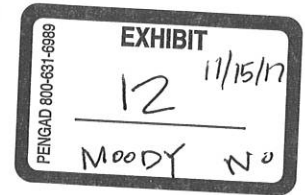


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**



Court, Position, and Seat # for which you are applying: Sixteenth Circuit Court Judge, Seat #2

1. Name: Ms. Leah B. Moody

Name that you are known by if different from above
(Example: A Nickname): N/A

Are you currently serving in some capacity as a judge? NO
(Includes Municipal, Magistrate, Etc.)

Home Address: [REDACTED]

Business Address: 235 East Main Street, Suite 115, Rock Hill, SC 29730

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 803.327.4192
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1970
Place of Birth: York County
Social Security Number: [REDACTED]

3. Are you a citizen of South Carolina? YES
Have you been a resident of this state for at least the immediate past five years? YES

4. SCDL# or SCHD#: [REDACTED]
Voter Registration Number: [REDACTED]

5. Family Status: In the space below, (a) state whether you are single, married, widowed, divorced, or separated; (b) if married, state the date of your marriage and your spouse's full name; (c) if you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds; and (d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.
(a) Single
(b) n/a
(c) n/a
(d) n/a

6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

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) University of South Carolina, School of Law, Columbia, South Carolina, Juris Doctor, May 1996.
 - (b) Hampton University, College of Political Science, Hampton, Virginia, Bachelors of Arts, May 1992.

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.
 - (a) South Carolina (admitted in 1996)
 - (b) North Carolina (not admitted)

9. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
 - (a) USC Law School SBA- 1993-1996
 - (b) USC Law Dean Advisory Committee 1995-1996
 - (c) Parliamentarian and Historian, Delta Sigma Theta Sorority, Inc., Gamma Iota Chapter, Spr. 1990-1992
 - (d) Senior Executive Council; Hampton University SGA 1991-1992
 - (e) Miss Junior, Junior Executive Council, Hampton University SGA 1990-1991
 - (f) Sophomore Executive Council, Hampton University SGA 1989-1990
 - (g) Hampton University Student Leadership Program 1989-1991
 - (h) Hampton University Women's Volleyball Team 1988-1990

10. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
See Attached Report

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.
 - (a) I presented at the Darla Moore School of Business' Innovation and IP Summit, the topic- Impact of Context and Timing on IP Value, Opportunity and Risk on May 18, 2017.
 - (b) I taught Business Law at York Technical College for freshmen and sophomore students in January 2015 through Spring 2017.
 - (c) I presented on the topics of probate and social media to lawyers attending the 2011 and 2012 Annual SC Black Lawyers Retreat.
 - (d) I presented on the topic of Criminal Law to York County Citizens attending the York County/SC Bar Pro Bono Program in 2012.

- (e) I served as a panel guest on the topic of Evidence and Civil Procedure in Tort Cases for the 2012 South Carolina Torts Law Update.
- (f) I taught American Government at Clinton Junior College for freshmen and sophomore students in January 2003 through 2009.
12. List all published books and articles you have written and give citations and the dates of publication for each. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions.
- (a) Defendants' Memorandum in Opposition to (EEOC's) Motion to Compel, Case 0:16-CV-03029-JMC-SVH. I am the sole author on this memorandum.
- (b) Final Brief of Appellate- The State v. Kenneth Ordell Murray, Appellate Case No. 2014-000051, (SC Bar Appellate Project). I am the sole author and Robert Dudek was the supervising attorney as the case was originally handled by the SC Commission on Indigent Defense, Division of Appellate Defense.
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) South Carolina in November 1996;
- (b) US District Court for the District of SC, April 2000;
- (c) US Supreme Court, 2006; and
- (d) US Department of Veterans Affairs, April 2009.
14. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.
- Solo Practitioner, LAW OFFICE OF LEAH B. MOODY, LLC, July 2004 to present.
- Manage and operate statewide private practice firm in State and Federal Courts;
 - Maintain caseload and represent clients in litigation involving the areas of municipal, probate, personal injury, workers' compensation and criminal defense;
 - Drafted correspondences, complaints, answers, motions, discovery requests, orders, and judgments;
 - Appeared as lead counsel in motion hearings and trials; and
 - Monitored client billings regarding trust and operating accounts.
- (a) Associate Attorney, RINEHART, MATTHEWS, SCHILLER, SHAW & REEVES, LLC, August 2002 to July 2004.
- Maintained caseload and represented clients in litigation involving business disputes, collections, real estate transactions, and construction;
 - Oversaw discovery and legal research on issues in my assigned cases;

- Served as outside counsel for major and closely-held corporations, and single-member owned companies;
 - Advised and assisted clients in strategic coordination for desired results;
 - Drafted correspondences, complaints, answers, motions, discovery requests, orders, and judgments;
 - Appeared as lead counsel in motion hearings and trials; and
 - Monitored client billings regarding trust and operating accounts;
- (b) Deputy General Counsel, OFFICE OF THE GOVERNOR, April 1999 to July 2002.
- Advised Governor on laws, policies and regulations related to gubernatorial agenda, initiatives and constitutional authority on relevant issues such as budget, legislative, insurance, banking, and constitutional impact;
 - Managed outside counsel in litigation to which Governor's Office was a party;
 - Monitored legislative and regulatory status in General Assembly for federal and state compliance;
 - Managed and represented Governor in extradition/renditions/safe-keepings with other forty-nine-state governor's offices, solicitors and local law enforcement agencies;
 - Implemented and streamlined statewide extradition and safekeeping procedures;
 - Drafted veto messages, executive orders, memoranda, Freedom of Information Act responses, correspondence on behalf of the Governor and staff members to constituents and attorneys; and
 - Provided legal representation in court on the behalf of Governor, Office of Executive Policy and Programs, and SC Department of Revenue (Special Counsel for Alcohol & Beverage Licensing).
- (c) Staff Counsel, SOUTH CAROLINA STATE SENATE, SENATE JUDICIARY COMMITTEE, January 1999 to April 1999.
- Advised members and their constituents on relevant issues such as constitutional, criminal, civil, corporate, banking, insurance, and probate;
 - Facilitated bill subcommittee meetings for committee members including expert testimony and public input;
 - Performed committee research and analysis for session and study committees on pending legislative bills, regulations and laws of other states on relevant issues such as Utilities Deregulation, Gambling /Casino Boat Cruises, Hate Crimes and Mandatory Death Penalty;
 - Drafted legislation, amendments, correspondence, and memoranda for committee members; and
 - Tracked legislation through committee, floor, and Senate/House conference committees.
- (d) Assistant Solicitor, RICHLAND COUNTY SOLICITOR'S OFFICE, August 1996 to January 1999.
- Maintained a caseload of approximately 211 (began with 500) cases in General Sessions and Magistrate's Courts;
 - First chair trial attorney in General Sessions and Magistrate's Court cases that resulted in a 90% conviction rate;
 - Prepared and presented indictments to the South Carolina Grand Jury;

- Provided early legal advice and authorized arrest warrants to law enforcement agencies and victims; and
 - Provided representation for the Solicitor's Office in bond court and preliminary hearings.
15. Please answer the following (if you are a judge and are not seeking a different type of judgeship, this question is inapplicable):
- (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 and procedural knowledge has prepared you to preside over such matters as a Family Court Judge. Please also indicate the frequency of your appearances before a Family Court Judge within the past five years.
 - (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 and procedural knowledge 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. Please also indicate the frequency of your appearances before a Circuit Court Judge within the past five years.

My practice requires that I understand both criminal and civil procedure rules and substantive law. I routinely appear before a Circuit Court Judge in multiple counties for criminal, civil matters, and, quarterly, for post-conviction relief matters. I represent both plaintiffs and defendants. As a solo practitioner, I manage the day-to-day operations of my office, perform legal research and writing, and represent clients in the following areas:

- Post-Conviction Relief/ SVP (Chester/Richland/York/Union 608 Contract) – PCR cases involve criminal defendants' rights to effective assistance of criminal counsel in criminal prosecution and the hearing are governed by civil procedure before a Circuit Court Judge against the SC Attorney General's Office. The types of cases involve murder, criminal sexual conduct, drug trafficking/distribution/possession, felony DUI and other criminal offenses. My job is to determine if the criminal defense attorney has failed to provide effective representation as an ordinary skilled criminal defense attorney would and, if not,

has the attorney prejudiced the criminal defendant. This requires an understanding of the South Carolina Rules of Civil and Criminal Procedure and criminal substantive law. Also, PCR cases involve filing and perfecting Notices of Appeals with the South Carolina Supreme Court. Prior to the 608 Contracts, other York County attorneys contracted with my firm to handle their PCR appointments. I have handled these types of cases in Spartanburg and Cherokee Counties.

- Criminal Defense (Lancaster and York Counties 608 Contract) - I represented defendants on all general sessions court-conflict cases from the York and Lancaster Counties Public Defenders Office. The types of cases involve murder, criminal sexual conduct, drug trafficking/distribution/possession, felony DUI and other criminal offenses.
- Part-time Public Defender (State Criminal Defense) - I served as a contract part-time Public Defender for Chester County from 2012-2014. The types of cases involve murder, criminal sexual conduct, drug trafficking/distribution/possession, felony DUI and other criminal offenses.
- Federal/ State Retained Criminal Defense (Lancaster, Chester, York, Union, Fairfield, Anderson, Cherokee, Spartanburg and Greenville Counties) - I served in the United States District Court as CJA Panel (appointed) counsel since 2006 handling drug conspiracies, bank fraud and other criminal cases. Second, since 2004, clients or their family members retain my office to represent them in criminal matters in various counties. One interesting cases that I handled was the murder for hire of a Chester County grandmother. The victim's grandson hired two other young men to kill his grandmother for insurance proceeds (5K) the grandson would collect after his grandmother was killed. My client plead guilty and received 30 years in prison.
- Government/municipal law (Town attorney, local and state agencies and non-profit organizations) - I represent municipalities, local and state agencies, and non-profits. These areas of my practice require knowledge of a breadth of state and federal law. I routinely advise and handle employment, contract, election, grant compliance, intergovernmental agreements, legislative, procurement, and transportation issues for my clients. In some instances, I file and handle the appeals process for these clients, which includes, but are not limited to, South Carolina's Supreme Court, Court of Appeals, Circuit Court, and United States Department of Energy. Most recently, I assisted in the audit and compliance matter regarding U.S. Department of Transportation regulations. In 2015, I have served as counsel to procurement panel regarding the procurement protest. I advise the panel and drafted the panel final order, which I defended on appeal to Circuit Court. The panel order was upheld.
- Probate Litigation/Disputes (Heirs' Property, Probation Administration, Will/POA, Guardianship/ Conservatorships) - I appear before Masters-in-Equity as Guardian for unknown heirs. I have probated several cases in probate courts in Fairfield, Lancaster, Richland and York counties. I have represented individuals concerning, but not limited to: spouse elective share, beneficiary assets regarding insurance policies, fraudulent conveyances, actions of the personal representatives, and assets of the estates. I have represented clients in the misuse of conservatorship assets, which includes representing clients from criminal prosecution/ contempt of court and settlement negotiations with banks.
- Contract/Employment disputes (individuals and small businesses)-I handled cases both in Federal and State Courts. I handled a federal employment law case that dealt with a

License Practitioner Nurse, who was going deaf against a nursing home. I was successfully obtained a 2 year salary with neutral reference in this case after filing her case and proceeding through discovery but before our hearing on summary judgment in federal court. This case was listed as a significant case on my PDQ. I am currently defending a racial discrimination under Section 1981 of the Civil Act against individuals, which is parallel to a Title VII of the Civil Action- Class Action against the Equal Employment Opportunity Commission in the United States District Court.

- Personal Injury and Workers Compensation-I have handled workers compensation cases successfully against BMW, Guardian Glass, and other companies located in York, Chester and Greenville Counties. I have also successful handled car accident and tractor trailer matters.
 - Administrative Law (Small businesses and SCDOR Alcohol-Beverage Licenses hearings)- I have assisted and represented businesses, which are women and minority owned, at the South Carolina Department of Transportation regarding the certification process for Disadvantage Business Enterprises (“DBE”). I successfully tried before the SC Administrative Law Court regarding certification for a woman-owned dump truck company. The case began with the owner applying for DBE certification and she was denied. She hired my firm to handle her re-submission and was again denied. I filed for a review hearing before the SC Administrative Law Court and tried the case. We won the DBE certification on the review hearing level. Thereafter, the business grew from one dump truck to over twenty dump trucks and grossed, annually, over \$300,000.
- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master’s court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court Judge within the past five years.
- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

16. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who’s Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.
I am rated BV Distinguished- Very High Rating in Both Legal Ability and Ethical Standards for 2017 Martindale-Hubbell Peer Review.

* **Justices/judges applying for re-election to their current position may omit Questions 17–22. If you are a judge seeking a judgeship different than your current position, Questions 17-22 should be answered based on your experience prior to serving on the bench.**

17. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?

- (a) federal: 20%
- (b) state: 80%

18. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?

- (a) civil: 40%
- (b) criminal: 50%
- (c) domestic: 0%
- (d) other: 10%

19. What percentage of your practice in trial court during the past five years or in the five years prior to your election to the bench involved matters that went to a jury, including those that settled prior to trial?

- (a) jury: 50%
- (b) non-jury: 50%

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

20. 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) Massey, Linda v. Unihealth Post Acute Care of Rock Hill, LLC et al. (Federal District Court) This case is significant because it involved a legally deaf license registered nurse, who worked in a nursing home. A employment lawsuit was filed in federal court on the grounds of racial discrimination/harassment, ADA, hostile work environment, retaliation, civil conspiracy, and SC Wage Act violation. For 3 years, my client suffered continuous unfair humiliating treatment and discrimination because of her disability and race. She had no one to fight for her right to work in her chosen field despite her disability. The matter settled in her favor and she obtained her monetary relief and a neutral reference.

(b) The State of South Carolina v. James Harris. (Circuit Court) This trial is significant because it was a drug case that involved a conspiracy of several individuals and, ultimately, juror misconduct. After the jurors deliberated for 3 days, my client was found guilty. My client received two concurrent sentences, 25 years and 15 years. However, upon the jury entering the courtroom, my fellow defense lawyers in the court room observed a juror signaling the assistant solicitor. It appeared that there was some juror misconduct, which lead to my researching and cautiously investigating the conduct. This matter tested my belief in the jury system and its importance. Ultimately, the verdict was vacated and my client plead to a lesser included charge. We have, as lawyers and jurist, a tremendous responsibility to uphold our system such that the community respects our legal system.

(c) The State of South Carolina v. Kenneth Ordell Murray. (Court of Appeals) This is an appeal through the SC Bar Appellate Project and I handled the appeal pro bono with the supervision of the Chief Appellate Defender. This appeal was significant because I was representing a client with a disability in an armed robbery at a Pizza Hut. Further, Mr. Murray was arrested at 1 p.m. and held handcuffed in custody for approximately eleven (11) hours without food, water, phone and no ability to leave the room. The holding room

did not have any windows. Subsequently, Mr. Murray signed a statement and at that point he received a Pepsi soda. The confession seemed to be the only evidence that connected him to the armed robbery. The witnesses never identified Mr. Murray as one of the persons who robbed Pizza Hut. Therefore, the issues raised in the appeal were: [1] did the court err in admitting the involuntary incriminating statement under Miranda and fruit of the poisonous tree doctrine; and [2] did the court err in denying Mr. Murray's directed verdict for lack of identification and no evidence linking Murray to the scene other than his statement. My argument was held before a panel of three members of the S.C. Court of Appeals. I did not win the argument; however, the comments from my panel were that I did well with my case.

(d) Paul Curry v. Town of Atlantic Beach. (Circuit Court) This is a bench trial and dealt with an alleged SC Freedom of Information Act (FIOA) violation and a request for a declaratory judgment against the Town. At trial, I successfully defended the case for the Town. The Circuit Court decided the matter under advisement and allowed the parties to submit proposed orders. The Circuit Court issued the final order denying the plaintiff's request for relief on each issue. Thereafter, the plaintiff filed a Motion to Reconsider. The Circuit Court heard and denied the motion. Then, the plaintiff filed an appeal and I drafted the Town's brief. After drafting the initial brief, I did not continue to represent the Town. However, this case is significant because I tried the case to decision, won on all grounds, and drafted the initial brief. Further, the plaintiff continuously harassed and filed lawsuits against the Town. In addition, plaintiff had a special Order in place as it related to the plaintiff receiving the Town's documents under FIOA. The plaintiff had four issues on appeal : [1] did the Court err by denying the plaintiff a declaratory judgment and injunctive relief; [2] did the Court err by denying the plaintiff's request for injunctive relief under the doctrine of res judicata where the issue was not preserved; [3] did the Court err by denying the plaintiff's request for declaratory judgment where there was no violation of the FIOA; [4] did the Court err by denying the plaintiff's motion to exclude the Town's witnesses proposed where plaintiff was placed on notice and was aware of the Town's witnesses; and [5] did the Court err by denying the plaintiff's attorney fees and cost pursuant to FIOA where collateral estoppel bars plaintiff's action.

(e) Tammy McMillan v. SC Department of Transportation ("SCDOT"). (Administrative Law) This case is significant because it was a SCDOT-Disadvantage Business Enterprise ("DBE") case for a woman-owned trucking company that was denied certification. Mrs. McMillan retired from a technical field and invested in her own dump truck with my sister. She was a white women in a newly started dump truck business. According to the DBE inspector Mrs. McMillan's business documents and application submitted for DBE certification were deficient. However, it appeared that Mrs. McMillan was not given a fair opportunity under the DBE certification process to prove her business qualified as a DBE. The business documents submitted showed it was a woman-owned business, it established SC business, and Mrs. McMillan had majority control of the business. As result, I requested a review hearing before the SC Administrative Law Division. After two years, we won Mrs. McMillan's DBE certification. Thereafter, Mrs. McMillan grew her business, which served South Carolina and North Carolina, from one to more than twenty dump trucks and grossed, annually, over \$300,000.

21. 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.
- (a) MV Transportation, Inc. vs. Central Midlands Regional Transit Authority and Transdev Service, Inc., (Richland County Circuit Court, April 15, 2016) This matter commenced when the appellant, MV Transportation, Inc. ("MV"), protested, pursuant to the Central Midlands Regional Transit Authority's Procurement and Contractual Administration Policy, Article 4, Section 1(1)(b), Central Midland Regional Transit Authority's (CMRTA's) Award of the contract to Transdev Services ("Transdev"). The contract allowed Transdev to manage the CMRTA. The CMRTA Chief Procurement Officer conducted a hearing, denied the protest and upheld the contract award. MV timely requested a review of the Chief Procurement Officer's decision by the CMRTA Ad Hoc Procurement Review Panel (the "Panel") pursuant to Article 4, Section 2. After the hearing, the Panel upheld the CMRTA Board's award of a multi- year public contract through a Request for Proposals and denied request for relief. Specifically, the Panel found that MV failed to meet its burden of proof in the protest. Appellant MV petitioned the circuit court pursuant to S.C. Code Ann. § 11-23-380 (2011) to review the Panel's decision. I advised and represented the Panel in both hearings. I drafted the Panel's Final Order and defending the Panel's Final Order on appeal in Richland County Circuit Court.
- (b) IN RE: Piedmont Community Actions, Inc., (United States Department of Health and Human Services Administration, October 19, 2016) This matter is an appeal of Final Decision/Executive Order issued by the Governor's appointed hearing officer from SC Attorney General's Office. I tried the three day contested case hearing before the hearing officer on Piedmont Community Actions, Inc.'s ("PCA") behalf against the attorney for South Carolina Office of Economic Opportunity's ("OEO"). OEO recommended that the PCA's status as a "community actions agency" sub grantee be terminated. PCA was a sub grantee for the following federal grant funds: Community Service Block Grant ("CSBG"), Low-Income Home Energy Assistance Program ("LIHEAP"), and Weatherization Assistance Program ("W AP"). The contested case hearing was held utilizing the informal disposition procedures outlined in § 1-23-320 of the South Carolina Administrative Procedures Act. After the hearing officer issued the final decision in favor of OEO, I filed along with co-counsel an appeal with the Office of Community Services (OCS) for Federal review. OCS conducted its review, it was unable to uphold the decision to terminate PCA's status.
22. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.
- (a) The State of South Carolina v. Kenneth Ordell Murray, (Court of Appeals) This is an appeal through the SC Bar Appellate Project and I handled the appeal pro bono with the supervision of the Chief Appellate Defender. This appeal was significant because I was representing a client with a disability in an armed robbery at a Pizza Hut. Further, Mr. Murray was arrested at 1 p.m. and held handcuffed in custody for approximately eleven (11) hours without food, water, phone and no ability to leave the room. The holding room did not have any windows. Subsequently, Mr. Murray signed a statement and at that point he received a Pepsi soda. The confession seemed to be the only evidence that connected him to the armed robbery. The witnesses never identified Mr. Murray as one of the persons who robbed Pizza Hut. Therefore, the issues raised in the appeal were: [1] did the court err in admitting the involuntary incriminating statement under Miranda and fruit of the poisonous tree doctrine; and [2] did the court err in denying Mr. Murray's

directed verdict for lack of identification and no evidence linking Murray to the scene other than his statement. My argument was held before a panel of three members of the S.C. Court of Appeals. I did not win the argument; however, the comments from my panel were that I did well with my case.

23. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
NO.

24. If the answer to question 23 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.
N/A

25. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.

I have filed timely each year from 2008- 2016, with the exception of 2011. Reason stated below.

(a) Commissioner, South Carolina Commission on Higher Education,
(2010- 2015); appointed.

My 2011 State Economic Interest (“SEI”) form was not timely filed by April 15, 2011. I did not file timely due my misunderstanding that the instructions stating the SEI form would be sent to State Ethics Commission (“SEC”) after my packet was received in February 2011 by the SC Governor’s Office as requested in the instructions for the Senate Confirmation. I did not receive notice due to the incorrect address entered into the SEC system (My address was correctly entered when I filed in prior years.) On December 16, 2011, I immediately filed an electronic SEI form upon my discovering it was not submitted and was submitting a packet for my re-election to USC Board in 2012. On my instructions for the re-election, there was a reminder that the electronic form was required to be completed by the candidate. Unfortunately, I lost my appeal for a waiver and was fined \$100.00 after I presented my appeal letter along with exhibits to the SEC. I paid the fine.

(b) Trustee, USC Board of Trustees, University of South Carolina
(2009- Present); elected; and

(c) Member, Zoning Appeals Board, City of Rock Hill
(2002-2009); appointed

26. 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.
N/A

27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
- (a) Senate- District 17, Chester, Fairfield, Union and York Counties- 2008-lost in a runoff against the Honorable Creighton Coleman.
 - (b) Circuit Court, Judicial Seat #2, did not withdraw prior to JMISC reported. Spring 2014.
28. 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.
- NO.
29. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
- NO.
30. Please explain why you think you meet the professional and academic ability criteria for the seat you seek.

Based on my hardworking nature, I consider myself well versed in fundamental legal principles and in procedural and evidentiary rules. I continuously attend continuing legal education classes, perform legal research and seek other forms of learning to improve as an advocate for my clients.

Based on my legal experiences, I have the ability to communicate in a style that has contributed to my successfully persuading stakeholders to resolve or compromise in my clients' favor. I have the intellectual capacity to interpret established legal principles, apply them to specific factual situations, and clearly and logically communicate the reasoning leading up to my conclusion.

31. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A net worth statement is provided with this questionnaire and you must use this format for submission of your financial statement.)

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

32. 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 or currently hold. Explain how you would resolve any potential conflict of interest.

I do not have any financial arrangements or business relationship that could constitute or result in a possible conflict of interest in the position I seek. I will follow the law and the applicable Judicial Canons regarding any potential conflict of interest.

33. 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? If so, give details but do not include traffic violations which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

34. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

35. 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? If so, give details.

NO.

36. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

(a) NO.

(b) YES. Individually/official capacity as a member of the SC Commission of Higher Education. Angelica Rocha Herrera v. John L. Finan et al., Civil Case No.: 7:14-cv-2255-HMH; the causes of actions were based on the Fourteenth Amendment Equal Protection 42 U.S.C. §1983 regarding the policy and practice of classifying as a non-resident a US citizen student. Herrera, who resides in SC, alleged the SCCHE Commissioners had an unconstitutional residency classification policy based solely on her parents' immigration status. Also, she alleged violation of the Fourteenth Amendment Due Process and Privileges and Immunities. She sought a declaratory judgment declaring the policy unconstitutional and enjoinder of the Commissioners from using the classifying policy for non-residents, along with restitution and attorney fees. I do not know the status my replacement to the SCCHE was found qualified and assume the SCCHE seat I held.

(c) YES. My law office was named regarding Court Authorized Interpreter. The court authorized Ambrosia Wilson to interpret for 3 individual cases on behalf Hispanic clients.

Law Office of Leah B. Moody, LLC (“LOLBM” (myself and staff) made Mrs. Wilson explained that the contracts were through SC Commission on Indigent Defense (“SCCID”) and she was aware of the nature of contracts. On several occasions, Mrs. Wilson received information about the process of submitting fees for services. However, Mrs. Wilson wanted payment before services were completed and wanted more money than she actually was owed. Mrs. Wilson submitted invoices that were incorrect and did not understand that LOLBM could not submit invoices with incorrect information. Further, that LOLBM did not control the invoice process but had to submit the invoices electronically for them to be approved. She did not complete the services but I did attempt to have her paid on all of the outstanding invoices, which were submitted with the incorrect format. My staff was not authorized to submit invoices on LOLBM’s behalf nor did any staff member have access to LOLBM trust accounts. All payments for interpreting services are deposited into the LOLBM trust account and checks must clear before LOLBM can issue any payment. Mrs. Wilson did not understand that if her invoices were incorrect, then SCCID would not authorize the payment from SC Comptroller General. In addition, when SCCID issues a check(s), the check(s) are made payable to LOLBM and LOLBM must deposit the check(s) into the trust account. The check must clear before a trust check can be issued to an expert/interpreter. I received a check regarding Mrs. Wilson’s invoices in late October 2014 after she corrected her invoices in September 2014. LOLBM had to resubmit the invoices. On November 24, 2014, Mrs. Wilson’s scheduled appointment with my office. She was late for her appointment and insisted on leaving after waiting approximately 10 minutes for me to complete a conversation with another client. Mrs. Wilson filed a lawsuit immediately after leaving my office. On that same day, I mailed her a letter informing her she had not completed the services as court authorized her services, the matters were still pending and enclosed was her check from the trust account that would have been given to her in our meeting that day. I filed my answer timely on December 23, 2014 in the Magistrate’s Court and requested a dismissal pursuant to SCRPC 12(b)(6). The Magistrate Court granted the request and disposition was final as of January 8, 2015.

I consulted an attorney, Lucy McDow, in this matter and she advised that this was not a claim for malpractice but I should file an answer. Further, my writing and mailing her check from my trust account was proper. Amount of damages sought was \$805.35. Mrs. Wilson was approved for and entitled to \$ 725.12.

37. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanction, discipline, or finding of misconduct of any kind.
[Yes and no responses are redacted for all candidates unless there is a public discipline.]
38. 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? If so, give the details.
NO.

39. 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? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.
- (a) I have carried malpractice since July 2004.
 - (b) I have not had the need for a tail policy.
 - (c) My coverage for my current malpractice policy is \$500,000/\$1,000,000/\$2,500.
40. 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.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?
- Yes. I would proceed cautiously so as to not communicate with any parties involved in or likely to be involved in any pending cases; refrain from commenting inappropriately regarding any opinions, jokes, public policy issues or suggest anything that would call into question my position as a judge or suggest any appearance of impropriety.
41. 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)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
- NO.
42. 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? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist’s principal involved.
- NO.
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. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?
- There are none.
44. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years.
- (a) Senator Mia McLeod Butler, 2016 Senate race; \$250.00
 - (b) Representative John King, 2014 House of Representatives race; \$100.00
 - (c) Senator Vincent Sheheen, 2014 Senate race; \$500.00
 - (d) Former Representative Bakari Sellers, 2014 SC Lieutenant Gubernatorial Election; \$100

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 or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? 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? If so, give details.
NO.

Note: The flash drive with your application materials contains (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

46. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.
NO.
47. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?
YES.
48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.
NO.
49. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.
NO.
50. 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) Member, South Carolina Women's Lawyers Association, SC Bar
(b) Vice-President, South Carolina Black Lawyers Association, SC Bar (2014-present)
(c) Parliamentarian, South Carolina Black Lawyers Association, SC Bar (2010-2012)
(d) Member, SC Bar, (1996-present)
(e) Member, Diversity Committee, SC Bar (2016-present)
51. 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) The Riley Diversity Leadership Institute, Midlands Class of 2017
- (b) Liberty Fellows Programs, Class of 2014
- (c) Fundraising Chair, Rock Hill Alumni Chapter of Delta Sigma Theta Sorority, Inc.
- (d) Session Member, Hermon Presbyterian Church
- (e) Parliamentarian, Smart Sets, Inc.

52. 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. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

Positive- After having the opportunity to work with a diversity set of clients, my experiences have provided useful insight regarding the various circumstances that impact litigants' interest.

53. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application packet.*

- (a) James Bennett, First Citizens Bank, 1201 Main St., Columbia, SC 29201, (803) 931-8549(wk)
- (b) Dr. Walter Tobin, Jr., 1318 Maple Street, Columbia, SC 29205, (803)536-0311(wk)
- (c) Tracy Bomar-Howze, Esquire, 1600 Hampton St., Ste 502, Columbia, SC 29208, (803) 312-4725(wk)
- (d) Freda Wallace, Esquire, Post Office Box 36704, Rock Hill, SC 29732, (803)322-1014 (cell)
- (e) Joseph D. Dickey, Jr., Esquire, 1817 Hampton St., Columbia, SC 29201, (803) 380-5575 (wk)

54. Describe any interest you or a member of your immediate family has in real property:
- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
 - (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.
- None.

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement.

N/A

55. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.
None.

56. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.
N/A

57. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.
N/A

58. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
N/A

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: _____

Sworn to before me this ____ day of _____, 2017.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____