

★ ★ FINAL 10-MINUTE TESTIMONY FOR THE JMSC

L. Carlton Walker — Public Testimony Opposing Reappointment of Judge Spiros Ferderigos

(With Bold, Italics, and Pacing Cues)

Good afternoon, Chairman and members of the Commission.
(Pause. Make eye contact.)

My name is **L. Carlton Walker**. Thank you for allowing me to speak today. I am here not to re-litigate my custody case, but to address **judicial preparation, diligence, competence, and the public appearance of impartiality** — the exact qualities this Commission is required to evaluate when considering judicial reappointment.

(1-second pause)

Before I speak about Judge Ferderigos's conduct, I want to share briefly who I am, because my background shows the level of **trust** the State — and the Nation — have placed in me.

★ CREDIBILITY & BACKGROUND

(Strong, steady tone)

I am a **Licensed South Carolina Residential Builder**, entrusted to build the homes where families in this state live and raise their children.

I am a **South Carolina Real Estate Broker-In-Charge**, responsible for supervising agents and managing a regulated **fiduciary trust account**, held to ethical standards similar to those governing attorneys.

I am not only SLED-certified to carry a firearm — *But*
I am a **SLED-Certified Concealed Weapons Permit Instructor**, approved by SLED after a full background investigation to teach the public firearm safety and South Carolina firearm law.

(Short pause)

And I also proudly served in ~~support of~~ the United States Navy. as an Aviator Boatswains M^{ed}
in 93

During operations off the coast of Somalia, I assisted in the recovery of a downed **H-46** helicopter — a dangerous and ~~complex mission~~ requiring calm, coordination, and precise judgment under extreme pressure.

A Marine F-35 pilot from MCAS Beaufort ~~later reviewed what I did~~ told me that my actions ~~were so effective, so tactically correct, that they are currently being used as a training video for F-35 pilots to study situational awareness, judgment, and teamwork.~~

(Let it sit. Short pause.)

So when I stand before you, I do so as someone who has:

- served this country under pressure,
- earned the trust of this State, and
- demonstrated responsibility in situations far more demanding than a routine courtroom hearing.

All I ever asked was for a judge to read my filings and give me thirty minutes to be heard under Rule 59 or Rule 60.

That never happened.



1. THE JUDGE WAS NOT PREPARED

(Slow, factual delivery)

On **January 20, 2021**, at the start of my hearing, Judge Ferderigos stated on the record that he had **not reviewed the file** and was “missing” filings from months earlier.

(Pause.)

Despite that — he proceeded.

A judge who has not reviewed the evidence cannot make an informed or reliable ruling. And when a judge rules without reading the record, it creates the unmistakable **appearance of partiality**, because the decision becomes based entirely on the narrative presented in the moment.

No South Carolinian should ever walk into a courtroom and find out the judge hasn’t even *read* ~~opened~~ their file.

★ 2. UNSWORN ASSERTIONS TREATED AS FACT

(Controlled tone)

Because he was unprepared, Judge Ferderigos relied on **unsworn statements** from the Guardian ad Litem's attorney — several of which were inaccurate or misleading.

Meanwhile, my **sworn affidavits**, and those of my parents and witnesses, were not meaningfully considered.

I was never allowed to testify.

Never allowed to clarify.

Never allowed to defend myself.

When a judge elevates unsworn comments over sworn evidence, the public cannot trust the fairness of the proceedings.

★ 3. REFUSAL TO HEAR RULE 59 & RULE 60 — LEAVING ME NO REMEDY

(Slow pace — this is your strongest point)

South Carolina law is clear:

Temporary orders cannot be appealed.

(1-second pause)

That means Rule 59(e) and Rule 60(b) are the *only* lawful mechanisms to correct a temporary order that contains factual or legal errors.

I filed both.

I did not ask for a new trial.

I asked for **thirty minutes** — to show documented, provable errors.

Judge Ferderigos refused to hear either motion.

He said everything could be addressed “later at the final hearing.”

But the final hearing did not begin until **November 2023** — nearly **three full years later**.

Because temporary orders cannot be appealed, his refusal made his unreviewed order **effectively permanent**, no matter how incorrect it was.

3B. THE “45-DAY REVIEW” THAT REVIEWED NOTHING

The temporary order scheduled a review hearing in 45 days. That hearing occurred — but it did **not** function as a review.

The Court:

- did **not** revisit evidence,
- did **not** review the affidavits the judge previously missed,
- did **not** hear testimony, and
- did **not** correct any factual errors.

Instead, the Court treated the temporary order — issued without reviewing the record — as if it were **established fact**.

They built on the errors.
Mistake upon mistake compounded.

A review hearing that reviews nothing is not oversight — it is repetition.

3C. NO OTHER JUDGE COULD REVERSE HIS MISTAKE

(Slow, emphasize the reason)

When my case moved to other judges in the Ninth Circuit, each judge told me:

“We cannot overturn another judge’s ruling.”

Even if they disagreed with it.
Even if they recognized the harm it caused.
Even if they saw that the initial ruling was based on an incomplete record.

So Judge Ferderigos's unreviewed, factually incorrect temporary order became the **permanent factual foundation** of my case.

Every judge afterward was bound by it.
No one had the power to undo his error.

This is why diligence matters.
When a judge fails to read the record, fails to review evidence, and refuses to hear lawful motions —
the entire system becomes unable to correct the mistake.

★ 4. THE CONSEQUENCES WERE DEVASTATING

If Judge Ferderigos had:

- read the file,
- reviewed the affidavits,
- or granted me a 30-minute Rule 59 or 60 hearing...

This could have been corrected immediately.

Instead:

- My family suffered over **\$860,000** in financial losses,
- My parents mortgaged their paid-off home,
- And I spent nearly **four years without my daughter**.

(Deep breath. Slow delivery.)

No parent in this room could endure what we endured.

★ CLOSING — WITH JMSC ACCOUNTABILITY SECTION

(Deliver calmly, firmly, and from the heart)

Before I close, I want to speak plainly about something larger than my case — something about this Commission itself.

South Carolina created this **new JMSC** to bring real accountability, transparency, and responsibility to judicial screening.

The public expects a process where judges must earn reappointment — not receive it automatically.

With respect:

If every judge is simply put back on the bench regardless of performance, then this is not a *reformed JMSC*.

It becomes the **same old JMSC**, just with a new label.

If this Commission is to prove that judicial screening in South Carolina is legitimate and meaningful, there must be times when the record requires a judge *not* be reappointed.

Today is one of those moments.

*Star fish and Navy Seals of law
In the military you only get 1 mistake,
my captain*

★ **FINAL ASK (Slow, powerful, steady)**

*RAN the
Ship aground
(Judge Ferde*

If the State of South Carolina trusts me to teach others safety...

If it trusts me to build homes...

If it trusts me under Navy-level pressure...

Surely I should have been trusted with thirty minutes of a judge's time.

No parent should lose a child because a judge did not read their file.

No citizen should be silenced because a judge refused to hear their motions.

And no judge should be reappointed if his conduct creates the public impression that he is unprepared, inattentive, or partial.

So I will end with this:

If you would not want to be in my shoes...

If you would not want your son, daughter, or neighbor to face a judge who rules without reading...

Then I respectfully ask you to vote *No* on Judge Ferderigos's reappointment.

(Pause. Nod.)

And I also ask for

Thank you. I am ready to answer any questions.