of South Carolina. I know as a Circuit Court Judge I could continue to represent the interests of the state from a different legal perspective.
2. Do you plan to serve your full term if elected? Yes.
3. Do you have any plans to return to private practice one day?
I have never been in private practice, but I might consider entering private practice at some point in my career.
4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? Yes, I have.
5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
I believe *ex parte* communications can hinder the impartiality of a judge's position and role in our court system. The Code of Judicial Conduct does not allow for a judge to initiate or permit such communications unless in certain situations. There are times *ex parte* communications are necessary to facilitate certain administrative or scheduling issues. These communications would be devoid of any substantive matters or issues on the merits of a particular case. There are situations in criminal cases, prior to arrest and indictment that *ex parte* communications are necessary and result in permissive *ex parte* orders.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
I do not believe that I would need to recuse myself from a matter before me simply because a lawyer-legislator was involved. I believe the

determining factor is whether or not my impartiality might reasonably be questioned. As it relates to former associates or law partners, I would let both parties address their concerns or objections. I would recuse myself from a matter that I had any connection or participation in while with my former firm. My philosophy would be to eliminate the appearance of impartiality in that situation. It also appears that Canon 3E(1)(b) of the Code of Judicial Conduct requires a judge to disqualify himself.

7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

If it were a matter where my impartiality may reasonably be questioned I would grant the request for recusal. I believe the fact that I would be required to disclose information parties may find relevant to the question of disqualification, regardless of my view of the information leads me to the decision to give great deference to the moving party.

8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I would recuse myself from any legal matter before me if it involved the interests of my spouse or a close relative.

9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would not accept any gifts from a lawyer who has been or could possibly have a matter before me. I believe that I could accept an invitation of ordinary social hospitality. I would not accept or allow a member of my immediate family to accept an extravagant gift from someone who could be before me or who may have interests in a matter before me.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

In accordance with Canon 3 of the Code of Judicial Conduct, I would notify the appropriate authority or body. I would make contact with the judge or lawyer who violated the Code of Judicial Conduct or Rules of Professional Conduct.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated? No, I am not.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No.

13. If elected, how would you handle the drafting of orders?

I would handle the drafting of orders on a case by case basis. There would be cases wherein I would draft the order and in other cases I would have the prevailing party draft the order. I would of course let the other party review the proposed order prior to my review and execution.

14. If elected, what methods would you use to ensure that you and your staff meet deadlines?

I would develop a system to calendar matters having specific deadlines. I would have my staff conduct a weekly review of pending matters such as orders to be drafted or reviewed or matter taken under advisement that need to be disposed of.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

While judges are entitled to their views and philosophies about the law, I believe a judge should administer the law within the parameters proscribed by the law. While judicial activism may be beneficial in some instances a judge may run the risk of blurring the lines between interpreting the law and rewriting or making new law. There may be times when the legislative intent is not clear and judges need guidance. In some instances a judge may make a ruling to indicate that there is a need to clarify existing law, however this should not be done the detriment of parties in a pending matter.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

I would participate in CLE's and training seminars through our bar association. I would like to participate in a program to educate the public at large about the judicial system. I believe there is in many instances a disconnect between the public's perception of the judicial system and the reality of how our system of justice works. I would like to participate in law clinics in the community to explain how our court system operates and how it impacts other aspects of our government and community at large.

17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this?

I do not believe the pressure of serving as judge would strain my personal relationships. I have always had the strong support of family and friends. I know that maintaining a proper balance as it relates to family and work are key to be successful in any endeavor. I plan to maintain that balance by keeping family and work in the proper perspective. I am mindful that a judge plays a critical role in our judicial system and that the job may often be challenging and stressful. While I will be diligent in my duties as a judge, I will also take care to maintain a healthy relationship with my wife and children and others close to me.

18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

a. Repeat offenders: With repeat offenders I would ascertain what their previous sentence was and the charge in comparison to the

pending charge before me and the possible punishment. I would also look at the length of time between offenses to determine if the length of time was due simply to incarceration or the ability of the defendant to avoid criminal activity. I would look to determine based on the information presented to me if a harsher penalty than previously imposed on the defendant would lend to both punishment and rehabilitation. This of course would depend on the facts of the case and the nature of the charge.

b. Juveniles (that have been waived to the circuit court): I would attempt to fashion a sentence in a manner to give the juvenile offender an incentive to avoid future entanglements with the criminal justice system. That could include a sentence under the Youthful Offender Act if possible or some type of probationary sentence if the facts and circumstances warranted such a sentence. This of course would be dependent on a number of factors to include the juvenile's prior record. Another consideration would be whether or not the juvenile had been waived up to circuit court previously on other charges. A greater consideration would be the charge that the juvenile was waived up on.

c. White collar criminals: This class of offender is perceived less dangerous than violent offenders, however the impact of their criminal activity on society can be just as great. With this class of offender I would attempt to fashion a sentence that would punish the defendant but at the same time make the victim whole. With white collar crime sometimes the greater punishment comes by way of restitution and or extensive fines. There are a vast number of white collar crimes that warrant incarceration due to the nature and scope of the crime that was committed. Securities fraud is a particular offense that comes to mind. With this type of white collar crime the impact to victims can be so dynamic and widespread that a minor sentence and restitution may not bring justice.

d. Defendants with a socially and/or economically disadvantaged background: A defendant's social and or economic plight may be a factor to consider in sentencing. This would depend on the nature of the charge and the facts and circumstances surrounding the offense. An analysis of the socio-economic dynamic of a defendant may be necessary in determining a proper sentence. However I do not believe the socio-economic status of an individual has the greatest impact on a person's affinity to criminal activity.

e. Elderly defendants or those with some infirmity: I would take into consideration the age or infirmity of a defendant. While it may not be a determining factor it would be one to examine in trying to determine the appropriate sentence. There of course may be those times when the length of incarceration is beyond my discretion due to mandatory minimum sentences.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No.
20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
No, I would not handle a case where I or a member of my family held a *de minimis* financial interest in a party to a proceeding before me. While the Code of Judicial Conduct allows for it in Canon 3E(1)(c) I believe it is better to avoid the appearance of impropriety. I would bring it to the attention of all parties involved and let them address their concerns about a situation like that if it were to occur.
21. Do you belong to any organizations that discriminate based on race, religion, or gender? No, I do not.
22. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes I have.
23. What do you feel is the appropriate demeanor for a judge?
I believe that a judge must maintain a calm even temper when handling court matters. A judge must be fair to all parties before him or her and should not give an appearance of impartiality simply based on his or her demeanor. Maintaining a level head aids a judge in properly evaluating legal issues and arguments before him or her and rendering appropriate decisions.
24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?
These rules would apply even when not on the bench or in chambers because a judge must maintain the integrity of the judicial system wherever he or she is.
25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or pro se litigants?
No, anger is not an appropriate response when dealing with a member of the public or attorneys or pro se litigants in a court of law. While there may be issues and matters that come before a judge that a judge may hold strong personal feelings or beliefs about, he or she must conduct court business in a fair and impartial manner.
26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
I have not made any expenditures.
27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? N/A
28. Have you sought or received the pledge of any legislator prior to this date? No, I have not.
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No, I have not.

30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
No to both questions.
31. Have you contacted any members of the Judicial Merit Selection Commission? No, I have not.
32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?
Yes.

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

Curtis A Pauling III

Sworn to before me this 9 day of August, 2012.

Notary Public for S.C.

My Commission Expires: 10/30/18 _____