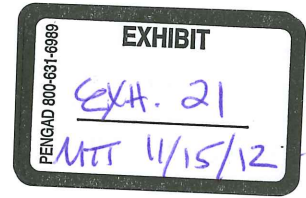


**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:  
Family Court, At-Large, Seat 6.



1. NAME: Mr. Michael Todd Thigpen  
BUSINESS ADDRESS: 207 Magnolia Street, Suite 102  
Spartanburg, SC 29306  
TELEPHONE NUMBER: (office): 864-542-0405
2. Date of Birth: 1970  
Place of Birth: Sumter, SC
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 March 22, 2008, to Laurie Lynn Ver-Cauteren Thigpen. Never divorced; no 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 at Spartanburg (n/ka/ USC Upstate), 1988-92, BS in Business Administration.
  - (b) USC School of Law and USC, 1992-96, Joint J D/Master of Business Administration.
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, 1996
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.

College:

  - (a) Member of USCS Leadership Development Class # 2 (1991-92);
  - (b) Member of Gamma Beta Phi Honor Society (1990); and
  - (c) Member of National Dean's List (not certain of exact dates).

Law School/Graduate School:

Articles Editor on *SC Environmental Law Journal* (1993-95); and  
Member of The International Legal Fraternity of Phi Delta Phi (1993).
10. Describe your continuing legal or judicial education during the past five years.

- |     | <u>Conference/CLE Name</u>                                  | <u>Date(s)</u> |
|-----|-------------------------------------------------------------|----------------|
| (a) | Children's Issues in Family Court                           | 03/23/2007;    |
| (b) | SCTLA Annual Convention                                     | 08/02/2007;    |
| (c) | Representing Volunteer Guardians ad Litem in Family Court   | 03/14/2008;    |
| (d) | Representing Volunteer GALs in Abuse & Neglect Proceedings  | 06/20/2008;    |
| (e) | 2010 Guardian ad Litem Update                               | 01/29/2010;    |
| (f) | Advance Family Law                                          | 02/08/2010;    |
| (g) | A Tricycle, a Marathon, Ethics, Stress Management . . .     | 02/26/2010;    |
| (h) | What Family Court Judges Want You to Know                   | 11/12/2010;    |
| (i) | Mini Summit on Justice for Children                         | 12/02/2010;    |
| (j) | The Eight Types of Clients and How to Survive Seven of Them | 02/07/2011;    |
| (k) | Representing the Volunteer GAL                              | 04/15/2011;    |
| (l) | Guardian ad Litem Program Workshop                          | 06/02/2011;    |
| (m) | What Family Court Judges Want You to Know                   | 02/16/2012;    |
| (n) | ADR: An Ethical Perspective                                 | 02/24/2012;    |
| (o) | Program Attorney Training                                   |                |
|     | Information to Represent Volunteer Guardians ad Litem       | 05/18/2012.    |
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.
- I co-presented and prepared the written materials for the Case Law Update: "Custody, Child Support and Visitation" at the 2007 SC Trial Lawyers Association Annual Convention;
  - In 2010, I lectured to a group of student therapists from Converse College about HIPAA, subpoenas, qualification as an expert witness, a therapist's role in child custody cases, and other areas of family law;
  - I was a panel member for a panel discussion at the 2012 Program Attorney Training: Information to Represent Volunteer Guardians ad Litem; and
  - I have assisted in training Volunteer Guardians ad Litem for the Spartanburg County Volunteer Guardian ad Litem Program on four (4) or five (5) occasions in the last ten (10) years.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- I have not published any books or articles. However, the Honorable Jerry D. Vinson used a Guardian ad Litem Report I prepared to create the suggested format for a guardian's report in his presentation of "Guardian ad Litem Reports: What's in it for me?" at the 2007 *Children's Issues in Family Court* seminar.
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 1996.

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.

I have been a sole practitioner in Spartanburg, SC since I was admitted to the SC Bar in 1996, and my practice has been devoted almost exclusively to Family Court matters. I handled cases for indigent family court clients through Piedmont Legal Services' Private Bar Involvement Program from 1997 until 2004. In addition to representing clients in Family Court matters, I have served and continue to serve as the Guardian ad Litem in hundred of private cases involving the issues of child custody, visitation, adoption, termination of parental rights, etc. since I began practicing law. I have also been a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program for over ten (10) years.

- 14.(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 has prepared you to preside over such matters as a Family Court Judge.

- (1) Divorce and Equitable Division of Property – I have handled hundreds, if not over a thousand, divorce and decree of separate support and maintenance cases since I began practicing law, and many of those cases included the issue of equitable division of property. The equitable division of property cases I have handled have ranged anywhere from assisting a client with the division of personal property to assisting a client in dividing hundreds of thousands of dollars of marital assets. I have also successfully mediated cases involving the issue of equitable division of property, the most recent of which involved millions of dollars in assets.
- (2) Child Custody – I have served as the Guardian ad Litem or represented the mother, father, grandparents, or other relatives in hundreds of child custody cases since I began practicing law. Although the majority of the cases settled prior to trial, I have been involved in many child custody cases where the trial lasted anywhere from one (1) day to five (5) days. These cases included, but were not limited to, the issues of initial child custody determinations, modification actions, relocation cases, third party custody disputes, etc. In addition, I have successfully mediated child custody cases.
- (3) Adoption – Although I mostly represent clients in relative adoptions, I have also represented clients in a few non-relative adoptions. In addition to representing clients in adoptions, I have also served as the

Guardian ad Litem in many contested and uncontested adoptions. The most significant adoption action I have been involved in as an attorney was a case where I successfully defended the biological mother and adoptive father/stepfather when the biological father was trying to overturn the adoption alleging fraud, etc. The most significant adoption action I have been involved in as a Guardian ad Litem was a case where the mother unsuccessfully tried to withdraw her consent.

- (4) Abuse and Neglect – Because I have been a contract attorney for the Spartanburg County Volunteer Guardian ad Litem for over ten (10) years, I have been involved in hundreds of DSS child abuse and neglect proceedings. Those cases included, but were not limited to, probable cause hearings, status hearings, motion hearings, removal hearings, intervention hearings, judicial review/permanency planning hearings, and termination of parental rights hearings.
- (5) Juvenile Justice – I have served as the Guardian ad Litem for a juvenile on a few occasions. In addition, I have represented adults in criminal cases in the past, and I believe I have a sufficient understanding of criminal law and procedure. In addition, because my mother was recently the victim of a crime where one of the co-defendants was a juvenile, I have witnessed first hand how the DJJ system impacts the victim. However, if I am elected to the Family Court Bench, I intend to spend as much time as possible viewing DJJ cases before I take the bench; I will pay careful attention to this area of the law in Judge's School; and I will ask to sit with a judge who is handling DJJ cases when I am in training.
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.  
BV – Martindale-Hubbell
16. What was the frequency of your court appearances during the last five years?  
(a) federal: 0% (None)  
(b) state: 100% (Almost Daily)
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?  
(a) civil: 0%;  
(b) criminal: 1%;  
(c) domestic: 98%;  
(d) other: 1%.
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: 0%;  
(b) non-jury: 100%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole 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) Rollins v. Rollins was a divorce action wherein the primary issue was child custody and I represented the father. The mother, who initially moved to Tennessee to live with her family, was granted temporary custody of the parties' minor child, and we learned she moved to Georgia shortly before the final hearing. In preparing for trial, I was relying on the long-standing presumption against allowing a parent to relocate with a child out of state, as set forth in McAllister v. Patterson, 278 S.C. 481, 299 S.E.2d 332 (1982), but McAllister was overruled by Latimer v. Farmer, 2004 WL 1822753, (August 16, 2004), a few weeks before the final hearing. Fortunately, I was able to convince the Court that Davis v. Davis, 356 S.C. 132, 588 S.E.2d 102 (2003), allowed the Court to consider the mother's avowed desire to continue living out of state if she was awarded custody as a factor in determining which parent should be awarded custody because this was an initial custody determination, and the father was granted custody of the parties' minor child.
- (b) Husband v. Wife and Wife's Paramour (fictitious names because the file is sealed) was a divorce action wherein I represented Wife's Paramour, who was added as a party-Defendant in the divorce action between Husband and Wife because it was alleged that Wife's Paramour was the biological father of two (2) of the three (3) minor children born during Husband and Wife's marriage. Although we had a DNA test which reflected Wife's Paramour was in fact the biological father of the two (2) youngest children, the primary issue was whether or not the presumption of legitimacy would overcome the results of the DNA test. Another interesting issue in the case was whether or not Husband would be required to prove Wife unfit to be awarded custody of the two (2) youngest children because he was not their biological father. In addition, because S.C. Code Ann. § 63-7-2570(5) provides that a ground for termination of parental rights is "[t]he presumptive legal father is not the biological father of the child, and the welfare of the child can best be served by termination of the parental rights of the presumptive legal father," Husband argued that he had parental rights to the two (2) younger children and it would not be in the best interests of the children for his parental rights to be terminated. Although the case settled prior to trial, the case was particularly interesting to me because it involved complex constitutional issues in addition to the issues of divorce, child custody, visitation, child support, alimony, equitable distribution of property/debts, and attorney's fees and costs.

- (c) Simpson, et al. v. Pham, et al. was an action wherein the father sought to overturn his biological daughter's adoption by the stepfather almost two (2) years after the adoption was finalized and I represented the adoptive father and the biological mother. The case was interesting because the biological father and his mother sought to have the biological mother's marriage to the stepfather/adoptive father annulled; the biological father's mother sought to either directly or collaterally attack the adoption even though she was not a party to the adoption action; and the biological father and his mother also sought to have the biological father's consent/relinquishment set aside even though a final decree of adoption had already been entered. Although the majority of those alleged causes of action were dismissed prior to trial, we were required to try the issue of whether or not the biological father could collaterally attack the adoption on the basis of "extrinsic fraud," and the Court found the biological father failed to prove "extrinsic fraud" by clear and convincing evidence and dismissed the case.
- (d) Wright v. Staggs, et al. was an action wherein I represented the maternal grandmother who sought to terminate the parental rights of the biological father in and to his two (2) minor children on the ground that the biological father was convicted of murdering the minor children's biological mother. S.C. Code Ann. § 63-7-2570(10). After hearing the testimony of the children's therapists and other witnesses, the Court ruled it was in the best interests of the minor children for the biological father's parental rights in and to his minor children to be forever terminated. In addition, the Court granted the maternal grandmother's request to change the children's surnames from their biological father's surname to the maternal grandmother's surname. Although the biological father appealed this case to the Court of Appeals, the Court of Appeals affirmed the trial court's decision in an unpublished opinion.
- (e) Brown v. Brown, 362 S.C. 85, 606 S.E.2d 785 (Ct. App. 2004), was an initial child custody determination wherein I served as the Guardian ad Litem for the parties' minor children. After the father was granted custody of the parties' minor children, the mother appealed to the Court of Appeals. In her appeal, the mother argued, among other things, that the trial court gave "de facto custody" to the paternal grandparents and failed to give sufficient weight to the parties' minor children's preference. Although the Court of Appeals affirmed, the decision is interesting to me, as a Guardian ad Litem and attorney, because it thoroughly discusses the issue of how much weight should be given to a child's preference at various ages in a child custody determination.

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.

Walters v. Pitts was a modification of child support action wherein I represented the mother. After the family court increased the father's

child support obligation retroactive to January 1, 2002, required the father to pay his child support payments via wage withholding through the clerk of court's office, and awarded the mother attorney's fees and costs, the father appealed to the Court of Appeals. In his appeal, the father argued the family court erred in: (1) increasing his child support obligation retroactive to January 1, 2002, (2) requiring him to pay his child support payments via wage withholding through the clerk of court's office, and (3) awarding the mother attorney's fees and costs. In an unpublished decision, the Court of Appeals found the family court erred in retroactively increasing the father's child support obligation to January 1, 2002, but found the facts warranted a retroactive increase to December 29, 2003. In addition, the Court of Appeals upheld the family court's decision to require the father to pay his child support payments via wage withholding through the clerk of court's office and affirmed the family court's award of attorney's fees and costs to the mother.

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. R.W.T. (initials are used for the defendant's name because the charge was later dismissed and expunged) was an appeal of a criminal domestic violence conviction from the Magistrate Court to the Circuit Court wherein I represented the defendant. On appeal, we argued the Magistrate had improperly instructed the jury on the law of self-defense where the defendant used non-deadly force in self-defense. Specifically, the Magistrate's charge to the jury indicated the defendant had a duty to retreat before using non-deadly force in self-defense, and the charge also indicated to the jury that the defendant had to be in fear of death or great bodily harm before he could use non-deadly force in self-defense. The Circuit Court reversed the conviction and remanded the case to the Magistrate Court for a new trial, but the charge was later dismissed and expunged.

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.  
Not Applicable.
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. Not Applicable.
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? 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.

My mother and I are the co-owners of Thigpen Properties, LLC which owns Thigpen Mobile Home Park where we rent three (3) mobile home lots. We also rent out one side of the duplex where my mother lives that was at one time titled under the name of PRT Properties, LLC.. However, I have not been engaged in any other occupation, business, or profession other than the practice of law since I was admitted to practice law in 1996.

28. Are you now an officer or director or involved in the management of any business enterprise?

I am a co-agent for Thigpen Properties, LLC, and I am also listed as a co-agent for PRT Properties, LLC which does not have any assets at this time.

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? .

I was arrested for Public Disorderly Conduct in the summer of 1992 before I started law school, but that charge was dismissed. I also received a ticket for Open Container of Beer or Wine in Motor Vehicle on August 31, 1998, but that charge was also dismissed and expunged.

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? If so, give details, including but not limited to dates, and resolution.

According to the Spartanburg County Public Index, I was named as a party- Defendant in the case of Bank of America, et al v. Manfred Volk, et al, 2003-LP-42-06179, 2003-CP-42-02794, & 2003-CP-42-01347, because I was the Guardian ad Litem for Manfred and Marie Volk's children in a Family Court case where either or both of the parents were directed to pay me Guardian ad Litem fees, which the foreclosure attorney believed was a judgment against the real property being foreclosed upon. It is my understanding the foreclosure cases were dismissed, but it appears the lis pendens is still pending. I may have been named as a party-Defendant in other similar cases where I was awarded Guardian ad Litem or attorney's fees and costs in a Family Court case, but I cannot find a record of any other cases.



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? If applicable, have you ever been covered by a tail policy?  
I have maintained malpractice insurance since December of 1996; I do not believe I have ever been covered by a tail policy.
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. 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. 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.
45. 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.
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) Spartanburg County Bar (Spartanburg County Family Court Committee);
  - (b) SC Bar (Family Law Section);
  - (c) American Bar Association (Family Law Section).
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. None.
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.

As a sole practitioner, I have always taken pride in the quality of my work, which has often times caused me not to delegate as much work as I should to my legal assistant and others. Therefore, because I understand the duties of a Family Court Judge extend far beyond the courtroom, I believe it could reflect negatively on me if I do not learn how to delegate more responsibilities to my administrative assistant, the attorneys who appear before me (i.e. drafting Orders), and others as necessary.

On the other hand, because I have had family members involved in Family Court litigation, I have first hand knowledge of the emotional and financial impact Family Court litigation has on the parties and children involved. In addition, I have handled thousands of Family Court cases since I began practicing law, and I believe that experience has provided me with the insight necessary to understand how Family Court litigation affects the parties and children involved. In short, I believe the fact that I have devoted the majority of my career to Family Court should reflect positively on me as a candidate for Family Court Judge.

51. References:
- (a) Jean B. Bradley  
Post Office Box 581  
Arcadia, SC 29320  
(864) 266-0182
  - (b) Albert V. Smith  
Post Office Box 5866  
Spartanburg, SC 29304  
(864) 585-8174
  - (c) Grace Gilchrist Knie  
Post Office Box 3544  
Spartanburg, SC 29304  
(864) 582-3991
  - (d) Mr. Robert M. Holland  
Post Office Box 5506

Spartanburg, SC 29304  
(864) 582-0416

- (a) Lynne C. Monroe  
The Palmetto Bank  
Post Office Box 5067  
Spartanburg, SC 29304  
(864) 591-5200

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: M. Todd Thigpen

Date: August 5, 2012

# MICHAEL TODD THIGPEN

Attorney at Law  
207 Magnolia Street, Suite 102  
Spartanburg, South Carolina 29306

TELEPHONE  
(864) 542-0405  
FAX  
(864) 542-8262

MAILING ADDRESS  
P.O. BOX 2606  
SPARTANBURG, SC 29304

October 19, 2012

Judicial Merit Selection Commission  
**Attention: Chief Counsel Jane O. Shuler**  
Post Office Box 142  
Columbia, SC 29202

RE: *Request to Amend Personal Data Questionnaire*

Dear Chief Counsel Shuler:


As you know, I am a candidate for the newly created seat for Judge of the Family Court, At-Large, Seat 6, and I respectfully ask you to allow me to amend my answer to Question 33 on the Personal Data Questionnaire (PDQ) due to the following:

In answering Question 33 on the PDQ, I answered "No" because I did not have any knowledge that a tax lien had been filed against me. In fact, when I met with my screening attorney, Mr. Andy Fiffick, on Monday, October 8, 2012, I was very surprised when he informed me that I had a lien listed on my credit report. Because I thought it had to be a mistake, I immediately called Equifax when I returned home and learned that there was a lien from the "Spartanburg County Court."

Unfortunately, after several hours of searching the public records on Tuesday, October 9, 2012, I learned the South Carolina Department of Revenue filed the enclosed tax lien against me on May 3, 2012 primarily because I failed to enclose a check with the Quarterly Employer's Withholding Tax Report for the fourth (4<sup>th</sup>) quarter of 2011 that was due on January 31, 2012. However, as evidenced by the enclosed copies of my returns, my accountant prepared the returns in a timely manner; I paid all of the employer's quarterly withholding taxes that were owed to the Internal Revenue Service (IRS); and I even signed and filed the return with the South Carolina Department of Revenue without a check for the balance due.

Although I accept full responsibility for my mistake, as well as the embarrassment it has caused me in the process, I learned the following from Ms. Jodi Reid of the Greenville Office of the South Carolina Department of Revenue on Wednesday, October 10, 2012:

Chief Counsel Jane O. Shuler  
October 19, 2012  
Page 2 of 2

1. The mailing address she had on file for me was Post Office Box 17053, Spartanburg, SC 29301, which is a post office box that was closed well over ten (10) years ago; and
2. The office address she had on file for me was 187 N. Church Street, Spartanburg, SC 29306, which has not been my office address since August of 2001. 

However, as evidenced by the enclosed returns, my current mailing address (Post Office Box 2606, Spartanburg, SC 29304), as well my office telephone number (864-542-0405), are clearly listed on the returns I filed. Therefore, the tax lien would not have been filed against me if the South Carolina Department of Revenue would have simply called me or mailed a notice to the correct address.

In any event, as evidenced by the enclosed copy of my certified check, I hand delivered a certified check for the total balance due to the Greenville Office of the South Carolina Department of Revenue on Friday, October 12, 2012. Therefore, although Ms. Reid said it could take up to thirty (30) days to cancel the tax lien, it should be cancelled in the near future.

If you have any questions or need any additional information, please do not hesitate to contact me. As always, I thank you for your time and consideration and hope things are well with you.

Respectfully,

*M. Todd Thigpen*

M. Todd Thigpen

MTT/

Enclosures

cc/encl: Mr. Andy Fiffick  
407 Blatt Building  
Columbia, SC 29211

# MICHAEL TODD THIGPEN

Attorney at Law  
207 Magnolia Street, Suite 102  
Spartanburg, South Carolina 29306

TELEPHONE  
(864) 542-0405  
FAX  
(864) 542-8262

MAILING ADDRESS  
P.O. BOX 2606  
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Page 2 of 2

1. The mailing address she had on file for me was Post Office Box 17053, Spartanburg, SC 29301, which is a post office box that was closed well over ten (10) years ago; and

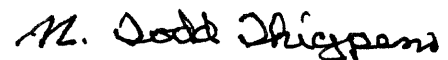
2. The office address she had on file for me was 187 N. Church Street, Spartanburg, SC 29306, which has not been my office address since August of 2011.

However, as evidenced by the enclosed returns, my current mailing address (Post Office Box 2606, Spartanburg, SC 29304), as well my office telephone number (864-542-0405), are clearly listed on the returns I filed. Therefore, the tax lien would not have been filed against me if the South Carolina Department of Revenue would have simply called me or mailed a notice to the correct address.

In any event, as evidenced by the enclosed copy of my certified check, I hand delivered a certified check for the total balance due to the Greenville Office of the South Carolina Department of Revenue on Friday, October 12, 2012. Therefore, although Ms. Reid said it could take up to thirty (30) days to cancel the tax lien, it should be cancelled in the near future.

If you have any questions or need any additional information, please do not hesitate to contact me. As always, I thank you for your time and consideration and hope things are well with you.

Respectfully,



M. Todd Thigpen

MTT/

Enclosures

cc/encl: Mr. Andy Fiffick  
407 Blatt Building  
Columbia, SC 29211

**TAX LIEN SATISFACTION****W-131-S**(Rev. 12/15/11)  
2051SID/Suffix: 2113300-000  
Tax Type: EMPLOYER WITHHOLDING TAXCounty: SPARTANBURG  
Contact Number: (864)241-1200  
**Tax Lien Number: 3-51410838-9**  
SSN: XXX-XX-3290Type Owner: SOLE PROPRIETORSHIP  
Last name, first, middle:  
THIGPEN MICHAEL TODD  
DBA:File Number: 25421548  
Period Covered: 09/11 - 12/11MICHAEL TODD THIGPEN ATTORNEY  
PO BOX 17053  
SPARTANBURG SC 29301-0101

To: Any authorized representative of the SC Department of Revenue

The party named in this tax lien is liable for the assessed taxes set out below, along with the penalties and interest established by law for failure to pay such taxes when due. Such being established, you are directed by distraint powers to levy upon and sell as is allowed by law so much of the tangible or intangible personal property, rights to such property or choses in action of the party necessary to satisfy the tax, penalty and interest owed by the party, plus the fees, cost and expenses of the levy. If these found assets are not sufficient to satisfy the amount set out in this tax lien, you are directed to seize and sell so much of the real estate of the party as is necessary to satisfy the amount owed.

Dated and signed under the seal of the SC Department of Revenue 05/21/12.

Tax Type: EMPLOYER WITHHOLDING TAX

DIST CODE	PERIOD COVRD	RECEIVABLE NUMBER	DATE ASSESSED	TAX	PENALTY	INTEREST	TOTAL
0809	09/11	1-06480701-7	02-15-12		18.41	.16	18.57
0809	12/11	1-06526646-6	03-14-12	442.00	8.84	4.44	455.28

SUBTOTAL:	473.85
COURT COSTS:	33.69
<b>TOTAL:</b>	<b>\$507.54</b>

**This tax lien has been SATISFIED by the SC Department of Revenue. Request is made for appropriate entries on your records. SATISFIED 11/07/12.**



1350



STATE OF SOUTH CAROLINA  
DEPARTMENT OF REVENUE

**W-131**

(Rev. 12/16/11)  
2047

**TAX LIEN**

SID/Suffix: 2113300-000  
Tax Type: EMPLOYER WITHHOLDING TAX

County: SPARTANBURG  
Contact Number: (864)241-1200  
**Tax Lien Number: 3-51410838-9**  
SSN: XXX-XX-3290

Type Owner: SOLE PROPRIETORSHIP  
Last name, first, middle:  
THIGPEN MICHAEL TODD  
DBA: STATE TAX LIEN  
Book S-84 Page 366

File Number: 25421548  
Period Covered: 09/11 - 12/11

MICHAEL TODD THIGPEN ATTORNEY  
PO BOX 17053  
SPARTANBURG SC 29301-0101

To: Any authorized representative of the SC Department of Revenue

The party named in this tax lien is liable for the assessed taxes set out below, along with the penalties and interest established by law for failure to pay such taxes when due. Such being established, you are directed by distraint powers to levy upon and sell as is allowed by law so much of the tangible or intangible personal property, rights to such property or choses in action of the party necessary to satisfy the tax, penalty and interest owed by the party, plus the fees, cost and expenses of the levy. If these found assets are not sufficient to satisfy the amount set out in this tax lien, you are directed to seize and sell so much of the real estate of the party as is necessary to satisfy the amount owed.

Dated and signed under the seal of the SC Department of Revenue 05/21/12.

Tax Type: EMPLOYER WITHHOLDING TAX

DIST CODE	PERIOD COVRD	RECEIVABLE NUMBER	DATE ASSESSED	TAX	PENALTY	INTEREST	TOTAL
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0809	12/11	1-06526646-6	03-14-12	442.00	8.84	4.44	455.28

FED-2012-23451  
Recorded 1 Pages on 5/31/2012 11:05:54 AM  
Recording Fee: \$10.00 Documentary Stamps: \$0.00  
Office of Register of Deeds, Spartanburg, S.C.  
Dorothy Earle, Register



SUBTOTAL:

473.85

COURT COSTS:

33.69

**TOTAL:**

**\$507.54**

TXPRC108

348

20471025

(EIN)  
 Employer identification number 57-1126029  
 Name (not your trade name) Michael Todd Thigpen  
 Trade name (if any) \_\_\_\_\_  
 Address P O Box 2606  
Spartanburg, SC 29304-2606

OMB No. 1545-0029  
 Report for this Quarter of 2011 (Check one.)  
 1: January, February, March  
 2: April, May, June  
 3: July, August, September  
 4: October, November, December  
 Prior-year forms are available at [www.irs.gov/form941](http://www.irs.gov/form941).

**Part 1: Answer these questions for this quarter.**

1 Number of employees who received wages, tips, or other compensation for the pay period including: Mar. 12 (Quarter 1), June 12 (Quarter 2), Sept. 12 (Quarter 3), Dec. 12 (Quarter 4) . . . . . 1

2 Wages, tips, and other compensation . . . . . 2

3 Income tax withheld from wages, tips, and other compensation . . . . . 3

4 If no wages, tips, and other compensation are subject to social security or Medicare tax  Check and go to line 6e.

	Column 1		Column 2
5a Taxable social security wages . . .	<input type="text" value="7,501.00"/>	x .104 =	<input type="text" value="780.10"/>
5b Taxable social security tips . . .	<input type="text"/>	x .104 =	<input type="text"/>
5c Taxable Medicare wages & tips . . .	<input type="text" value="7,501.00"/>	x .029 =	<input type="text" value="217.53"/>

5d Add Column 2 line 5a, Column 2 line 5b, and Column 2 line 5c . . . . . 5d

5e Section 3121(q) Notice and Demand -- Tax due on unreported tips (see instructions) . . . . . 5e

6a Reserved for future use.

6b Reserved for future use.

6c Reserved for future use.

6d

6e Total taxes before adjustments (add lines 3, 5d, and 5e) . . . . . 6e

7 Current quarter's adjustment for fractions of cents . . . . . 7

8 Current quarter's adjustment for sick pay . . . . . 8

9 Current quarter's adjustments for tips and group-term life insurance . . . . . 9

10 Total taxes after adjustments. Combine lines 6e through 9 . . . . . 10

11 Total deposits, including prior quarter overpayments . . . . . 11

12a COBRA premium assistance payments (see instructions) . . . . . 12a

12b Number of individuals provided COBRA premium assistance . . .

13 Add lines 11 and 12a . . . . . 13

14 Balance due. If line 10 is more than line 13, enter the difference and see instructions . . . . . 14

Do Not Complete Lines 6a-6d

15 Overpayment. If line 13 is more than line 10, enter the difference  Check one:  Apply to next return.  Send a refund.  
 ▶ You MUST complete both pages of Form 941 and SIGN it.

**PAID** Next ▶  
 Form 941 (Rev. 1-2011)

**COPY** CK.# 1309

Name (not your trade name)

Michael Todd Thigpen

Employer identification number (EIN)

57-1126029

Part 2: Tell us about your deposit schedule and tax liability for this quarter.

If you are unsure about whether you are a monthly schedule depositor or a semiweekly schedule depositor, see Pub. 15 (Circular E), section 11.

16 SC Enter the state abbreviation for the state where you made your deposits OR enter "MU" if you made your deposits in multiple states.

17 Check one: [X] Line 10 on this return is less than \$2,500 or line 10 on the return for the preceding quarter was less than \$2,500, and you did not incur a \$100,000 next-day deposit obligation during the current quarter. If you meet the de minimis exception based on the prior quarter and line 10 for the current quarter is \$100,000 or more, you must provide a record of your federal tax liability. If you are a monthly schedule depositor, complete the deposit schedule below; if you are a semiweekly schedule depositor, attach Schedule B (Form 941). Go to Part 3.

[ ] You were a monthly schedule depositor for the entire quarter. Enter your tax liability for each month and total liability for the quarter, then go to Part 3.

Tax liability: Month 1

[ ]

Month 2

[ ]

Month 3

[ ]

Total liability for quarter

[ ]

Total must equal line 10.

[ ] You were a semiweekly schedule depositor for any part of this quarter. Complete Schedule B (Form 941): Report of Tax Liability for Semiweekly Schedule Depositors, and attach it to Form 941.

Part 3: Tell us about your business. If a question does NOT apply to your business, leave it blank.

18 If your business has closed or you stopped paying wages ... [ ] Check here, and enter the final date you paid wages [ ]

19 If you are a seasonal employer and you do not have to file a return for every quarter of the year ... [ ] Check here.

Part 4: May we speak with your third-party designee?

Do you want to allow an employee, a paid tax preparer, or another person to discuss this return with the IRS? See instructions for details.

[X] Yes. Designee's name and phone number Thomas E Boyce (864) 542-9515

[ ] No. Select a 5-digit Personal Identification Number (PIN) to use when talking to the IRS. [ ]

Part 5: Sign here. You MUST complete both pages of Form 941 and SIGN it.

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Sign your name here

[Signature]

Print your name here

Michael Todd Thigpen

Print your title here

Owner

Date

[ ]

Best daytime phone

(864) 542-0405

Paid Preparer Use Only

Preparer's name

Thomas E Boyce

Check if you are self-employed [X]

Preparer's signature

[Signature]

PTIN

P00238241

Firm's name (or yours if self-employed)

Boyce Tax Service

Date

1/9/12

Address

1280 Deerfield Dr

EIN

Phone

(864) 542-9515

City

Spartanburg

State SC

ZIP code

29302-4534

1086

STATE OF SOUTH CAROLINA  
DEPARTMENT OF REVENUE  
SC WITHHOLDING FOURTH  
QUARTER/ANNUAL RECONCILIATION

WH-1606  
(Rev. 7/1/10)  
3131

NOTE: A return **MUST BE** filed even if no SC state income tax has been withheld during the quarter to prevent a delinquent notice.

SC WITHHOLDING NO.

QUARTER

MICHAEL TODD THIGPEN

25421548-8

Oct, Nov, Dec

P O BOX 2606  
SPARTANBURG

SC 29304-2606

57-1126029

YEAR 2011

FEIN

Use **BLACK INK ONLY**.

Darken circle completely if this is an **AMENDED** return.

Reason: \_\_\_\_\_

Darken circle completely if change of address.

Darken circle completely if no longer required to withhold and account should be closed. Close date: \_\_\_\_\_

Reason: \_\_\_\_\_

Mail to: SC Department of Revenue  
Withholding  
Columbia SC 29214-0004

CLIP CHECK HERE

**4TH QUARTER SC STATE INCOME TAX INFORMATION ONLY:**

Do not enter negative numbers. All cent fields must be completed using number (.00 - .99).

1. 4th Quarter SC state income tax withheld (all sources) . . . . .	1. ▷	442.00
2. SC state income tax deposits or payments . . . . .	2. ▷	0.00
SC payments must be made at the same time as federal payments.		
3. SC REFUND (If line 2 is greater than line 1, enter difference.) . . . . .	3. ▷	0.00
DO NOT PAY THIS AMOUNT		
4. SC TAX DUE (If line 2 is less than line 1, enter difference.) . . . . .	4. ▷	442.00
5. Penalty <u>0.00</u> and interest due <u>0.00</u> . . . . .	5. ▷	0.00
6. Net SC state income tax, penalty, and interest due (line 4 plus line 5) . . . . .	6. ▷	442.00
		BALANCE DUE
		14-0809

**ANNUAL SC STATE RECONCILIATION INFORMATION**

7. Recap of South Carolina tax withheld by quarter.			
JAN - MAR	<u>408.00</u>	JUL - SEP	<u>476.00</u>
APR - JUN	<u>442.00</u>	OCT - DEC	<u>442.00</u>
8. Total SC state income tax WITHHELD from all quarters reported from W2s \$ <u>1,768.00</u> and 1099s \$ <u>0.00</u> (should equal the total of line 7)	8. ▷	1,768.00	
9. Total SC WAGES from W2s and 1099 income . . . . .	9. ▷	30,004.00	
10. Number of W2s and 1099s submitted with WH-1612 . . . . .	10. ▷	1	
See WH-1612 for instructions.			

I authorize the Director of the Department of Revenue or delegate to discuss this return, attachments and related tax matters with the preparer.  Yes  No

For Field Use Only

Preparer's name and phone number Thomas E Boyce (864) 542-9515

When signing this form, it is important that the information contained in your report be correct and complete. To wilfully furnish a false or fraudulent statement to the Department is a crime. Complete all information below.

Sign Signature \_\_\_\_\_ Name Michael Todd Thigpen Date \_\_\_\_\_

Here Telephone (864) 542-0405 Email \_\_\_\_\_ Title Owner

31311046 254215488 1211 0 0 0



This check has a blue background on white paper and some of the security features on this document include: a Watermark, MicroPrint signature line, and a holographic foil stamp; absence of these features will indicate a counterfeit check.



**SUNTRUST**

**Official Check**

64-79  
383334412

Purchaser

**MICHAEL THIGPEN**

**Fraud Protected**  
by Positive Pay<sup>SM</sup>

Date

Initials **MT** 8001730

PAY

**\*\*\*\*\*\$609.30\*\*\*\*\***

Oct. 12, 2012

\$ **\*\*609.30\*\***

To the Order of

**SC DEPARTMENT OF REVENUE**

SunTrust Banks, Inc. by its Authorized Agent  
SunTrust Bank



Payable at SunTrust Bank

Authorized Signature

*B. Caffrey*

⑈ 3833344125⑈ ⑆ 06100790 ⑆ 7019019996⑈