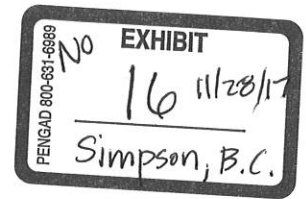


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Circuit Court, At-Large, Seat 9.

1. Name: Mr. Benjamin Chad Simpson

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?
(Includes Municipal, Magistrate, Etc.): No.

Home Address:

[REDACTED]

Business Address:

The Ninth Circuit Solicitor's Office
O.T. Wallace Building
101 Meeting Street
Charleston, South Carolina 29401

E-Mail Address:

[REDACTED]

Telephone Number:

(home): [REDACTED]
(office): (843) 958-1922
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1975
Place of Birth: Columbia, South Carolina
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.

Family Status: Married on August 18th, 2007 to Leah Browder Simpson.
Never divorced, two children.

[REDACTED]

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) The College of Charleston, 1993 – 1998, Bachelor of Arts (History).
 - (b) Saint John’s University School of Law, New York City, New York, 2000 – 2001, Transferred.
 - (c) The University of South Carolina School of Law, 2001 – 2003, Juris Doctor.

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.

South Carolina, Admitted 2003.

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) Maintained near full-time employment during much of law school in the food & beverage industry.
 - (b) Recipient: CALI Excellence for the Future Award, Evidence, Spring 2002.
 - (c) Recipient: CALI Excellence for the Future Award, Trademarks and Unfair Competition, Spring 2003.
 - (d) Order of the Wig & Robe (2003)

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

See, Attachment One: CLE Reports.

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.

College Courses Taught:

 - (a) I was an adjunct professor of Civil Business Law at Trident Technical College during the fall semester 2006, fall semester 2009, summer term 2011, and summer term 2012. The course was an accredited semester-length undergraduate level course covering the most commonly applied principles of civil law, including basic Constitutional law, Torts, Product Liability, Intellectual Property, Contract Law, et al.
 - (b) I was an adjunct professor of Evidence Law at Trident Technical College during the fall semester 2007 and fall semester 2010. The course was an accredited semester-length undergraduate level course exploring recurring evidentiary issues in the trial setting, such as the Fourth Amendment and the exclusionary rule, confessions and the Fifth Amendment, and hearsay and its exceptions.

- (c) I was an adjunct professor of Criminal Law at Trident Technical College for the spring semester 2010, fall semester 2011, fall semester 2012, spring semester 2012, and spring Semester 2013. The course was an accredited semester-length undergraduate level course covering basic concepts of American criminal jurisprudence, including common types of statutory crimes, their elements, and frequently asserted defenses.
- (d) I was an adjunct professor of Judicial Process (at Trident Technical College) during the spring semester of 2008. The course was an introductory survey course covering a broad view of the American Judicial Branch, including its function, structure, and basic procedures.
- (e) I was an adjunct professor of Family & Juvenile Delinquency Law (also at Trident Technical College) during the summer term of 2009. The course was an introductory course into common topics, themes, and procedures of the family court, with a focus on juvenile delinquency.

CLE's / Lectures / Speaking Engagements:

- (a) I gave a CLE presentation, Current Developments in Narcotics Prosecution, for the South Carolina Bar – CLE Division, at the University of South Carolina School of Law, in June 2009, in Columbia, South Carolina.
- (b) I gave a presentation to local judges of the Ninth Judicial Circuit and members of the Ninth Judicial Circuit's Public Defenders' Office entitled Common Issues in the Trials of Internet Crimes Against Children, in May 2010, in Charleston, South Carolina.
- (c) I gave a CLE presentation, Current Issues from the Prosecutor's Prospective, for the Charleston County Bar – Young Lawyers Division, on February 24th, 2011, in Charleston, South Carolina.
- (d) I was a panel speaker for a CLE presentation, F.O.I.A. for Government Attorneys: Panel Discussion led by South Carolina Supreme Court Justice Costa Pleicones, hosted by the South Carolina Commission on Prosecution Coordination on December 14th, 2012, in Columbia, South Carolina.
- (e) I was a presenter of a CLE presentation, Common Search Warrant Issues, during the Solicitor's Office for the Ninth Judicial Circuit Continuing Education Program, August 20th, 2013, in Charleston, South Carolina.
- (f) I was a panel speaker during Victims' Rights Week, at the Annual Conference for Crime Victims' Advocates and Families, on April 22nd, 2015, in Columbia, South Carolina.
- (g) I was a co-instructor during training for the Charleston Police Department on the topic of Common Search Warrant Issues (w/ Ninth Circuit Solicitor Scarlett Wilson), on July 23rd and August 13th, 2015, in Charleston, South Carolina.
- (h) I was an instructor for the College of Charleston's Public Safety Department training on the topic of Search and Seizure Issues in the Campus Setting, in August 2015, in Charleston, South Carolina.

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) No published books or articles.
 - (b) Attachment 2(a), State v. Dylann Storm Roof, Memorandum in Opposition to Suppression in State v. Dylan Roof, co-written with Solicitor Scarlett Wilson, primary authorship, but with Solicitor Wilson exercising final approval and editorial control.
 - (c) Attachment 2(b), State v. Robert Tilghman Kronsberg, Memorandum in Opposition to Suppression of Defendant's Suppression, sole authorship.
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, 2003.
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.
 - (a) October 2003 – June 2004, The South Carolina Court of Appeals, Staff Attorney. Assisted appellate court judges in case analysis and research; drafted pre-hearing reports which were often utilized as initial working drafts for subsequent written opinions.
 - (b) June 2004 – August 2006, The South Carolina Court of Appeals, Law Clerk to the Honorable H. Bruce Williams. Assisted the Honorable H. Bruce Williams in case research, legal analysis, and opinion drafting; some administrative duties.
 - (c) August 2006 – May 2013, Trident Technical College, Adjunct Professor of Legal Studies. While employed full time as a prosecuting attorney (see below), maintained additional part-time employment as professor of undergraduate legal studies in subjects such as civil law, substantive criminal law, evidence, and judicial process (average of one class per semester or summer term).
 - (d) August 2006 – August 2010, Solicitor's Office for the Ninth Judicial Circuit, Assistant Solicitor. Prosecuted hundreds of criminal cases, obtaining several guilty verdicts in high-profile trials for major offenses, such as criminal sexual conduct and murder. Subspecialty in the prosecution of sexual exploitation of minor cases as the Ninth Judicial Circuit Solicitor's Office representative on the I.C.A.C. Taskforce (Internet Crimes Against Children).
 - (e) August 2010 – March 2015, Solicitor's Office for the Ninth Judicial Circuit, Managing Assistant Solicitor [Trial Team Leader]. While continuing to prosecute my personal case load, largely consisting of major felonies and frequently high-profile cases, also managed a trial team of 8 to 10 trial attorneys. Responsibilities as team leader included the management of trial dockets for

General Sessions Court terms, case assignments within the team, and attorney training and mentorship.

- (f) March 2015 – Present, Solicitor’s Office for the Ninth Judicial Circuit, Managing Assistant Solicitor [Career Criminal Prosecution Team]. Inaugural member of selective prosecution team focusing on high profile major cases and career offenders, with an emphasis toward litigation and trial work.

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.

N/A

- (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.

Since joining the Solicitor’s Office for the Ninth Judicial Circuit nearly eleven years ago, my career has developed with a distinct focus on trial work, particularly in major felony prosecutions. It would be difficult to list all the cases I have handled in over the past five years, but the following examples stand out in my mind:

South Carolina v. Dylann Storm Roof (2015-GS-10-4115 to 4125, et al.) From that horrible morning of June 18, 2015, when the defendant was still at large, to his guilty plea on April 10th of this year, I was involved, working with Solicitor Wilson and Deputy Solicitor Durant, as a member of the State prosecution team in the case against Dylann S. Roof. Issues involved search & seizure (See, writing samples attached), mental competency, the interplay between federal and state sovereigns, et al.

South Carolina v. Michael Slager (2015-GS-10-03466) I was a member of the four-person trial team in one of the country's most notorious police shooting cases during a trial lasting over five weeks in the fall and winter of 2016. During the trial, I handled most of our legal responses, in writing and on the record, to over seventy-five defense motions filed, as well as the questioning of several witnesses, including defense experts.

South Carolina v. Terrell A. Smith (2014-GS-10-05999, 6000, 6001, 6002) I was counsel on a multi-day murder and burglary trial involving the brutal stabbing death of a teenager in his bedroom which was sadly discovered by the victim's father. Issues included identification and self-defense. Following trial in September 2016, the State obtained a guilty verdict on the murder charge.

South Carolina v. Valentino Hayward (2014-GS-10-03322, 23) I was lead counsel in a murder trial lasted over a week and resulted in a guilty verdict in November 2015. The legal issues were numerous, including identity, phone records, uncooperative witnesses, etc.

South Carolina v. Dalton Ellis Clark (2015-GS-10-03596) I was lead counsel in a homicide trial which presented at its core the difficult legal issue of criminal liability when a single "sucker punch" from behind causes the death of another. Following a week-long trial in April of 2016, the State obtained a guilty verdict for the crime charged.

South Carolina v. Robert Kronsberg (2013-GS-10-02456) I was lead counsel in a murder case which proceeded to trial in 2014 involving the brutal stabbing death of a young woman at the hands of her boyfriend. Issues involved the admissibility of a confession recorded while the defendant was receiving medication (See, writing samples attached) and whether the killing was mitigated by heat of passion. The defendant was found guilty of murder.

South Carolina v. David Meggett (2009-GS-10-04829, 30) While outside of the five-year window, I remain very proud of my work on the Criminal Sexual Conduct / Burglary case prosecuted against David Meggett. The defendant was an ex-NFL star who many believed had become a serial rapist, but his resources allowed him to repeatedly avoid justice over several years and incidents. I was lead counsel on a case offering many justifiable paths to easy plea bargains, but myself and co-counsel took the more difficult and uncertain, but necessary, path to a trial conviction and thirty-year sentence. The professional and criminal careers of the defendant are well covered in a well written profile here:

<https://www.sbnation.com/longform/2014/1/21/5320000/david-meggett-criminal-history-profile>

While my legal experience unquestionably weighs toward criminal practice, it is not devoid of meaningful experience in civil law. First, my career began with three years of service to the South Carolina Court of Appeals, where the vast majority of cases I worked on were civil in nature. Furthermore, these cases, being the subject of appeal, often involved the most complicated, vexing, and contentious of issues. While it is standard for an attorney to spend a single year in such a clerkship, I spent three, due largely to the enjoyably challenging nature of the work.

Second, as outlined above, I spent almost seven years (while serving as a full-time prosecutor) as an undergraduate professor of legal studies, including four semesters as an instructor of the introductory course to civil law. Other courses, such as Judicial Process, similarly included review of vast areas of civil law, such as civil procedure, contract law, and commercial law case studies. Nearly every course taught included a Constitutional law section, covering numerous landmark civil cases and concepts.

Third, many of my subspecialties and duties while serving as a solicitor have given me further civil law experience. I have for most of my time here been in charge of all magistrate court appeals (to the circuit court) handled by our office (which are civil hearings). I have for about eight years been the Solicitor's Office for the Ninth Judicial Circuit's F.O.I.A. and civil subpoena attorney, a role which nearly weekly calls for my engagement with lengthy civil statutes and has, on several occasions, led to my appearance on behalf of my office in civil court.

Lastly, I have always considered myself a student of law and I like to keep abreast of United States and South Carolina Supreme Court developments in both criminal and civil practice areas. While typically a quick learner, I have never been embarrassed to ask advice from peers, and would readily engage fellow judges, lawyers, and written materials if I sensed a shortcoming in any area of legal knowledge, substantive or procedural.

In the past five years, I would describe the frequency of my appearances before a Circuit Court Judge as nearly constant. I appear before the Circuit Court at some point during nearly every term of Charleston General Sessions Court, as well as occasional appearances in Charleston Common Pleas Court.

- (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.

N/A

- (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.

N/A

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 have never sought or obtained a rating from any of the above services.

- * **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: none (several times in the last three years, but only as an observer of concomitant state / federal prosecutions).
 - (b) state: weekly, often several times daily.
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: 5% (See answer to Question 15).
 - (b) criminal: 90%
 - (c) domestic: 0%
 - (d) other: 5% (Criminal prosecution can occasionally carry over into other areas such as juvenile law, probate commitment hearings, etc.)
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: 10%
 - (b) non-jury: 90%

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

Most frequently as chief counsel, though I will commonly mentor younger attorneys as their associate counsel on smaller cases.

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) State v. Michael Slager (2015-GS-10-03466). I was a member of the four-person prosecution team (including Solicitor Scarlett Wilson and Deputy Solicitors Durant and Alfaro) in a police shooting homicide trial that lasted over five weeks and received national and international attention. I predominantly handled legal matters, such as arguing motions, and also handled the questioning of several witnesses, including key government witnesses in the case in chief and the cross examination of defense experts.
 - (b) State v. Jeffrey Herrmann (2009-GS-10-09048). Ali Sarhan, a legal immigrant from Iraq, was missing for almost ten years until his body was found in the trunk of a submerged vehicle at the bottom a low country creek and identified by serial numbers found on a false leg still attached to his skeletal remains. After investigation by the Mount Pleasant Police Department, I was lead counsel in his killer's murder trial, which resulted in conviction for murder over a decade after the crime was committed.
 - (c) State v. Dalton Ellis Clark (2015-GS-10-03596). Clinton Seymour, an incredibly bright and promising young man, was the designated driver for his friends on a weekend night out on King Street. After a silly confrontation with another group of young men, he was punched from behind at the base of his skull by a person he likely never saw, causing brain trauma that would ultimately prove fatal. The facts presented a complicated prosecution, but I was lead counsel in the challenging trial that ultimately achieved justice for Clint and his family. I have bonded with many victims' families through the years, but this trial will always be significant to me for the relationship I developed with Clint's family, who now

spend a significant amount of their time and resources toward a charity dedicated to his memory:

http://www.postandcourier.com/staff/gene_sapakoff/clint-seymour-play-ball-fund-turns-tragedy-to-baseball-triumph/article_95884efd-a34e-5456-b755-632c0de6acbe.html

(d) State v. David Meggett (2009-GS-10-04829, 30) I was lead counsel in a case against a former NFL star who may have avoided justice on several previous occasions. See, Question 15. We proceeded to trial and obtained guilty verdicts as charged.

(e) South Carolina v. Robert Wright (2010-GS-10-06153) I was lead counsel in both an initial mistrial (hung jury) and successful retrial in a case involving a defendant with a history of domestic violence who fatally assaulted his mother's ex-boyfriend in front of his young nephews. Significant because defendant was convicted of murder on retrial and a grieving family, with persistence, received justice, albeit delayed.

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.

I have not personally litigated any civil appeals, though I worked on many as a staff attorney and clerk at the South Carolina Court of Appeals for three years.

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.

I have not personally litigated any criminal appeals, though I worked on many as a staff attorney and clerk at the South Carolina Court of Appeals for three years.

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.

I have never held judicial office.

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.

N/A

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.

No, I have never before been a candidate for elective, judicial, or other public office.

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.

At the age of fifteen, I obtained a job at a fast food restaurant at Riverbanks Zoo, in Columbia, South Carolina (the Kenya Café, it was called at the time). From that age until finishing law school at age 28, I held numerous, near constant employment in the food and beverage industry. The most interesting of these jobs are as follows:

Northampton, England, The Lounge, 1998 – Bartended at local pub while attending school as an exchange student in the United Kingdom.

Charleston, South Carolina, Slightly North of Broad, 1994 – 2000, Senior member of service and bar staff for one of Charleston's premier fine dining establishments. Worked under Charleston F&B legends Chef Frank Lee and G.M. David Marconi. I learned many important life lessons serving others at this establishment that I carry with me today, such as being a part of something bigger than yourself, humility, being a team player, and dealing professionally with others.

New York City, New York, Chicama, 2002, Server / bartender at upscale Manhattan bar / restaurant featured in the New York Times, Zagat's, et al.

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.

N/A

30. Please explain why you think you meet the professional and academic ability criteria for the seat you seek.

I believe that my academic credentials from law school, my three years with the South Carolina Court of Appeals, my many semesters as a legal studies professor, along with my years of experience prosecuting complex and high-profile criminal trials in the Ninth Judicial Circuit have given me the academic and professional ability, along with what will undoubtedly be further study and academic dedication, to perform the role of Circuit Court judge admirably and in a manner that would make this commission and the state it serves proud.

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.

A complete, current financial net worth statement was provided to the Commission.

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.

None to my knowledge. Even appearances of conflicts of interest are best resolved through judicial recusal, especially if express waiver from both parties after a full and complete disclosure of the conflict or appearance of conflict is not obtained.

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.]

Yes, at ages 18 and 19, while transitioning away from home, I had a period of my youth that I'm not exactly proud of with some minor legal troubles. I do not know the exact dates, but recall receiving two citations (not arrests) for being a minor in possession of alcohol around 1993 – 1994. My driver's license was suspended and a driving under suspension charge and arrest on January 19th, 1995. Because this arose from my own inattention to detail, I pled guilty to the charge in March of 1995 and it remains on my 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.
No.
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.
N/A.
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?
I have both an active Twitter and Facebook account, though I would describe my activities on these sites as benign and tame. If serving in a judicial capacity, I would maintain a strict policy of never sharing, liking, spreading, or commenting on any case or issue before the court or likely to come before the court.
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?

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.

None.

45. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened 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. I have done no campaigning for this election thus far aside from it becoming general knowledge around my office that I was considering this application. I have called a couple of known other potential candidates to wish them luck. I know of no one presently campaigning on my behalf.

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) The Charleston County Bar Association.
(b) Member: Internet Crimes Against Children Taskforce (until the South Carolina Attorney General's Office took over all of those prosecutions around 2012).

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.
N/A

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.

I look forward to meeting with the commission and discussing my qualifications further. As I hope these materials reflect, I believe my professional and personal life and experiences prove me to be a suitable candidate for a Circuit Court seat. I hope my career thus far conveys to this committee a dedication to public service that goes well beyond the typical short stay as a bridge to more lucrative careers. I do not come from wealth, nor do I aspire to obtain it. It has always been the academic challenges, the egalitarian majesty, the intellectual rigor, and the striving morality of the law that has drawn me to its practice. Perhaps it has been a shortcoming to my earning potential, but I have always been far more interested in untangling vexing legal issues in furtherance discovering the just, moral, and legally correct answer, rather than merely advocating for the answer that best suits an individualistic interest of the moment. It is this passion for truth that led me to the appellate court system after law school and, from there, to prosecution for the Ninth Judicial Circuit's Solicitor's Office. I hope it further leads to a lengthy judicial career and the opportunity to make a state that I love proud of my service.

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) Solicitor Scarlett Wilson, Ninth Judicial Circuit
101 Meeting Street, O.T. Wallace Building
Charleston, South Carolina 29401
(843) 958-1900
- (b) Emmanuel J. Ferguson, Esquire
Cleveland & Conley, LLC
171 Church Street, Suite 310
Charleston, South Carolina 29401
(843) 577-9626
- (c) Gregory K. Voigt, Esquire
Voigt Murphy, LLC
815 Savannah Highway, Suite 201-B
Charleston, South Carolina 29407
(843) 571-4300
- (d) Donald E. Seymour
2719 Jenkins Point Road
Johns Island, South Carolina 29455
(412) 915-6080
- (e) Shawn B. Deery, Esquire
McGowan, Hood & Felder, LLC
1517 Hampton Street
Columbia, South Carolina 29201
(843) 779-0100

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: _____