

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2020



Court, Position, and Seat # for which you are applying: Circuit Court, Thirteenth Judicial Circuit, Seat 3

1. Name: Mr. Alan Lance Crick
Mrs.
Ms.

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.) No.

Home Address: [REDACTED]

Business Address:

US Attorney's Office
55 Beattie Place
Suite 700
Greenville, SC 29601

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 864-282-2100
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1972
Place of Birth: Greenville County, SC
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. 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. N/A

6. Family Status:

(a) State whether you are single, married, widowed, divorced, or separated.

Married.

(b) If married, state the date of your marriage and your spouse's full name and occupation.

Married on July 15, 2006 to Cindy Smith Crick, formerly Cindy Lynn Smith.

(c) If widowed, list the name(s) of spouse(s).
N/A

(d) 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.

N/A

(e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

[REDACTED]

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) Wofford College, August of 1991-May of 1995, Bachelor of Arts

(b) University of South Carolina School of Law, August of 1995-May of 1998, Juris Doctor

8. 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) Phi Delta Phi

9. 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. Please indicate the number of times you took the exam in each state.

South Carolina, 1999. I sat for the bar exam twice.

10. 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 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) Assistant Solicitor, Thirteenth Judicial Circuit Solicitor's Office, Pickens County, August 1998-August 2001: As one of just four assistant solicitors in the Pickens office at the time, I was very fortunate to have the opportunity to get into the courtroom shortly after my arrival. Managing my own docket of cases ranging from traffic offenses, property crimes, violent crime, domestic violence, sexual assault, and narcotics, I always sought to embody what I learned from skilled and fair practitioners. I worked to resolve cases if possible and try to cases to verdict if necessary, all in a professional and thorough manner. While seeking justice, I enjoyed working with our public defenders and members of the private defense bar as well as our state judiciary. I endeavored to be friendly and fair to all parties at all times

(b) Assistant United States Attorney, Greenville office, August 2001-October 2015: I joined the Department of Justice as a Project Safe Neighborhoods (PSN) prosecutor some three weeks before September 11, 2001. In this capacity, I had the privilege of working with local, state, and federal law enforcement agencies to pursue violent, prohibited individuals who engaged in active and illegal firearms possession and thus put our communities across the upstate in harm's way. I tried several cases to verdict in U.S. District Court, cases that were often times adopted by federal law enforcement from our local partners. The PSN program also allowed me to work with members of communities experiencing disruption due to gun violence. I also led the office's efforts in the upstate, through our National Day of Concern every October, visiting schools and fostering a dialogue with students about not only the dangers of gun violence but also the importance of protecting their futures by making good decisions. From 2009-2013, while still working on violent crime cases, I began working on matters pursuant to the U.S. Attorney's Office Organized Crime and Drug Enforcement Task Force (OCDETF) footprint. OCDETF cases utilized the national and international jurisdictional reach of our office to build investigations and prosecutions into multi-defendant drug conspiracies affected not only South Carolina but across the United States and beyond

(c) Project Safe Neighborhoods District Coordinator, June 2013-January 2018: Appointed by then-U.S. Attorney Bill Nettles, I began traveling the state to work with communities and law enforcement on a number of focus-deterrence collaborative programs in conjunction with our enforcement footprint. I had the privilege of leading roll call trainings for local police departments and sheriff's offices across the state as well as participating in many community meetings in an effort to work together to secure our communities.

(d) Supervisory Assistant United States Attorney, Greenville office, October 2015-present. As the Supervisory AUSA in Greenville, I supervised and worked alongside ten federal

prosecutors and eight support members. While maintaining my own caseload as well as my PSN responsibilities, I had the opportunity to ensure that our staff had the resources needed to support their cases. I also engaged with our entire courthouse family routinely—our federal judiciary, the Federal Public Defenders Office, the private bar, U.S. Probation, U.S. Marshals Service, U.S. Clerk’s Office, as well as local, state, and federal law enforcement to always keep our lines of dialogue open as we all worked together albeit in our respective lanes to seek justice.

- (e) First Assistant United States Attorney, January 2017-December 2019: I was appointed to this position by then-Interim U.S. Attorney Beth Drake. Upon her US Senate confirmation in 2018, incoming US Attorney Sherri A. Lydon asked me to continue to serve in this capacity. As First Assistant, I served as the primary deputy to the US Attorney with direct supervision over our three divisions for the state (Administrative, Civil, and Criminal) which enveloped our four offices (Charleston, Columbia, Florence, and Greenville). I commuted to Columbia several days a week often making stops there before heading to Florence or Charleston to support our staff members before returning to Greenville. I served as a liaison with our federal judiciary, our federal public defenders, our state solicitors, our chiefs and sheriffs as well as our community and civic leaders. As First Assistant, I worked closely with our Administrative Officer on budget issues as well as personnel and human resources matters. I had the opportunity to work with our Civil Chief as well as our defensive and affirmative civil AUSAs in various negotiations, mediations, and settlements. In our criminal division, I maintained close contact with our Criminal Chief and Deputy Chief on numerous significant cases including civil rights, public corruption, violent crime, white collar fraud, and narcotics. In this capacity, I also served as our office’s public information officer until early 2019, managing our press and media footprint within the parameters of Department of Justice guidance always with an eye towards protecting the rights of the accused and the integrity of our investigations. As First Assistant, I made it a priority to know and visit with every member of our 150-plus staff statewide. I was proud to work alongside such amazing group of public servants.
- (f) Acting United States Attorney, December 2019-March 2020: When U.S. Attorney Lydon was elevated to the US District Court in December of 2019, by virtue of the Vacancies Reform Act, I became the Acting United States Attorney. In this capacity, I assumed the position of our state’s chief federal law enforcement official. I continued to work closely with our entire staff and met daily with our management team to assess our needs while also continuing to refine our strategic plan for the future to allow for a seamless transition for our next US Attorney. The professionalism and cohesiveness of our management team and entire office allowed us, like so many entities, to pivot and remain forward leaning as our world changed in March due to COVID-19.
- (g) Executive Assistant United States Attorney, March 2020-present: Peter McCoy was directly appointed as our new US Attorney by US Attorney General Bill Barr on March 30, 2020. U.S. Attorney McCoy asked me to become his Executive Assistant United States Attorney as well as the Deputy Chief for Violent Crime for the state. I also maintained supervision of our Greenville office. As the Executive, I serve as counsel to

U.S. Attorney McCoy. I also supervise our Administrative Division which is comprised of budget, IT, acquisitions, support services, and docketing. U.S. Attorney McCoy, despite entering at a very challenging time, has done an excellent job leading the US Attorney's Office.

- (h) Deputy Chief, Violent Crime, March 2020-present: As Deputy Chief, I supervise and work with our AUSAs in Charleston, Columbia, Florence, and Greenville assigned to violent crime prosecutions. In this capacity, I also manage our Project Safe Neighborhood efforts across the state. I enjoy observing our AUSAs in court, providing any support they need, and assisting with any negotiations or charging decisions. I continue to traverse the state to meet with our community members as well as our local, state, and federal law enforcement partners.

Justices/judges applying for re-election to their current position may omit Questions 11–17. If you are a full-time judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience prior to serving on the bench.

11. Please answer the following:

- (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, and 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.

Civil Matters: When I served as First Assistant US Attorney and as Acting U.S. Attorney, I had the opportunity to not only supervise our Civil Division but to work closely with our civil attorneys and support team. Our Civil Division is comprised of 30 AUSAs and support staff, handling cases in a variety of areas of law including civil rights, fraud, employment discrimination, medical malpractice, bankruptcy, foreclosure, and auto torts. As First or Acting, I had settlement authority on all of our civil cases. I met weekly with members of our Affirmative and Defensive units. I reviewed settlement memorandums on many matters, facilitated meetings and negotiations with our AUSAs and counsel, and participated in a mediation with BOP counsel before US Magistrate Judge Kevin F. McDonald. Additionally, for over 10 years, I have maintained a docket of over 200 foreclosure cases, in which the United States has an interest, in state court in Greenville County. I have not appeared before a Circuit Court judge within the past five years.

Criminal Matters: As an Assistant Solicitor in Pickens County from 1998-2001, I maintained a docket of felony and misdemeanor cases to include driving offenses, property crimes, sexual assault, indecent exposure, criminal domestic violence, firearms offenses, violent crime, and narcotics offenses. I worked with victims, dealt with restitution issues, and while I tried several cases to verdict, the overwhelming majority of my cases were resolved by plea. I enjoyed working with our public defenders and private bar and appearing before our state judges and magistrates. I quickly learned to appreciate the sheer volume of our caseloads and I always endeavored to be responsive, decisive, and to make fair offers while preparing thoroughly for all cases regardless of their posture procedurally.

As a federal prosecutor for almost 19 years now, I have maintained the same approach to each case, each defendant and his or her attorney, as well as to victims, the investigating agency, and our bench. As an AUSA, our dockets are smaller than our state counterparts, but we are involved in our investigations much earlier in the process. Through the years as an AUSA, I have prepared, reviewed, or revised all pre-arrest or pre-indictment requests from agents, to include search warrants, electronic surveillance requests, and tax records inquiries, before any such documents were submitted to a federal magistrate or district court judge. While I have prosecuted and tried numerous cases involving violent individuals and members of sophisticated drug trafficking networks, I have also declined cases and had honest conversations with law enforcement officers and agents in situations where I believed it was not in the best interest of justice to proceed. I have not appeared before a Circuit Court judge within the past five years.

- (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

12. 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: weekly.

(b) state: N/A. While I did not appear on cases in state court in the past five years, in my capacity as First Assistant and then Acting United States Attorney, I routinely visited state courts and Solicitor's Offices across the state.

13. 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: 15%. In addition to maintaining a civil docket of over 200 foreclosures cases, I also handled several responses on behalf of the government to collateral motions raising challenges to convictions. As First Assistant U.S. Attorney and then Acting U.S. Attorney, I supervised our civil, criminal, and administrative divisions for the state. In the civil realm, I had settlement authority on all of our defensive and affirmative cases. I was briefed on our significant cases, worked with our AUSAs and counsel in various negotiation meetings, and had the opportunity to participate in a civil mediation in one matter.

(b) criminal: 60%.

(c) domestic: 0%

(d) other: Administrative: 25%. As a Supervisory Assistant United States Attorney, a First Assistant United States Attorney, Acting U.S. Attorney, Executive Assistant United States Attorney, and Deputy Chief, I engage weekly, if not daily, on various personnel, employment, human resources, and operational matters for our district.

14. 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: 3%

(b) non-jury: 97%

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel?

On cases that did not go trial or were resolved by plea, I served as sole counsel. In jury trials, I served as lead or co-counsel.

15. 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) United States v. Blair

No. 05-4560

United States Court of Appeals for the Fourth Circuit

189 F. App'x 231 (4th Cir. July 11, 2006) (unpublished)

On February 11, 2002, Union County Deputies responded to a shots-fired call at a residence. Upon arrival, they learned from eyewitnesses that Dennis Blair had fired two shots at one of the eyewitnesses and then fled when his gun jammed and would no longer fire. Deputies processing the scene did not locate a gun but were able to recover one intact round of ammunition and one spent shell casing. In reviewing the case for federal adoption and prosecution, I learned that Blair had two prior convictions for shooting at other victims on separate occasions. Given his violent history which mirrored the alleged conduct described above, I decided to go forward without a gun in evidence—just one bullet. Prohibited individuals cannot possess firearms or ammunition under the federal statute. While our physical evidence could have been stronger, I believe this case is significant given our willingness to stay the course and to work with local and federal law enforcement to put together a case for prosecution. Blair went to trial and was convicted for the illegal possession of one bullet. However, at trial, the government presented the whole story of Blair's actions to the jury though a gun was never recovered. Given Blair's violent criminal history, he was sentenced to 155 months in federal prison.

(b) United States v. Hans

No. 07-5116

United States Court of Appeals for the Fourth Circuit

332 F. App'x 116 (4th Cir. May 29, 2009) (unpublished)

Eric Hans was indicted in 2005 for Arson Resulting in Death. This was a federal death penalty case tried over the months of June and July in 2008. I was a member of the government's trial team. Hans was found guilty but avoided the death penalty. He is currently serving a life without the possibly of parole sentence. The jury found that Hans set fire to a Comfort Inn hotel in Greenville in 2004 which resulted in the deaths of six people (including a toddler) and injured a dozen others. The investigation and ultimate prosecution was a years-long effort. Hans committed the crime in 2004, was indicted in 2006, and was tried and convicted in 2007. Along with ATF agents and Johnny Gasser, who at that time was the Deputy Chief over Violent Crimes for the U.S. Attorney's Office, I travelled to multiple states to interview witnesses for both the guilt phase and in preparation for the sentencing phase. Though the investigation techniques utilized in this case were cutting-edge, this was a very tough case factual for the government in the guilt phase. I dedicated years of my practice to this case and worked alongside amazing prosecutors and talented defense counsel. This was a significant case on so many levels. As a federal death penalty case, we faced an arduous road from jury selection, into the guilt phase, and finally, the sentencing phase. It required great organizational skills for our droves of exhibits as well as

efficient writing skills and strong advocacy during all phases of the trial. I marveled at the strength, courage, and patience of the surviving victims and the families of the deceased victims. The jury deliberated for over eight hours and I believe justice was served.

(c) United States v. Swain

No. 09-4089

United States Court of Appeals for the Fourth Circuit

397 F. App'x 893 (4th Cir. October 15, 2010) (unpublished)

I worked with local law enforcement as well the ATF across multiple counties in South Carolina putting together the investigation which ultimately led to a jury trial in 2008 in this case. From 2006 through early March of 2007, Swain, while armed with a handgun, robbed five Sally Beauty Supply Stores across the upstate. In each robbery, Swain would distract an employee before brandishing his firearm and demanding money from the store safe. In each robbery, Swain would take an employee's identification or driver's license and threaten to come back and kill the employee if they reported him to the police. Law enforcement followed a tip from out of state and worked with the United States Marshals to locate Swain in Greenville. During a search warrant of Swain's residence, law enforcement recovered numerous pieces of incriminating evidence to include directions to Sally Beauty Supply stores, ammunition, and an employees' driver license that had been taken in another robbery that occurred in North Carolina. Despite providing post-Miranda admissions to multiple law enforcement officers, Swain declined the government's plea offer and proceeded to trial. Swain was convicted on all twelve counts. Then-U.S. District Court Judge Henry F. Floyd sentenced Swain to 1494 months in federal prison. Swain's crimes were committed across several local jurisdictions. This was a significant case given the number of victims who faced Swain's gun and threats of retribution as well of the number of law enforcement agencies across several counties investigating this robbery spree. I was fortunate to travel to those counties, meet with all of the victims, and coordinate with all of the local law enforcement to present this as one consolidated federal case as opposed to numerous trials in several state judicial circuits.

(d) United States v. Martinez

No. 14-4962

United States Court of Appeals for the Fourth Circuit

657 F. App'x 157 (4th Cir. July 29, 2016) (unpublished)

Beginning in early 2012, agents and task force officers with the DEA in Greenville, began investigating an upstate-based methamphetamine distribution network that was being sourced with pounds of methamphetamine from individuals in the Atlanta-area. Ultimately, over a two-year investigation and some seven superseding indictments, twenty-seven defendants were indicted in the conspiracy, with twenty-five entering guilty pleas. Jesus Buruca-Martinez and Daniel

Rodriguez went to trial in September of 2014. I tried this case with then-Assistant United States Attorney Andrew B. Moorman, Sr.

The investigation revealed that two members of this conspiracy, Dustin Tiller and Nicanor Perez-Rodriguez, both inmates in the South Carolina Department of Corrections at the time, contacted members of their families on the outside to arrange for methamphetamine to be transported from Georgia into South Carolina for further distribution. After identifying Daniel Rodriguez as a Georgia-based member of the conspiracy who was making frequent trips to South Carolina to bring methamphetamine as well as collect drug proceeds, members of the Anderson County Sheriff's Office and Anderson City Police Department were able to establish surveillance on Rodriguez, on Sunday, August 5, 2012, as Rodriguez met with other members of this conspiracy, to include Jesus Buruca-Martinez, in the parking lot of a restaurant, located off of Exit 19, Interstate 85, in Anderson County.

Agents then maintained surveillance on Rodriguez and Buruca-Martinez as they traveled in tandem, both driving separate vehicles, to a residence in Belton, South Carolina. Maintaining surveillance on the Belton residence, agents observed Buruca-Martinez leave the residence, followed by Rodriguez's departure some twenty minutes later. Traffic stops were conducted on both vehicles and law enforcement seized \$20,240 in cash from Buruca-Martinez.

Following the execution of a federal search warrant at the Belton residence and the arrest of Rodriguez, Buruca-Martinez, and others, that evening, agents reviewed a home surveillance system seized in the search. The surveillance system had an operational camera imaging the living room of the residence, attached to a digital video recording (DVR) system. In reviewing the images on the DVR, which dated back some two weeks from the incident date, agents observed Rodriguez arriving at the residence on two previous occasions in July 2012.

Regarding the activity inside the residence on August 5, 2012, a review of the video revealed Rodriguez, Buruca-Martinez, and third co-conspirator, who rode with Rodriguez that day from Georgia, counting, for several minutes, over \$20,000 in cash. Witnesses testified that this cash was partial payment applied to the overall drug debt owed to Rodriguez and others for pounds of methamphetamine previously provided on consignment. As the money count concluded, the video showed Buruca-Martinez bundling two cash parcels, placing one in each cargo short pocket, and exiting the residence, ultimately heading south on Interstate 85 before he was stopped by law enforcement. After the jury returned guilty verdicts, Rodriguez was sentenced to 155 months in federal prison while Buruca-Martinez received 120 months. This case was significant given its sheer breadth and complexity. This conspiracy spanned into multiple states and even behind the walls of the South Carolina Department of Corrections.

(c) United States v. Nash
No. 17-4603

United States Court of Appeals for the Fourth Circuit
739 F. App'x 762 (4th Cir. June 29, 2018) (unpublished)

In the early morning hours of March 22, 2016, Carlton Nash, armed with a handgun, forced entry in a failed attempt at a home invasion of a residence in Greenville. Though Nash discharged his weapon upon entry, the occupants of the residence fought back, ultimately causing Nash to flee. Nash left behind the mask he was wearing as well as his firearm. Nash was arrested several weeks later and was indicted on federal firearms charges in April of 2016. The forensic evidence played a crucial role in this case as investigators were able to recover Nash's DNA from the discarded mask. Nash declined the government's offer to enter a plea and proceed to trial. Nash was convicted and later sentenced in September of 2017 by U.S. District Court Judge Timothy M. Cain to 310 months in federal prison. This case, in addition to violent nature of the defendant's acts, was significant due the amount of trial and witness preparation involved. The government's witnesses were challenging and less than cooperative. I exercised great caution and thoroughness in assessing their credibility alongside our physical evidence and maintained that posture when I examined the witnesses in question. I tried this case with Assistant United States Attorney Bill Watkins.

16. 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.

My primary civil litigation has been in the context of habeas motions filed under 28 U.S.C. 2255. District court orders on 2255 motions are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. 2253(c)(1). A prisoner cannot meet the threshold for issuance of a certificate of appealability unless he or she demonstrates that reasonable jurists would find any assessment of the constitutional claims by the district court is debatable or wrong and any dispositive procedural ruling by the district court is likewise debatable. *Miller-El v. Cockrell*, 537 U.S. 322, 336-38 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Given this high bar to appealing district court orders on 2255 motions, I have not had the opportunity to litigate any civil habeas case on appeal.

17. 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) United States v. Crenshaw
No. 17-4620
United States Court of Appeals for the Fourth Circuit
721 F. App'x 312 (4th Cir. May 9, 2018) (unpublished)
- (e) United States v. Camp
No. 16-4668
United States Court of Appeals for the Fourth Circuit
716 F. App'x 229 (4th Cir. Mar. 29, 2018) (unpublished)
- (f) United States v. Martinez
No. 14-4962

United States Court of Appeals for the Fourth Circuit
657 F. App'x 157 (4th Cir. July 29, 2016) (unpublished)

(g) United States v. Jackson
No. 13-4361
United States Court of Appeals for the Fourth Circuit
543 F. App'x 323 (4th Cir. Oct. 21, 2013) (unpublished)

(h) United States v. Frost
No. 10-4938
United States Court of Appeals for the Fourth Circuit
446 F. App'x 594 (4th Cir. Sept. 20, 2011) (unpublished)

18. 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.

N/A

19. If the answer to question 18 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

20. 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, 1999

(b) United States District Court for the District of South Carolina, 2001

(c) United States Court of Appeals for the Fourth Circuit, 2002

21. 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) South Carolina Solicitors' Association Conference, September 2013: I was a co-presenter with then-Assistant U.S. Attorney Andrew B. Moorman, Sr. in a Fourth Amendment training entitled, "Anatomy of a Traffic Stop."

(b) Police and Community Engagement (PACE) conference, Aiken Department of Public Safety, 2015 and 2017: I served as a panelist and facilitator respectively at the PACE conferences. The topics discussed during the conferences included strengthening community partnerships as well as successful joint efforts to keep communities in South Carolina safe. The PACE conferences were coordinated through the Aiken Safe

Communities program which launched in early 2013. I have been an active partner in this program since its inception. The Aiken Safe Communities initiative is a unified, proactive, community approach to engaging and encouraging recurring offenders to make healthy life choices to deter re-offending or becoming a victim of violent crime.

- (c) Greenville County Bar Association “Year End” CLE, February 2017—I introduced and served as moderator for a judges’ panel during the plenary session of the CLE. The panel consisted of Circuit Court Judge Edward N. Miller, U.S. District Court Judge Timothy M. Cain, and U.S. Magistrate Judge Kevin F. McDonald. The presentation was entitled, “Perspectives from the Bench: Ethical Considerations.”
- (d) Greenville County Bar Association “Year End” CLE, February 2017: Along with Thirteenth Solicitor Walt Wilkins, Assistant Federal Public Defender Ben Stepp, and Frank Eppes, Esquire, I was on a panel entitled, “State or Federal: Should I Stay or Should I Go?” Topics included preferences within each system and the process by which state cases are adopted for federal prosecution.
- (e) Greenville County Bar Association “Year End” CLE, February 2019: I served as a moderator in the criminal law afternoon session for a panel entitled, “Perspectives from the Bench.” The panel consisted of U.S. District Court Judge Timothy M. Cain, Circuit Court Judge Brian M. Gibbons, Circuit Court Judge Perry Gravely, and Circuit Court Judge Leticia Verdin.
- (f) South Carolina School of Law, instructor, Media Law School, September 2018: The law school accepted members of the media from several states for this very unique symposium. Our panel, which included Ninth Circuit Public Defender Ashley Pennington, Jack Swerling, and Johnny Gasser, opened a dialogue with the participants, discussing various legal issues to include state and federal criminal procedure.
- (g) South Carolina School of Law, instructor, Media Law School, September 2019: The law school accepted 33 members of the media from 13 states for this very unique symposium. Our panel, which included Fifth Circuit Solicitor Byron Gipson, Debbie Barbier, and Johnny Gasser, opened a dialogue with the participants, discussing various legal issues to include state and federal criminal procedure.

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

See attachment.

23. List all published books and articles you have written and give citations and the dates of publication for each.

N/A

24. 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. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

See attachment.

25. 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.

Given my employment with the Department of Justice, I have never joined any of these entities.

26. 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) South Carolina Bar Association

(b) Greenville County Bar Association; CLE Co-Chair, 2015; CLE Chair 2016-2018; Treasurer, 2018; Secretary, 2019; Vice-President, 2020

(b) Federal Bar Association, South Carolina Chapter; board member, 2018-present

(d) Federalist Society, 2018-present

(e) Greenville Bar Pro Bono Foundation; board member, 2019-present

27. 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

28. For sitting or former judges, 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

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

No.

30. 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.

31. 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.

32. 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.

33. 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 form is provided with this questionnaire and you must use this format for submission of your financial statement.)

See attachment

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

34. 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. Also, proof of satisfaction of any liens or defaults must be submitted with your application package.

I believe the answer to all parts of the above question is no but, in abundance of caution, I am bringing to the Commission's attention a matter involving the South Carolina Department of Employment and Workforce, dating back to 2009. Our son was born that year. While we timely filed the proper federal forms for the two individuals assisting us with child care, including W2s and paid the social security and FUTA tax for the relevant years on our Schedule H of the 1040 form, we were cited for failure to file and pay \$854 in state unemployment tax from July 2009 through June 2011. This was an oversight. Once this was brought to our attention, we immediately paid this in full and the account was closed effective June 30, 2011. Again, I bring this to the Commission's attention in abundance of caution. I am happy to answer any questions the Commission may have and I am attaching the pertinent documents related to this matter for the Commission's review.

See attachment

35. 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.

36. 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?

N/A

37. 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) 10/31/2016: \$100 donation to Representative Mark N. Willis.

38. 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.

N/A

39. 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 am unaware of financial arrangements or business relationships that would present a conflict of interest to me as a Circuit Court judge. However, should a conflict arise, I would affirmatively recuse myself. If there is a potential conflict of interest, I would alert all parties to any such potential and entertain any arguments from counsel regarding recusal.

40. 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 more that adjoins property in which there have been public improvements of \$200 or more; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

N/A

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

41. 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.

N/A

42. 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

43. 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

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

N/A

45. 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 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.]

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

N/A

47. 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.

N/A

48. 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

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, 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 sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

[Yes and no answers are redacted for all candidates unless there is a public discipline.]

50. 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.

51. 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.

52. 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.

53. 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.

54. 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.

55. 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.*

(a) Dr. Webb Belangia

████████████████████

[REDACTED]

(f) Tina Cundari

[REDACTED]

(g) Harold W. "Trey" Gowdy, III

[REDACTED]

(h) Cynthia Mitchell

[REDACTED]

(i) Benjamin T. Stepp

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?

I initially joined Instagram to follow events of the Greenville Bar Association. I now follow sports, news, and music on this platform.

I joined Twitter to follow press releases of our US Attorney's Office as well as other state, local, and federal agencies.

If so, please list the account names for each account and the relevant platform.

INSTAGRAM: @lancecrick

TWITTER: @lancecrick

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 only monitor the two platforms listed above. As a current DOJ employee as well as the office's former Public Information Officer, I have always proceeded with great caution regarding the use of any social platform professionally or personally. As such, I do not believe my limited use or monitoring of either platform would be affected if I were serving in a judicial capacity.

57. 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, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.

- (a) Mauldin Recreation, 2018, youth basketball coach
- (b) Honor Award recipient, 2017, Bureau of Alcohol, Tobacco, Firearms, and Explosives
- (c) United States Attorney Award, 2016
- (d) United States Attorney Award, 2015
- (e) Knollwood Foundation, 2014-present, board member
- (f) South Carolina YMCA Youth in Government/Teen Services Board of Directors, 2014-present
- (g) Wofford College Alumni Executive Committee, 2011-2013
- (h) United States Attorney Award, 2013
- (i) Main Building Restoration Project, Wofford College, 2005-2009
- (j) Honor Award recipient, 2008, Bureau of Alcohol, Tobacco, Firearms, and Explosives
- (k) United States Attorney Award, 2007
- (l) OCDETF Regional Award, 2006
- (m) United States Attorney Award, 2004

58. 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 grew up in Mauldin, South Carolina. My parents did not have college educations but sacrificed mightily over many years to allow my older sister, my younger brother, and me to pursue college educations and advanced degrees. We were raised to treat all people fairly at all times. My parents worked hard and expected the same from their kids. My Dad has always remarked about me that I've never met a stranger. I truly enjoy getting to know people, exchanging ideas and perspectives, and learning from others every day. I believe as a person, much less a prosecutor, and certainly as a judicial candidate, we should strive daily to always get it right.

Over the last 30 years, I have been the beneficiary of mentorship. I will never forget then-Family Court Judge John Kittredge allowing me to observe his courtroom the summer before I left for college. Then-Judge Kittredge introduced me to everyone in his courtroom and taught me so much about fairness and integrity. In college, I worked for now Spartanburg City Magistrate Judge Charlie Jones and his law partners at the time. Judge Jones showed me another side of the law, a small practice helping defend folks from all walks of life and greeting each client with a smile and true willingness to hear their concerns and advance their own pursuit of justice. Through law school, I clerked for then-Fifth Circuit Deputy Solicitor Johnny Gasser and saw one of our very best prosecutors try cases with so many respected members of the South Carolina Bar. I saw the compassion that Johnny had for so many victims and the respect he held for law enforcement while never failing to hold them accountable and always do the right thing. As I forged a path as an Assistant Solicitor and Assistant U.S. Attorney, these mentors and experiences shaped my approach to case work. We are so fortunate to have a professional and collegial bar in South

Carolina, to always advocate for our respective entities and clients, and to be friends and colleagues all the while.

I revere and hold sacred our profession as well as the rule of law. I will always endeavor to be fair and friendly as my mentors and fellow members of the bar and our communities should receive nothing less. As such, it is truly a great honor to be considered for a position on the Circuit Court.

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 _____, 2020.

(Notary Signature)

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