

**JUDICIAL MERIT SELECTION COMMISSION ]**

In the Matter of: CASE 2019-DR-10-1147 ]

Candidate for - Family Court, Ninth Judicial Circuit ]

Judge Spiros S. Ferderigos ]

] WITNESS: James J. Walker, Jr. —

-----] AFFIDAVIT

Submitted to the South Carolina Judicial Merit Selection Commission

Concerning Judge Spiros S. Ferderigos - Family Court, Ninth Judicial Circuit

I will appear to testify concerning the qualifications of the above-named candidate and will produce all documents in my possession, if any, which will further develop or corroborate my testimony. I understand that this written statement and all supporting documentation, if any, must be completed and the hard copies of all such documents shall be returned to the

Judicial Merit Selection Commission by the deadline for complaints in order for the Commission to hear my testimony, and that the deadline for complaints is 12:00 Noon, Monday, November 3, 2025. I understand I must be available to testify at the Public Hearing, and failure to appear will result in a dismissal of my complaint.

**AFFIDAVIT OF JAMES J. WALKER, JR.**

Submitted to the South Carolina Judicial Merit Selection Commission  
Concerning Judge Spiros S. Ferderigos - Family Court, Ninth Judicial Circuit

I, James J. Walker, Jr., being duly sworn, state the following facts under oath:

**1. Background**

My name is James J. Walker, Jr. I reside at 639 McCutchen Street, Charleston, South Carolina 29412.

My telephone number is (843) 810-7469, and my email address is jay68walker@aol.com.

I was born and raised in West Virginia and moved to Charleston, South Carolina in 1965 to attend The Citadel, The Military College of South Carolina, where I earned my degree in Electrical Engineering.

Like fellow Citadel graduate Buck Limehouse, I have lived by the Citadel Honor Code: "A cadet does not lie, cheat, or steal, nor tolerate those who do."

That Code has guided my life and my professional career as an Electrical Engineer. I do not make accusations lightly. Yet I have witnessed officers of the court in my son's case do what that Honor Code forbids — lie, cheat, and steal — taking from my son his rights, from me my retirement savings, and from our family the time we were meant to share with my granddaughter.

## **2. Presence During the WebEx Hearing**

On January 20, 2021, I was present in the same house where my son, Lee Carlton Walker, participated in his Family Court hearing before Judge Spiros S. Ferderigos, conducted remotely via WebEx due to COVID-19 restrictions.

I was in a different room of the house while my son was in another room by himself for the hearing. From where I was, I could hear portions of the proceeding, including the Judge's voice and the exchanges between the attorneys, but I could clearly tell that my son himself never spoke or addressed the Court directly at any time.

The hearing began late — approximately fifteen minutes — with confusion about filings and which motions were before the Court, as reflected in the official transcript (Exhibit 1, pp. 4-8). It appeared that the Judge had not read or reviewed all of the material filed before the hearing. The Guardian ad Litem's attorney, Lindsay Blanks, spoke repeatedly, and Attorney Jessica Partain was not allowed to answer all of their allegations before the Judge moved on.

From what I heard and later reviewed, Judge Ferderigos did not show diligence or fairness, and my son was denied any opportunity to speak for himself.

## **3. My Recent Written Notes**

After recently reviewing the certified court transcript and reflecting on my observations, I wrote the following notes by hand to document my memory and conclusions. These notes were written recently, in preparation for my testimony to the Judicial Merit Selection Commission, and accurately reflect my current understanding of the hearing and its impact:

"Family Court is not above truth, family, or justice.

They use spectral evidence like the witch trials.

Judge Ferderigos was 15 minutes late starting C.W.'s hearing, and as lawyer Partain was not able to answer all the allegations from the Guardian and lawyer Blanks. He was asked to read but did not be diligent in doing so.

This started a chain of one-to-one hearings that was several hundreds of thousands of dollars. It looked like the Court wants to suck money out of families and not bring them together.

This started with a lie by Ms. Lovett and lawyer Blanks. There is no permit for fairness in

Family Court that I can see."

These words summarize what I saw as a pattern of bias, confusion, and misplaced trust in the Guardian ad Litem's claims over verified evidence or sworn testimony.

#### **4. Findings from the Certified Transcript (Exhibit 1)**

After the hearing, I reviewed the Certified Transcript of Record, prepared by Court Reporter Patricia A. Nye and certified on February 13, 2021 (37 pages). It confirms what I heard and what I later described in my notes:

- Pages 4–8: The Court struggled to identify proper filings and relied on attorneys to reconstruct the record instead of verifying accuracy itself.
- Pages 11–12: Attorney Jessica Partain was repeatedly interrupted and not permitted to finish clarifying key evidence.
- Pages 19–24: The Guardian ad Litem (Sharon Lovett) and her attorney (Lindsay Blanks) made custodial and parental recommendations, which South Carolina law forbids. Judge Ferderigos accepted them without evidentiary support.
- Pages 25–27: Ms. Partain again attempted to correct factual errors and reference prior affidavits, but the Judge deferred to the Guardian's narrative.
- Throughout pp. 4–36: My son was never sworn, questioned, or invited to speak.

These pages confirm that Judge Ferderigos relied almost entirely on attorneys and the Guardian while denying my son any direct opportunity to be heard.

#### **5. Personal Impact and Statement of Belief**

I have helped my son financially throughout this ordeal, using part of my retirement savings to ensure he could fight for fairness and due process. Instead, I witnessed a hearing that was confusing, one-sided, and lacking diligence.

As a Citadel graduate and engineer, I was taught that truth and accuracy matter. In this courtroom, neither prevailed. The process showed bias, disorganization, and disregard for evidence. I believe Judge Ferderigos failed to uphold the standards of diligence, fairness, and impartiality required of a Family Court Judge.

#### **6. Conclusion**

I respectfully submit this affidavit and Exhibit 1 to the Judicial Merit Selection Commission to assist in its review of Judge Spiros S. Ferderigos. Based on my direct observation and the official record, I urge the Commission to deny his reappointment to the Family Court bench.

#### **7. Continuing Misconduct and Retaliation**

Since the January 2021 hearing, additional misconduct and retaliation have continued under the same judicial and guardian influence. Judge Ferderigos later refused to grant my son's Rule 59 or Rule 60 motions—procedural motions meant to correct or clarify the record—thereby preventing my son from setting the record straight.

To this day, my son has never said the words or made any threat that Attorney Lindsay Blanks falsely claimed he did. Those statements were fabrications. Later, during a deposition, the addiction Ph.D., a male specialist, who was cited in prior filings admitted that he could not identify even a single distortion or manipulation by my son. That alone disproves a central claim in the Guardian ad Litem's reports and shows that the allegations were knowingly false.

This entire situation worsened after an incident at a swimming pool where my granddaughter suffered from gross negligence on the part of the Guardian ad Litem. When my son told the GAL he would hold her accountable for that negligence, she and her attorney Lindsay Blanks began working even harder to isolate our family from my granddaughter.

Even after two years of no contact, the child's mother (Ashley) and her attorney (Mr. Hopkins) agreed to let me and my wife drive up to have lunch with our granddaughter. We were overjoyed. But once again, the Guardian ad Litem and Ms. Blanks intervened and stopped it.

Based on the pattern I have seen, I truly believe they acted because they fear that if and when we are able to see our granddaughter again, she will expose the GAL's collusion and manipulation.

Also, because this was a temporary order, we were not able to appeal it. Under current South Carolina law, temporary orders are not appealable, meaning we were effectively barred from correcting this judge's record. The General Assembly needs to address this gap in the law, especially when it involves children and custody, because I am certain there are many other families in South Carolina who have suffered the same injustice.

This pattern of obstruction and retaliation—combined with the inability to appeal or correct a false record—shows the continuing harm caused by Judge Ferderigos's failures and the urgent need for legislative and judicial accountability.

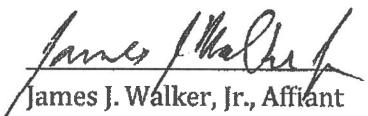
Exhibit 1: Certified Transcript of Hearing before Hon. Spiros S. Ferderigos, January 20, 2021 (Patricia A. Nye, Official Court Reporter)

James J. Walker, Jr.  
639 McCutchen Street  
Charleston, SC 29412  
(843) 810-7469  
jay68walker@aol.com  
Affiant

### WAIVER

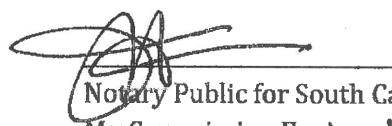
I understand that my testimony before the Judicial Merit Selection Commission may require disclosure of information otherwise protected by attorney-client privilege. To allow the Commission to fully investigate this matter, I hereby waive any right I may have to raise that privilege as it relates to this complaint. I authorize the Commission to question other parties, including my son's attorney, regarding the facts and issues of this case.

Signed this 3 day of November 2025, at Charleston, South Carolina.



James J. Walker, Jr., Affiant

Subscribed and sworn before me this 3<sup>rd</sup> day of November 2025.



Notary Public for South Carolina  
My Commission Expires: 10/5/2033



Ex 1

STATE OF SOUTH CAROLINA	)	IN THE FAMILY COURT
	)	
COUNTY OF CHARLESTON	)	9TH JUDICIAL CIRCUIT
	)	
LEE CARLTON WALKER,	)	CHARLESTON, SOUTH CAROLINA
PLAINTIFF,	)	
	)	
VERSUS	)	JANUARY 20, 2021
	)	
SYLVIA ASHLEY MCADAMS.	)	DOCKET NUMBER
DEFENDANT.	)	2019-DR-10-1147
	)	
	)	

BEFORE THE HONORABLE SPIRO S. FERDERIGOS, JUDGE

JESSICA PARTAIN, ESQUIRE  
REPRESENTING THE PLAINTIFF

WILLIAM HOPKINS, ESQUIRE  
REPRESENTING THE DEFENDANT

LINDSAY BLANKS, ESQUIRE  
REPRESENTING THE GUARDIAN AD LITEM

SHARON LOVETT  
GUARDIAN AD LITEM

PATRICIA A. NYE  
OFFICIAL COURT REPORTER  
FOR THE THIRD JUDICIAL CIRCUIT

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1 (WHEREUPON COURT WAS CONVENED WITH ALL PARTIES PRESENT)

2 THE COURT: We're going on the record in case 2019-DR-10-  
3 1147. Lee Carlton Walker versus Sylvia Ashley McAdams. Present on  
4 this Web Ex hearing is Ms. Jessica Partain who's the attorney for  
5 Lee Carlton Walker; is that correct Ms. Partain?

6 MS. PARTAIN: That's correct, Your Honor.

7 THE COURT: And Mr. Walker is present, as well, by Web Ex.  
8 We have Mr. William Hopkins present as well, representing the  
9 Defendant. Is the Defendant here today? Is Ms. Sylvia Ashley  
10 McAdams present? Raise your hand if you're here. There you are.  
11 Ms. McAdams is present as well. And we have Sharon Lovett here  
12 today, the Guardian ad Litem. Please raise your hand, ma'am.  
13 There she is. Ms. Lovett is present as well.

14 We are here following the issuance of -- let's see, the last  
15 order I have is Judge McGee's order that was filed December 29,  
16 2020. It's an order of continuance that does not end the case.  
17 And before we get into the motion let's see if we have any  
18 procedural matters. Ms. Partain, any procedural matters that we  
19 need to address before we begin, ma'am?

20 MS. PARTAIN: I don't have any, Your Honor.

21 THE COURT: Thank you, Ms. Partain. Mr. Hopkins, any  
22 procedural matters from you, sir?

23 MR. HOPKINS: No sir, Your Honor.

24 THE COURT: Thank you very much. And likely to the guardian,  
25 any issues? I see there's another person with the guardian

1 raising his hand. Yes, sir.

2 MR. BLANKS: Yes, Your Honor, my name is Lindsay Blanks, I'm  
3 the attorney for the guardian.

4 THE COURT: Thank you very much. And your name was what?

5 MR. BLANKS: Lindsay Blanks, Ervin Blanks.

6 THE COURT: Thank you, Mr. Blanks.

7 MR. BLANKS: Your Honor, I do have one issue. I just want to  
8 make sure you have my client's supplemental affidavit that was  
9 filed November 18<sup>th</sup>. It is on Court Plus, but we did not refile it  
10 for this hearing.

11 THE COURT: What I'll do is go through the file and make  
12 sure I have everything. I have a procedural matter that I need to  
13 figure out as well. So, there have been a number of motions from  
14 a number of different parties, and I want to make sure I'm  
15 looking at the correct motion that we're here for today. It  
16 appears from the last court order and what is before me is the  
17 Defendant's motion for ex parte order expedited temporary relief;  
18 is that correct Mr. Hopkins?

19 MR. HOPKINS: That's correct, Your Honor. Actually the ex  
20 parte motion was granted, and that order was filed. It's just the  
21 motion for expedited temporary relief.

22 THE COURT: Sir, do you have a copy of that in front of you  
23 so you could tell me the date that was filed?

24 MR. HOPKINS: Yes, sir. I believe it was October 29, 2020.

25 THE COURT: Thank you very much. One moment.

1 MR. HOPKINS: I think it may have been hand delivered to the  
2 Court on November 30<sup>th</sup>, Your Honor.

3 THE COURT: And do you have the filed date on yours Mr.  
4 Hopkins? If you don't, I'll ask Ms. Partain.

5 MS. PARTAIN: October 30, 2020.

6 THE COURT: Thank you, ma'am. Everybody bear with me one  
7 moment. I am missing that. Ms. Bott, can you hear me, ma'am?

8 MS. BOTT: Yes, sir.

9 THE COURT: Can you get the clerk to get a copy of the  
10 motion for temporary relief that was filed October 30<sup>th</sup> in this  
11 matter. Everyone, we're going to stand down, I do not have the  
12 motion in front of me. Yes Mr. Blanks?

13 MR. BLANKS: Yes, Your Honor. I just want to call the  
14 Court's attention to the fact that the guardian filed a return to  
15 motion and motion for temporary relief that also needs to be  
16 heard. We submitted it on November 3<sup>rd</sup>, and I believe it was filed  
17 on November 18<sup>th</sup>.

18 THE COURT: The filed date was what, sir?

19 MR. BLANKS: We submitted it on November 3<sup>rd</sup>, but I believe  
20 it didn't get filed until November the 18<sup>th</sup>.

21 THE COURT: Here, I've got. Return to motion and notice of  
22 motion of Guardian ad Litem, correct sir?

23 MR. BLANKS: Yes, sir.

24 THE COURT: If y'all will hang tight for a moment while I  
25 get a copy of the motion that's before the Court. All right, so,

1 I have been provided with a copy of Defendant's notice of motion  
2 and motion for ex parte order pursuant to South Carolina rules of  
3 Civil Procedure, Rule 65, and expedited temporary relief. It was  
4 filed October 30, 2020. Mr. Hopkins, that is the motion before  
5 the Court today, correct sir?

6 MR. HOPKINS: Yes, sir.

7 THE COURT: And we also have the Guardian ad Litem's motion  
8 that was filed November 18, 2020, and that is the other matter  
9 that's before the Court. Is that correct, Mr. Hopkins?

10 MR. HOPKINS: Yes, sir.

11 THE COURT: Thank you very much. Now, I'm going to go  
12 through the file and let y'all know what filings I have because  
13 I'm concerned, I was missing some filings from October 30<sup>th</sup>, so I  
14 want to make sure I have everything. I have the motion, the ex  
15 parte order filed October 30<sup>th</sup>. Going through the list I have the  
16 affidavit of William E. Hopkins, Jr. that was filed January 20,  
17 2021. Defendant mother's affidavit filed January 20, 2021.  
18 Supplemental affidavit of Sharon Lovett filed January 15, 2021.  
19 Affidavit of Colleen Sullivan that was filed January 19, 2021.  
20 Affidavit of Helen R. Walker, paternal grandmother, filed January  
21 19, 2021. Affidavit of Lee Carlton Walker filed January 10, 2021.  
22 Order of continuance December 29<sup>th</sup>. Order on Plaintiff's motion  
23 for expedited supplemental temporary relief filed December 14,  
24 2020. Affidavit of attorney's fees, motion for expedited  
25 supplemental temporary relief, that's by Mr. Hammett on November

1 6<sup>th</sup>. Supplemental affidavit of Sharon Lovett, Guardian ad Litem,  
2 filed November 18<sup>th</sup>. A filing November 17, 2020 by Lee Carlton  
3 Walker. I have a bunch of handwritten documents and emails.  
4 Affidavit of Sharon Lovett, Guardian ad Litem, November 6<sup>th</sup>.  
5 Return to motion and notice of motion of Guardian ad Litem filed  
6 November 6, 2020. Plaintiff's reply to ex parte order without  
7 legal representation filed November 2<sup>nd</sup>. Mr. Hopkins, do I have  
8 all your filings, sir?

9 MR. HOPKINS: It's my understanding, Your Honor, that's all  
10 the filings filed by the parties.

11 THE COURT: Ms. Partain?

12 MS. PARTAIN: That's my understanding as well, Your Honor.

13 THE COURT: Mr. Blanks?

14 MR. BLANKS: Yes, sir. You have all of ours.

15 THE COURT: Thank you sir. We can begin and this is the  
16 Defendant's motion so that is Ms. Partain.

17 MS. PARTAIN: It's actually the Plaintiff's. We're the  
18 Plaintiff so it's Mr. Hopkins.

19 THE COURT: Thank you, ma'am. Mr. Hopkins, you may proceed  
20 sir.

21 MR. HOPKINS: Thank you, Your Honor. If it pleases the  
22 Court, I'll try to be brief. I'll just let the Court know the  
23 background and how we got here. This, Your Honor, is the latest  
24 lawsuit filed by Mr. Walker. This one is about racing. That was  
25 the subject of the pleadings. What started off as a nice hobby

1 for the minor child, we contend sort of developed into Mr.  
2 Walker's latest obsession. I won't rehash the last hearing but in  
3 that hearing Mr. Walker had asked the Court to allow the minor --  
4 this is a ten-year-old girl to be taken out of school early  
5 anytime there was a race in North Carolina. The racing is done in  
6 North Carolina, Your Honor. In Concord or the Huntersville area.  
7 So, he wanted to take the child out of school anytime there was a  
8 race without regard to what was happening at school. That hearing  
9 cumulated Your Honor in Judge Landis telling Mr. Walker what he  
10 was doing was inappropriate and wasn't allowed. So, I would say  
11 this Your Honor, my client, the mother, has never been opposed to  
12 the child racing. She hasn't tried to stop it; she just didn't  
13 want it to be the number one priority to the exclusion of all  
14 other things. And so now that Judge Landis has not said the child  
15 couldn't race, she just can't leave the school early to race. In  
16 fact, Your Honor, the mother, accompanied by the guardian, went  
17 to the state of North Carolina. They met the race team manager;  
18 his name is Stilwell. His own child races, Your Honor. He agreed  
19 to handle the entire racing program for the minor child; to be  
20 her manager. And mom agreed and the Guardian ad Litem agreed. And  
21 we believe it would save some money as Mr. Walker would not have  
22 to bring the racecar back and forth on a trailer to North  
23 Carolina. So, in addition to being a professional racer it taught  
24 the child a number of things. But Mr. Stilwell made clear a  
25 couple of things, Your Honor. He's told his own children he will

1 not allow them to race all year round; they have to take a break.  
2 Also, he's told them they cannot only race, they have to  
3 participate in other activities and school events. In other  
4 words, he will not allow racing to be the number one priority in  
5 his children's lives. And so, when Mr. Walker heard this, Your  
6 Honor, he refused to have Mr. Stilwell to be the child's manager.  
7 And so, as you'll see even in Mr. Walker's affidavit he filed  
8 with the Court, Your Honor, in paragraph eleven, he says he can't  
9 believe they wanted to give Stilwell control. And we think this  
10 has always been about control, Your Honor.

11 So, this is where things took a dark turn to get us to where  
12 we are today, Your Honor. Despite Judge Landis's ruling that the  
13 child could not be taken out of school early for racing, Mr.  
14 Walker told the child she couldn't race at all. That it was  
15 because of the mom, the Guardian ad Litem, and the courts. In  
16 effect, this made the child against all of them. He then sent a  
17 long message with a long rambling email, Your Honor, to the  
18 child's therapist saying that he was removing her from racing all  
19 together. And so, what happens next, Your Honor, is the ten-year-  
20 old girl goes to school the next day and tells a counselor there  
21 that her mother is poisoning her so she can't race. We don't  
22 think that's something a ten-year-old can come up with on her  
23 own. Shortly thereafter, Your Honor, the child ran away from  
24 school after mom dropped her off one morning. She ran away,  
25 caused complete chaos and panic. Mom was in panic; mom left her

1 job immediately and went to the school. The police were called.  
2 Mom, the police, the school officials are all looking for this  
3 child, but Your Honor, Mr. Walker never left his house. Mr.  
4 Walker was communicating with his child electronically while  
5 everybody else is looking for her and can't find her. We believe  
6 this thing was choreographed. And then, Your Honor, some folks  
7 have some transcripts and recordings of some phone calls and the  
8 first phone call after the girl ran away Mr. Walker asked, Well,  
9 are they listening to you now? So, we think that he has  
10 encouraged or lead the child to act out enough so other adults  
11 will realize the errors of their ways and allow this child to  
12 race so this child will behave.

13 And so, then what prompted the motion, Your Honor, the ex  
14 parte on October the 30<sup>th</sup> was after telling the child and everyone  
15 else the child was done with racing, there would be no more  
16 racing. On that Friday, October the 30<sup>th</sup>, he not only after Judge  
17 Landis said he couldn't take the child out early; he just didn't  
18 take her to school at all. He held her out from school October  
19 30<sup>th</sup> and left for North Carolina so that she could race. So, when  
20 we found out about this, Your Honor, we filed an ex parte motion  
21 and Judge Richter signed the order. Friday evening Mr. Walker's  
22 counsel advised him of the order, and they told him he should  
23 bring the child back to South Carolina. So, Your Honor, on Friday  
24 evening my client was on her way to Greenville to see her father  
25 so she suggested they meet off of I-26 in Orangeburg which would

1 have been convenient. Well, Mr. Walker told her, Your Honor, that  
2 he refused, said this was a Charleston County order and he would  
3 only exchange the child in Charleston County. So, Ms. McAdams had  
4 to drive all the way back to Charleston late at night and Mr.  
5 Walker called the police to supervise the exchange even though  
6 there was no basis. So, now the child sees the police are  
7 present, this thing has been escalated, there's an exchange in  
8 Charleston. And so, for that night, Your Honor, Ms. McAdams  
9 looked in the child's backpack and she had \$126 in cash. My  
10 client certainly doesn't have that kind of money or knows where  
11 or why she would have that kind of money in her book bag. Shortly  
12 after that, the child had been told there was no more racing.  
13 She's formerly a very respectful good child making all A's. Her  
14 conduct, her grades, everything went south quickly. She began  
15 failing, she refused to listen, she failed a test that the mother  
16 was able to convince the teacher to allow her to take the test  
17 again, and this time, Your Honor, she did even worse. It was  
18 clear to the teacher; she clearly didn't even try. She missed  
19 things she had previously gotten right, and she failed again.  
20 So, we learned shortly thereafter, Your Honor, that Mr.  
21 Walker had posted an online fund raiser on Facebook called God's  
22 Plan for Roslyn. Where he sort of makes it appear she's in  
23 distress or pain or sick and talks about the day maybe she can  
24 race again and ask them to raise money for the child's racing.  
25 So, in a nutshell, Your Honor, she went from a very respectful

1 straight A student to a child that was thumbing her nose at  
2 authority until adults let her race.

3 So, on November the 3<sup>rd</sup> we came to court on the ex parte  
4 matter and Mr. Walker had terminated his relationship with Will  
5 Hammett. So, at that time the Judge issued an order and said no  
6 contact and we'll give Mr. Walker time to get a lawyer. No  
7 contact with the child until the matter was ruled upon. Now  
8 November 17<sup>th</sup> rolled around, we had another hearing and Mr. Walker  
9 still did not have counsel. And so, at that time the Court said  
10 they were going to give him 45 days to find a lawyer and  
11 continued no contact with the minor child, but the Court would  
12 allow a phone call on Thanksgiving and a phone call on Christmas.  
13 Well, the phone call on Thanksgiving did not occur. Mr. Walker  
14 would not agree to the terms and conditions set forth by the  
15 guardian and the supervisor of the phone call, which was not to  
16 discuss the case, not to discuss litigation, not to discuss some  
17 other things, and so, that phone call did not happen. A phone  
18 call did happen on Christmas day, Your Honor, where the Guardian  
19 ad Litem, Ms. Lovett, supervised the call.

20 Your Honor, I have to tell you where we are today is that  
21 things have turned around completely in light of Mr. Walker's  
22 restricted or limited contact with the child, she's making all  
23 A's again or close to all A's. She's doing great in school, her  
24 behavior has improved, her relationship with her mother has  
25 improved, and most importantly, Your Honor, since there's been no

1 contact this child has not even mentioned the word racing.  
2 There's been no talk about racing, no discussion about racing,  
3 she doesn't mention it to the counselor, the therapist, the  
4 guardian, the mother. And so, the child has improved in this lack  
5 of contact with the father.

6 I believe that sort of brings you up to date on where we  
7 are, Your Honor. Again, at the time when the motion was filed or  
8 shortly thereafter the child was at risk, the child was being  
9 alienated from mom and the Guardian ad Litem and the therapist.  
10 So, what we're asking for now, Your Honor, things have improved,  
11 I'm not going to say they haven't. So, now what we're asking for  
12 is for the Court to continue sole custody to mom on a temporary  
13 basis, supervision to the father, to be supervised on whatever  
14 terms Your Honor deems appropriate, child support on a temporary  
15 basis, and attorney's fees. Your Honor, I have not included  
16 attorney's fees for the two trips to Charleston when the matter  
17 got continued. And then finally, one other thing Your Honor, I  
18 know that the Guardian ad Litem has filed her motion seeking to  
19 have an evaluation for parental alienation. I'll leave that to  
20 the Court's discretion, but I would say this, if the Court is  
21 going to do it, we respectfully ask that Mr. Walker pay for it  
22 subject to some allocation later. Your Honor, these parties are  
23 in a very different financial situation. My client is single, she  
24 doesn't have financial support from family. She's a single mother  
25 getting no child support. Very simply she can't afford it, and

1 moreover, Your Honor, there's been no allegations of alienation  
2 by her. All of the allegations or things being investigated for  
3 alienation are on Mr. Walker. So, Your Honor, we respectfully ask  
4 that if Your Honor orders some evaluation for alienation, we just  
5 ask that Mr. Walker be ordered to pay for it subject to  
6 allocation later. Ms. McAdams is happy to participate and make  
7 herself available we just ask that she not pay for it. And Your  
8 Honor, that's it for the Defendant.

9 THE COURT: Thank you very much. Regarding supervised  
10 visitation for the father, do y'all have an agreed upon  
11 supervisor that doesn't cost any money, Mr. Hopkins? Is there a  
12 family member or anyone that can supervise? I'm not saying I'm  
13 going to order that but, in the event I do, is there somebody  
14 that y'all will be agreeable to?

15 MR. HOPKINS: Not a family member, Your Honor. I know that  
16 the Guardian ad Litem had put in place or discussed with Mr.  
17 Walker some supervisors from a couple of organizations there in  
18 Charleston. We'll leave that to the Court's discretion, but  
19 unfortunately, we have not agreed, and I don't believe the  
20 Guardian ad Litem would agree to his mother. His mother's alive  
21 but we couldn't agree to that, Your Honor.

22 THE COURT: No friends or family other than the mother?

23 MR. HOPKINS: Your Honor, I'll defer to the guardian. She  
24 really has been more involved with things on their side. Ms.  
25 Partain may have some suggestions, but the guardian has been

1 handling the contact with the father who supervises.

2 THE COURT: Thank you, sir. Ms. Partain, your case ma'am.

3 MS. PARTAIN: Thank you, Your Honor. I just want to maybe go  
4 through a little bit of the timeline to clean a few things up for  
5 the Judge. I obviously was not on the case when all the original  
6 motions were filed. I do know that my client did start this with  
7 a motion to protect racing. It is a competitive extra curricula  
8 activity that this child has been involved in for many years. She  
9 has done well, she has been successful, and she has been an A/B  
10 honor roll student while maintaining this activity. He was  
11 advised by counsel that the only way to protect that activity at  
12 the time was to file the motion that Judge Landis ruled on. I was  
13 not involved in the case then, so I cannot speak to that, but  
14 ultimately, we all know what Judge Landis decided. What is not  
15 popular in this room today and what Ms. Lovett does not want to  
16 hear and what Ms. McAdams does not want to hear is that Judge  
17 Landis's ruling does in fact mean that the child can't race  
18 currently. It is not a part-time sport any more so than being on  
19 a travel ball team or in my own personal experience a competitive  
20 cheerleading team. You cannot dabble. There are rankings, there  
21 are seasons, and it is a commitment. To spend the money and have  
22 a child do this part-time really sets her up for failure. Really  
23 makes her never able to be truly successful in the sport. So  
24 unfortunately, the harsh reality that none of the professionals  
25 on this case know is that you can't do it partially and that the

1 child was not going to be able to race anymore. Now, I'm not here  
2 to talk about racing today so it's interesting that Plaintiff's  
3 argument is that this is all about racing. That's not my stance,  
4 Your Honor. It's my stance that there was an ex parte motion made  
5 to this court with some skewed facts that resulted in an order  
6 cutting off all contact for father and daughter for now over 80  
7 days because maybe she said something she shouldn't have said.  
8 This is an egregious and punitive response Your Honor that places  
9 all the blame for the child's struggles solely at my client's  
10 feet, and really does not give any consideration to what losing  
11 racing and being cut off from her father may have done to this  
12 child.

13 So, let's go through the actual timeline. Mr. Walker informs  
14 his daughter that she will not be able to race anymore. Now, Mr.  
15 Hopkins, Ms. Lovett, Ms. McAdams may have handled that situation  
16 differently, none of us know if it would have been handled  
17 better. It resulted in the child being very traumatized, and she  
18 did ultimately run away from school. There are a few things that  
19 I think it's very important for the Court to know about this. She  
20 was able to run away from school because her mother did not drop  
21 her off at the front door. Her mother dropped her off on a side  
22 street, where she was immediately exposed to the dangers of being  
23 able get away. Her father was instrumental in orchestrating her  
24 return. Your Honor, Mr. Walker's affidavits provide very  
25 specifically the conversations that he exchanged with this child

1 while she ran away. He was stern, he was parental, and he in no  
2 way encouraged this. He was clearly appalled and frustrated. The  
3 police report will also echo that he was appropriate in his  
4 communications and in helping secure her quick return. The Court  
5 was told that he didn't show up to school to paint a picture that  
6 he had conspired in this with this young child to run away. That  
7 was not only inaccurate but very misleading to the Court. He was  
8 involved, he was communicating with her, and helped plan her  
9 return. It's also important for the Court to know that he did try  
10 to get assistance from the counselors on how he should notify his  
11 daughter that she wouldn't be attending her upcoming race. Those  
12 efforts were rebuffed, and ultimately this child was seen by  
13 Leslie Armstrong immediately following her runaway. Leslie  
14 Armstrong's summary of that visit has been provided to the Court,  
15 and she did not raise concerns about father. She raised concerns  
16 about the child's behavior and instructed that the parents were  
17 to be vigilant in schoolwork, attendance, and the like. Mr.  
18 Hopkins told the Court that Mr. Walker kept the child home from  
19 school on the day following. I think the Court will be able to  
20 review in their file that Mr. Walker kept the child home to allow  
21 her to catch up on schoolwork, to supervise her, and to help her  
22 mend. This had been a very emotional week. This resulted in  
23 running away, acting out, everybody needing to come together and  
24 do what was best for Roslyn, and Mr. Walker by all verifying  
25 accounts was doing that. However, instead what Mr. Walker got was

1 a recommendation from the Guardian ad Litem that he turn the  
2 child over.

3 I ask this Court to review the numerous recommendations  
4 that the guardian has made in this matter which I believe are  
5 completely in violation of her statutory duties. She has made  
6 custodial recommendations; she has effectively inserted herself  
7 as a litigant in this litigation. I think you heard it from Mr.  
8 Hopkins he'll refer to the guardian as to what the Court should  
9 do. The guardian is making offers of settlement in the case and  
10 recommending there be no contact. Your Honor, guardians are  
11 barred by statute from making custodial recommendations or from  
12 mediating cases. These are duties that Ms. Lovett has not only  
13 skirted but has disregarded all together. I do believe that it's  
14 within the Court's discretion to remove her or to admonish that  
15 such conduct does not continue. I do, of course, understand that  
16 that probably should be addressed on full and appropriate motion,  
17 but I want the Court to be aware of the involvement of this  
18 guardian. There seems to be a very poor relationship between Mr.  
19 Walker and Ms. Lovett, and she seems to want to be more punitive  
20 to him than even mother herself. Mother, herself, filed this  
21 motion and the relief she asked for in this motion is that his  
22 time be supervised. She didn't ask to limit the time; she didn't  
23 ask for it to be professionally supervised. She asked that it be  
24 supervised. And in fact, the first ex parte order found that his  
25 mother was appropriate. Ms. McAdams has allowed his mother her

1 own contact with the child, so she certainly believes she's  
2 appropriate. So again, this all seem to be quite punitive in  
3 nature, Your Honor. This is the action that followed after Mr.  
4 Walker was not willing to heed the guardian's recommendation that  
5 he turn over custody is where we find ourselves in the current  
6 motion.

7       Mr. Hopkins would have you believe that this child is  
8 thriving now that Mr. Walker has been removed. This child is not  
9 thriving Your Honor. This child has 54 absences as of this  
10 morning checking Power School. This child was failing immediately  
11 after her father being removed from her life. Nothing about her  
12 situation was thriving. Instead, she was clearly in a period of  
13 distress after having contact with her father cut off. The  
14 dispute that arose over the Thanksgiving call, Your Honor, I  
15 think it's also important for you to see how the facts were  
16 intentionally skewed to the Court. No, Mr. Walker did not refuse  
17 to not discuss litigation with the child. Mr. Walker wanted to  
18 discuss with the child the fact that her grandfather was very  
19 sick and to discuss her grades with her. Those two items were the  
20 disputed topics of conversation over the Thanksgiving holiday.  
21 Ultimately Mr. Walker did agree to the parameters of the call and  
22 not to discuss it, but Ms. Lovett refused to go through with the  
23 call anyway because it was too late, and he did not get a call  
24 over Thanksgiving. It's interesting to me that Ms. Lovett did not  
25 point out to the Court how wonderful and appropriate the

1 Christmas call was, and she did not point out to the Court that  
2 the child said on the Christmas call that Ms. Sherry said I can  
3 see you in January. That is directly correlating to the time the  
4 child started performing better in school. Instead, Ms. Lovett  
5 phrased it in her affidavit that the child does not talk about  
6 racing anymore. Mr. Hopkins argues how wonderful it is that the  
7 child does not talk about an activity that she loves so much  
8 anymore. I don't find it remarkable or wonderful. I feel that the  
9 child knows she's not free to talk about it in front of Ms.  
10 Lovett or in front of her mother and has expressed concerns with  
11 Ms. Armstrong because her mother makes fun of her about it. These  
12 aren't examples of remarkable conduct by this child.

13         Ultimately, Your Honor, where we are today is to determine  
14 whether the ex parte order that was signed in this case should  
15 continue. We would offer to you that it should be vacated, that  
16 the regular schedule shall resume. We think that your independent  
17 review of the actual evidence will show a direct contradiction to  
18 the case that's painted by Ms. McAdams and the guardian. We  
19 believe that Mr. Walker has gone above and beyond to try to  
20 assist his daughter from harm. He has also independently gone and  
21 gotten a parental assessment. Ms. Lovett and Ms. McAdams tell the  
22 Court, Well let's just keep him cut out of his daughter's life  
23 indefinitely until we can assess and figure out what's going on.  
24 We've done that. We voluntarily went and sought an independent  
25 assessment to gauge and provide to the Court that he poses no

1 danger to this child. He poses no risk of harm and there is no  
2 reason to believe that there has been any conspiracy between Mr.  
3 Walker and the child. Your Honor, ultimately what they're asking  
4 you to do today is to upend the final order in this case. There's  
5 a final order that addresses their custody and they're asking you  
6 to upend that on a temporary basis.

7 We don't believe there's been actual showing that their  
8 fearful speculations are true. They would suggest to you that  
9 maybe Mr. Walker told his daughter that mother was poisoning her.  
10 There's no evidence that that happened. In fact, you'll see call  
11 transcripts where Mr. Walker seems appalled at the suggestion.  
12 They're asking you to upend a final order of this Court based on  
13 mere speculation. We ask the Court not to do the same.  
14 Additionally, Your Honor, there's been much dispute over  
15 evaluations in this case. The parties cannot afford the  
16 litigation that the guardian continues to recommend. We are now  
17 hand selecting evaluators that specialize in alienation. We all  
18 know that there's no true way to test for or measure a way  
19 alienation. It's not a recognized mental health diagnosis or  
20 criteria; it's speculative. There's a recommendation that Allison  
21 Foster whose entire career is treating alienated families do the  
22 evaluation. Your Honor, I do not believe in evaluations at this  
23 time solely because of the cost, solely because the parties have  
24 been evaluated in previous litigation. We know what we're dealing  
25 with. However, to the extent the Court does want any evaluations

1 done, I would offer MUSC as a very appropriate alternative. They  
2 are local, they are cost effective, they are respected, and they  
3 handle these in a very high volume. I believe that we need to  
4 shift away from allowing the guardian to handle the issue. I  
5 believe she has shown an uncontrollable alliance in this case,  
6 and that my client deserves a fair shake and some independent  
7 review. I ask the Court to consider the same. I'd also ask that  
8 each parent be responsible for their costs because there's been  
9 no finding of wrongdoing of my client at this point and that the  
10 fees be subject to reallocation. Thank you, Your Honor.

11 THE COURT: Ms. Partain, does the minor child have her own  
12 cellphone?

13 MS. PARTIAN: I'm aware that the child has an iPad that she  
14 communicates through. I'm not aware of whether she has her own  
15 cellphone.

16 THE COURT: Thank you, ma'am. Mr. Blanks.

17 MR. BLANKS: Your Honor, the father in this case -- the  
18 guardian in this case has some concerns that the father in this  
19 case has attempted to weaponize this child. And the reason that  
20 she has those concerns, it's not just what she's seen in this  
21 case, but what two other counselors and evaluators have seen in  
22 this case. What Ms. Partain did not tell you was that the father  
23 has been evaluated and assessed by Karen Tarpey who he selected  
24 by the way. Ms. Tarpey saw him for about a year and Ms. Tarpey --  
25 this is all in my client's affidavit, the records from Ms. Tarpey

1 are attached to my client's affidavit. And so, Ms. Tarpey said,  
2 and I quote, The father is basically using child therapy as  
3 evidence for litigation and was using his child to parrot his  
4 position through the counseling and she recommended, not the  
5 guardian, Ms. Tarpey, the counselor that the father selected, she  
6 recommended that the parties record all the cell phone calls  
7 because she was so concerned about the alienation that was going  
8 on by the father. Also, she recommended that the parties see  
9 Leslie Armstrong for an alienation assessment, and they did that  
10 and what did Ms. Armstrong find? Ms. Armstrong found more of the  
11 same. That the father was stating things and influencing the  
12 child. You know this child who loved the mother and the father  
13 all of a sudden accuses the mother of poisoning her and says that  
14 it's the mother's fault that she can't race anymore. Ms.  
15 Armstrong actually recommended that the father and the mother be  
16 assessed for alienation. Ms. Armstrong says that the father had  
17 discussed issues with the child. For example, the father told the  
18 child that he was done fighting about the racing.

19 And I'd like to go back just for a minute and discuss the  
20 racing issue. The timeline was not clear. This child ran away  
21 from home and basically went on strike and refused to do any  
22 schoolwork following this hearing that the father brought to  
23 basically require the mother to assist with the racing. On its  
24 face that doesn't sound too bad but when you look at the details,  
25 what the father wanted to do was to pull the child out of school

1 a little bit early, he wanted then to take the child to North  
2 Carolina, drive two or three hours to North Carolina. I believe  
3 it was Moorhead, North Carolina. And then have the child race and  
4 bring the child back. The guardian expressed concerns primarily  
5 about the disruption to the child's scheduled, and the fact that  
6 the child would be sleeping in the car on the way home, and not  
7 arrive home until late that night, eleven or twelve that night,  
8 and then get up and go to school the next day. The father, that's  
9 what he wanted the Judge to do. That's why Judge Landis  
10 understandably said it was completely inappropriate. Because the  
11 Judge would not go along with him on that, following that the  
12 child for some reason gets the idea she can run away from school  
13 and also refuse to do any schoolwork. It was only after contact  
14 with the father was terminated that the child began to respond  
15 and do her schoolwork again things like that. Also, Ms. Partain  
16 inaccurately stated that the child had missed 54 days of school.  
17 The guardian spoke to the school counselor yesterday who said  
18 school attendance was not a problem with the child.

19 Also, to the guardian's supplemental affidavit, this is the  
20 one we just posted. We actually gave the Court school records,  
21 school grades and attendance records. So, that's misleading. The  
22 child's not doing terribly, the child's recovered very well since  
23 contact with the father has been stopped. Ms. Partain also said  
24 the guardian didn't talk about how wonderful this call went with  
25 the father over Christmas. You know, what struck me about that

1 call, Your Honor, was not what was said but what wasn't said.  
2 This father who hasn't seen his daughter in 50 to 60 days by that  
3 point doesn't say, Hey honey, how are you? I've missed you.  
4 Nothing like that. He talks about the racing which is what got  
5 her in this mess to begin with. He talks about his new business.  
6 None of it relates to you know, how are you doing, I've missed  
7 you. It was a strange sort of call.

8       Leslie Armstrong specifically recommended that the parties  
9 see an alienation specialist either Allison Foster or Marc  
10 Harari. We are agreeable to either one of those people. I think  
11 Ms. Partain expressed a preference for Mr. Harari, we're fine  
12 with that if he'll do it. If he won't do it then we'd like to  
13 have Ms. Foster do it. Your Honor, this is an unusual kind of  
14 case because the father's got some issues, some psychological  
15 issues that need to be evaluated. For example, another doctor  
16 that he was seeing, Dr. Alexander, said that the father was  
17 suffering from cognitive distortion. Ms. Partain didn't tell you  
18 about that. She also said he was evaluated by this parental  
19 evaluation. If you read that report, which I know you will, the  
20 evaluator said that he was suffering from PTSD. This is the  
21 evaluator they picked. Also, in the assessment there were some  
22 issue about, tends to be controlling and authoritarian. When you  
23 read the evaluation as well as the reports, I think you can reach  
24 no conclusion except that there needs to be an evaluation for  
25 alienation in this case. We are requesting that. We take no

1 position on who should pay for that but there needs to be an  
2 evaluation for that. The guardian does have some concerns about  
3 the mother. The father has stated that the mother is bipolar. If  
4 we do the evaluation with Dr. Harari or Dr. Foster, then that  
5 concern can be addressed as well.

6 Your Honor, I do want to talk about the audio tape. What  
7 really prompted this motion for expedited relief was the  
8 discussions that the father was having with the child. Ms.  
9 Partain attached a copy of the transcript of the telephone call  
10 between the father and the child. There's a specific family court  
11 rule that says that a child is not supposed to be a witness in a  
12 case. Well, this father is tainting this child, he's talking  
13 about discovery issues. He says they're trying to get our emails,  
14 the emails between you and me. These were the emails done before  
15 the child ran away from school. Why is he talking to the child  
16 about discovery issues, that's clearly inappropriate? He's also  
17 asking the child and he sort of hints around about, you know if  
18 you're not happy with the guardian or school counselor, then you  
19 don't have to talk to them. The actual audio recording is better,  
20 but the transcript they provided is clear on those issues. When  
21 you read the father's affidavit, it's clear everyone in this case  
22 is at fault except him. Karen Tarpey is at fault, the Guardian ad  
23 Litem, who they picked by consent, is at fault. Karen Tarpey and  
24 Leslie Armstrong are conspiring against him to require him to  
25 have an alienation evaluation. He says in his affidavit that

1 she's doing that just for the money. He blames his own lawyer for  
2 making the motion to require this absurd travel between here and  
3 Charlotte, North Carolina for this racing. That's his lawyer's  
4 fault. It's everybody's fault but his. He blames the mother  
5 because the child ran away. You know, there's a lot going on here  
6 that needs to be sorted out and we need a specialist to do it.  
7 Dr. Harari or Dr. Foster are just the proper people to do that.  
8 We would also ask the Court to address the issues about the  
9 emails and discovery of devices that was suggested in the  
10 guardian's motion.

11 THE COURT: Mr. Blanks, does the minor child have her own  
12 cellphone?

13 MR. BLANKS: Yes.

14 THE COURT: So, the communications are through the  
15 cellphones?

16 MR. BLANKS: There's some communication through the iPad and  
17 through the mother's phone as well.

18 THE COURT: So, you can get any discovery documents you need  
19 through the child's phone or the mother's phone, correct?

20 MR. BLANKS: No, sir. We think that the father and daughter  
21 were communicating between themselves and that's why we've asked  
22 for those items.

23 THE COURT: Because that's very broad. There could be a lot  
24 of different information on his cellphone.

25 MR. BLANKS: And we're willing to agree to a reasonable

1 protective order. I had discussed that with Ms. Partain's  
2 predecessor, Mr. Hammett. We just want to preserve it right now.  
3 We don't want to actually get the phone. We don't want any  
4 attorney-client privilege that may be on the phone. Mr. Hammett  
5 and I had discussed the possibility of preserving it, getting  
6 copies of all the appropriate devices, and then taking the next  
7 step to decide what we agree is discoverable and what is not.

8 THE COURT: And regarding racing, that's totally out of the  
9 picture now, correct?

10 MR. BLANKS: Well, not necessarily Judge. I mean, counsel  
11 and I disagree on that because she says that because he can't  
12 drive with the child in the middle of the night on a school night  
13 to North Carolina that -- actually that prohibits her from doing  
14 racing. That's not accurate. She could still go on weekends,  
15 holidays things like that. They have races, it may not have been  
16 perfect, but she would still have been able to participate in the  
17 racing. The mother did not object to that from my understanding.

18 THE COURT: That's not my question. My question is,  
19 currently the racing is out of the picture. She's not going to do  
20 any racing right now per the prior order, that's done.

21 MR. BLANKS: That's correct.

22 THE COURT: Regarding a substantial change in circumstances  
23 since the final order, other than this racing what other matters  
24 can you bring to my attention. I'm going to read everything. I'm  
25 going to take this under advisement. I have a whole stack of

1 papers to read, I'll read every single document, just so I can  
2 understand the position of the Guardian ad Litem. I understand  
3 about the racing, I understand what's being said about Ms.  
4 Tarpey, Ms. Tarpey and Ms. Armstrong matters that were raised by  
5 her since the final order?

6 MR. BLANKS: Yes, sir.

7 THE COURT: Is there anything else you need to bring to my  
8 attention since the final order? You talk about cognitive  
9 distortion or whatnot of the father. That was made aware to  
10 everyone that would need it at the final order, correct?

11 MR. BLANKS: No, sir. These are all things that have arisen  
12 since the final order.

13 THE COURT: So, the cognitive issue is since the final  
14 order?

15 MR. BLANKS: Yes, sir.

16 THE COURT: Thank you, sir.

17 MR. BLANKS: And also, Your Honor, Ms. Tarpey, their  
18 recommendations, their evaluations of the father and also Ms.  
19 Armstrong's evaluation have all come since the final order.  
20 Oh, and Dr. Alexander's.

21 THE COURT: Thank you, sir. Mr. Hopkins, I'll give you a few  
22 moments and I'll give Ms. Partain a few moments, and then we'll  
23 wrap it up.

24 MR. HOPKINS: Thank you, Your Honor. Your Honor, what has  
25 happened since the final order is this child that was in a crisis

1 and that would be an understatement to say crisis. This child is  
2 not great, but she is doing better since the father's time has  
3 been limited, she's doing much better. What was going on with  
4 this child could not be sustained. In the affidavit that was  
5 filed by Mr. Walker and Ms. Partain on Monday of this week, they  
6 include another assessment -- now this is his assessment. Judge  
7 four of the five factors in that the assessment were high to  
8 medium to high risk. Judge that's his assessment. Of the five  
9 factors there was only one that was low to medium risk, and that  
10 was role reversal with the child. That was low to medium. All the  
11 other four were all medium to high risk on all of the factors.  
12 That's happened since the final order. A lot has happened since  
13 this final order, Your Honor. We believe there's definitely a  
14 need for limited visitation. Your Honor, we don't believe the  
15 mother is an inappropriate person. I would say this, my client  
16 really opposes MUSC, Judge, she's worried that Mr. Walker's  
17 mother has relationships at MUSC, and she's worried about some  
18 conflict there. Again, I know that Ms. Armstrong recommended, as  
19 they always do in these cases, that both parents be evaluated for  
20 alienation, but to date, there's no allegation in this case of  
21 alienation by the mother, only by the father. My client will  
22 participate, but I don't understand why she should pay when  
23 there's no allegations by the mother, Your Honor. So, if Your  
24 Honor orders the alienation evaluations, we would ask that Mr.  
25 Walker be required to pay for it.

1        Judge Landis did not order that the racing has to end, he  
2    ordered that the child can't be taken out of school for the  
3    races. Mr. Walker voluntarily ended the racing. So, my client,  
4    and I believe the guardian, were not opposed to racing at all,  
5    we're opposed to her leaving school early, we're opposed to her  
6    getting home at one in the morning with school the next day.  
7    We're opposed to racing becoming all consuming with this child is  
8    what we're opposed to, Your Honor, instead of a hobby the girl  
9    can enjoy with her dad on their time.

10       So lastly, Your Honor, we respectfully request sole custody  
11    at this time, we'd ask for child support, we'd ask for Mr.  
12    Walker's visitation be supervised by someone other than the  
13    mother, and again, of course if any evaluation is ordered that he  
14    pay for it.

15       THE COURT: So, you're not asking for a restraining order  
16    from discussing racing at all?

17       MR. HOPKINS: Your Honor, I'll leave to the professional  
18    under what terms racing should be discussed with the child.

19       THE COURT: My question is, from your perspective, from  
20    your request, are you asking for a blanket do not discuss racing?  
21    According to you, your client is one of the big emphasis on how  
22    he is alienating the child from her.

23       MR. HOPKINS: Your Honor, on a temporary basis we don't  
24    think that racing should be discussed until the child gets back  
25    to where she was. If she gets back to making straight A's and

1 being a good student, and respectful there can be a conversation  
2 about racing. But what we do object to is racing being used as a  
3 tool. You know, your mom and the guardian are against you in  
4 racing therefore don't talk to them. Anytime racing is going to  
5 subject or be a weapon against mom or the guardian we oppose  
6 that. And I'll just mention also this, the guardian, Ms. Lovett,  
7 was recommended by Will Hammett, I didn't know her.

8 THE COURT: Thank you, very much. Of course, Ms. Partain can  
9 file a motion regarding the guardian anytime she pleases. That's  
10 not before me at this time. Ms. Partain and Mr. Walker can file a  
11 motion that they deem appropriate regarding phone calls. Two  
12 things, is there any objection from you Mr. Hopkins, and Ms.  
13 Partain I'll come to you next on this question, regarding there  
14 being Zoom phone calls that way you can monitor phone calls. I  
15 read your allegations the father's making that the phone is being  
16 hung up or recorded, but if it's a Zoom phone call there's no way  
17 not to record that. Does that seem reasonable to you from your  
18 client's perspective, sir?

19 MR. HOPKINS: Yes sir, as long as they are preserved and not  
20 deleted.

21 THE COURT: And I'll ask the guardian if you need me to, but  
22 why not the paternal grandmother supervise the visitation?

23 MR. HOPKINS: Your Honor, she's has some issues of her own.

24 THE COURT: Explain that for me. I need more than  
25 allegations.

1                   MR. HOPKINS: She is complicit, Your Honor, on several of  
2 the issues regarding the minor child and setting up mom and  
3 guardian as enemies of hers or opponents of hers. Instead of  
4 saying the guardian is on your side, she's trying to help you.  
5 We've seen several incidences where we believe she's allowed Mr.  
6 Walker to intercede and say things he shouldn't say. I don't  
7 think Ms. Walker has the ability to control Mr. Walker to stop  
8 him from saying things he shouldn't say or to intervene when he  
9 does something he shouldn't do. She's proven she does not have  
10 the ability to do so, Your Honor. I'll say this, a couple of  
11 years ago we had a meeting in front of Judge Creech and Judge  
12 Creech told Mr. Walker to call Ms. Walker in and said, Ms. Walker  
13 unless you have the ability to stop these things then we'll see  
14 no change at all. I'm sure Ms. Walker means well; she doesn't  
15 have the ability to control her son. I think she enables him, and  
16 she won't follow the order.

17                  THE COURT: Do you have examples of that in the affidavits?  
18 You're speaking of generalizations and I understand where you're  
19 coming from, but if I'm going to look at supervisors, I prefer to  
20 have someone who's not going to cost the other party money to  
21 supervise. However, I need examples.

22                  MR. HOPKINS: Your Honor, if you don't mind, I'll let you go  
23 to Ms. Partain. My client is texting me right now, and I'll let  
24 you go to Ms. Partain.

25                  THE COURT: I'll come back for the answer to that question.

1 Ms. Partain, briefly ma'am.

2 MS. PARTAIN: Thank you, I'll be very brief. I am on a 10:30  
3 docket in another courtroom. I would just urge you to please  
4 review the actual documents that are in the file that contradict  
5 the picture that Mr. Hopkins is painting. He is misrepresenting  
6 to you statements that exist in all the transcripts. There is an  
7 evaluation report from Dr. Wade (Phonetic) in this case. Ms.  
8 Tarpey does have some submissions in the file for you to review.  
9 She has never evaluated my client, nor has Ms. Armstrong, and so,  
10 we're opposed to that. We think that the record, and the actual  
11 facts, and distortion of those facts speak for itself, and we  
12 would urge the Court to please take the time to review the actual  
13 documents and exhibits that show where the conflicts are. You  
14 know, I have no objections to the recorded phone calls; I have no  
15 objection to that whatsoever. The problem with Tape a Call is  
16 that it's very interfering in a phone call. It causes a delay, it  
17 causes skipping; it's problematic. So, we're not opposed to the  
18 calls being recorded so long as that's a mutual restraint. I  
19 would even be agreeable to, you know, if any, you know,  
20 objections to Carlton's mother being provided by Mr. Hopkins  
21 after the fact, after he's had a chance to confer with his  
22 client. She didn't previously object to her until she heard from  
23 the guardian that a professional should be involved. So, it seems  
24 to me a bit of an after-thought.

25 THE COURT: Thank you very much. Mr. Blanks you raised your

1 hand. You have the last word.

2 MR. HOPKINS: We would suggest a family member from Mr.  
3 Carlton's family an Aunt Deb. She might be somebody who would be  
4 appropriate to supervise the visitation. We do not agree with the  
5 mother being the supervisor since she's been involved in this  
6 very heavily. Also, just read the reports from Ms. Alexander and  
7 Ms. Tarpey.

8 THE COURT: Thank you very much. Ms. Partain, I know you  
9 have to leave, but I want you to look into Aunt Deb with your  
10 client, please get back with that to Mr. Hopkins, and if that is  
11 agreeable, I want y'all to email my administrative assistant and  
12 let me know if she is agreeable. I want y'all to work hard to  
13 find somebody, if possible, who is an unpaid supervisor, whether  
14 it's a friend or relative.

15 Thank y'all very much. This concludes the hearing. Of  
16 course, I'm taking the matter under advisement so I can read all  
17 the files. Thank you very much.

18 (WHEREUPON THE HEARING IN THE ABOVE CAPTIONED CASE WAS CONCLUDED)

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**CERTIFICATE OF REPORTER**

2 I, the undersigned PATRICIA A. NYE, Official Court Reporter  
3 for the Third Judicial Circuit of the State of South Carolina, do  
4 hereby certify that the foregoing is a true and accurate  
5 transcript of record of all the proceedings had and evidence  
6 introduced in the trial of the captioned case, relative to  
7 appeal, in the Family Court for Charleston County, South  
8 Carolina, on the 20th day of January 2021.

9 I do further certify that I am neither of kin, counsel, or  
10 interest to any party.

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February 13, 2021

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DATE: February 13, 2021

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**Thank you,  
Patsy Nye  
Official Court Reporter  
State of South Carolina**