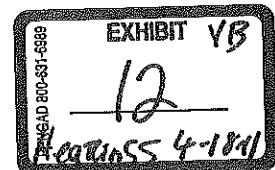


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court, Fourth Judicial Circuit, Seat 2

1. NAME: Mr. James Alexander "Alex" Stanton IV
BUSINESS ADDRESS: 954 West Carolina Ave.
(P.O. Drawer 70)
Hartsville, SC 29550
TELEPHONE NUMBER: (office): 843-332-5171
2. Date of Birth: 1949
Place of Birth: Bennettsville, SC
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
5. Family Status: Married on June 23, 1973, to Betsy Catherine Hayes Stanton. Never divorced; two children.
6. Have you served in the military? Yes
 - (a) United States Army - Active Duty
I was commissioned a Reserve Commissioned Officer as a 2 LT on May 21, 1971, upon my graduation from Wofford College as a member of the Wofford College ROTC. I was granted a "deferment" from Active Duty to attend law school. On October 25, 1974, I was promoted to the Rank of 1 LT. On October 25, 1974, I began my Active Duty Training (ADT) at Fort Bliss, Texas. I completed my ADT at Fort Bliss, Texas on February 14, 1975, at which time I was granted an Honorable Discharge from the U.S. Army Active Duty, as reflected on Form Number DD 214, which I filed in the Office of the Clerk of Court for Darlington County on February 18, 1975, in Book 11 at page 138. My Selective Service Number was XX-XX-XX-X.
 - (b) United States Inactive Reserve
Upon my completion of my ADT, I was a member of the United States Inactive Reserve.
 - (c) South Carolina National Guard
I became a member of the South Carolina National Guard on November 17, 1977 as a 1 LT. On February 27, 1980, I was promoted to the rank of Captain in the South Carolina National Guard. I served as Commander of the 741st General Supply Company from 1980 to 1983. On December 10, 1982 I was presented with the Army Achievement Medal by The Department of the Army. I ceased my service in the South Carolina National Guard in 1985 and was Honorably Discharged.



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, Spartanburg, S.C.
 Dates of Attendance: September 1967 to May, 23, 1971
 Degree Received: B.A. – Government;
 - (b) University of South Carolina Law School, Columbia, S.C.
 Dates of Attendance: September 1971 to May 11, 1974
 Degree Received: Juris Doctor of Law.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
- South Carolina – Admitted to Bar on November 14, 1974
 I only took the bar examination one time in South Carolina and I have not taken the bar examination in any other state.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
- (a) Wofford College
 Member of the National Society of Scabbard and Blade at Wofford College from May 7, 1970, until my graduation from Wofford College on May 23, 1971;
 Recipient of The Department of The Army Reserve Officer's Training Corps (ROTC) Distinguished Military Graduate Award presented on May 22, 1971;
 Member of Pi Kappa Phi Social Fraternity from 1967 through 1971, where I served as Warden (Pledge Master) in 1968 and served as Archon (President) during 1969 and 1970;
 - (b) University of South Carolina Law School
 Worked as a Law Clerk for Fulmer, Berry, and Alford my second semester of my first year in Law School
 Worked as a Law Clerk for the Law Offices of Frank L. Taylor during the summers and during my second and third year in Law School.
10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.
- | <u>Conference/CLE Name</u> | <u>Date(s)</u> |
|---|----------------|
| (a) Horry County Family Court Seminar | 12/17/2008; |
| (b) Chicago/Ticor Title Insurance Seminar | 11/19/2008; |
| (c) Chicago/Ticor Title Insurance Seminar | 11/15/2007; |
| (d) The Ten Greatest Estate Planning Techniques in S.C. | 07/31/2007; |
| (e) Settling Uninsured and Underinsured Motorist Claims | 12/12/2006; |

- (f) Chicago/Ticor Title Insurance Seminar 11/9/2006;
- (g) Mandatory ADR Training 09/8/2006.

SPECIAL NOTE: On January 4, 2009, I had been practicing law for over thirty years and had attained the age of sixty years. By a letter dated December 28, 2009, the SC Supreme Court Commission on Continuing Legal Education and Specialization "exempted" me from any further requirements.

- 11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? Yes.

Darlington County School District "Planning for the Future Seminar" for Retirees

I have presented a program to the retirees on Wills, Powers of Attorney, Health Care Powers of Attorney, Living Wills, Trusts, and Other Estate Planning Matters on 7/14/1998, 7/20/2000, 6/20/2002, 6/17/2004, and 6/19/2008.

- 12. List all published books and articles you have written and give citations and the dates of publication for each. None

- 13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.

- (a) SC Bar – November 14, 1971;
- (b) US District Court – September 22, 1976;
- (c) US Court of Appeals for the Fourth Circuit – January 26, 1981
- (d) US Supreme Court – February 23, 1981

- 14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

In August of 1974, after I finished Law School and after I took the S.C. Bar Examination, I became an Associate with the Law Firm of Shand and Lide in Hartsville, S.C. (comprised of Robert W. Shand and Vinton D. Lide). In October of 1974 I had to attend my U.S. Army Officer Basic Course (ADT) in Fort Bliss, Texas until February of 1975, at which time I was placed in the U.S. Army Inactive Reserve. In February of 1975 I resumed my Associate Position with Shand and Lide. This law practice was a "general practice" which included (1) Family Court Matters, (2) Real Estate, (3) Wills, Powers of Attorneys and Trusts, (4) Estate Planning, (5) Probate and Estates, (6) Criminal Defense, (7) Business Law (corporations and partnerships), (8) Debt Collection, and (9) Personal Injury.

I continued as an Associate with Shand and Lide until January 1, 1976 when I was made a Partner and the Law Firm's name was changed to Shand, Lide, & Stanton. We continued to practice the same areas of law.

Sometime in 1978, Mr. Vinton D. Lide withdrew from The Law Firm and relocated to the Columbia, S.C., area. Mr. Shand and I continued in the

practice of law under the name of Shand & Stanton. We continued to practice the same areas of law.

Sometime in 1980, Robert W. Shand retired from the active practice of law, and I continued the Law Firm under the name of Shand and Stanton (with Mr. Shand being "of counsel"). I continued to practice the same areas of law.

On January 1, 1985, I made Mr. Jamie Lee Murdock, Jr. (an Associate of my Law Firm) a Partner, and Mr. Murdock and I began to practice law under the name of Shand, Stanton, and Murdock. We continued to practice the same areas of law.

This continued until May 1, 1992 when Mr. Murdock was elected to a Family Court Judgeship (Seat 2 of the Fourth Judicial Circuit). Upon the departure of Mr. Murdock, I continued my law practice under my prior solo Law Firm name of Shand and Stanton. I continued to practice the same areas of law.

On October 1, 1992, I brought in two other attorneys, Mr. J. Richard Jones and Mr. Karl H. Smith, as Partners, and we began to practice law under the name of Stanton, Jones & Smith. We continued to practice the same areas of law.

In the spring of 1997, Mr. Smith withdrew from the Law Firm, but Mr. Jones and I continued to practice law under the name of Stanton & Jones. We continued to practice the same areas of law.

Effective December 31, 2008, Mr. Jones withdrew from the Law Firm to become a "Fulltime Public Defender", and I have continued my law practice under the name of Stanton Law Firm. I continue to practice the same areas of law.

My entire practice of law has always been at the same address of 954 West Carolina Avenue, Hartsville, South Carolina.

If you are a judge and are not seeking a different type of judgeship, the following questions are inapplicable:

- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background has prepared you to preside over such matters as a Family Court Judge.

Family Court Practice

My practice for the past thirty-six years has always included a substantial portion of family law cases, including numerous divorces, numerous cases involving the issues of spousal support (alimony), along with equitable division of property, child custody and child support. I have also handled several adoption cases. I have been involved either as the Attorney or Court Appointed Guardian *ad Litem* in many Department of Social Services abuse and neglect cases. In addition, I

have been involved in the representation of juveniles in Family Court proceedings.

Some Recent Divorce and Equitable Division of Property Cases

(a) Patricia C. Hollingsworth vs. Jerry Hollingsworth 2009-DS-13625
(Active)

I represented the wife and this is a case which involved both of these issues. It also involves the issues of Child Custody, Visitation, and Child Support. This case has been very contested by both parties and a Temporary Hearing has been held and a Guardian Ad Litem has been actively involved in this case. In an attempt to resolve the issues in this case, the parties, their Attorneys, and the Guardian Ad Litem have met in an "informal mediation setting" and it is hoped that the effort will resolve the case. However, if not so resolved, then all of the issues will be submitted to the Court for decision.

(b) James C. Ward vs. Angie E. Ward 2009-DR-16-0518 (Closed)

I represented the husband in this case. This case involved both of these issues, together with Alimony, Child Custody, Child Support, Visitation, and Exclusion of Non-Marital Property. The husband's Private Detective had produced evidence of the wife's adultery. This case was very complicated and several Hearings were held in this case. A four-day Final Hearing was scheduled but prior to the Final Hearing, the parties reached a detailed written Agreement which provided for Joint Custody, the husband being granted the sole ownership of the former marital residence, a bar to Alimony to the wife, a division of personal property between the parties (which included the husband being the sole owner of some non-marital property – the pre-marital value of his Retirement Account). At the shortened Final Hearing, the Court approved the written Agreement and the parties were granted a Divorce by Decree dated January 27, 2011.

(c) Bryson Thomas McBrayer vs. Miranda Nicole Blackwell McBrayer 2010-DR-16-0153 (Closed)

I represented the husband and this was a case which involved both of these issues. It also involved the issues of Child Custody, Visitation, and Child Support. The parties entered into a written Agreement as to all issues except for the issues of Divorce. At the Final Hearing, the Court approved the Agreement and granted the Divorce.

(d) Martin Lee Dearing vs. Kimberly Ann Dearing 2009-ER-16-0646
(Closed)

I represented the husband and this was a case which involved both of these issues. It also involved the issues of Child Custody, Visitation, and Child Support. The parties entered into a written

Agreement as to all issues except for the issue of Divorce. At the Final Hearing, the Court approved the Agreement and granted the Divorce.

- (e) Dana White Farmer vs. James G. Farmer 2007-DR-16-250 (Closed)

I represented the husband, and this case involved both of these issues with the equitable division issue being complicated. It also involved the issues of Non-Marital Property, Alimony and Attorney Fees. After extensive Discovery, this case was settled by written Agreement and a Final Order was issued, which granted the parties a Divorce and approved the written Agreement.

- (f) Ann H. Hudson vs. Paul E. Hudson 2008-DR-16-882 (Closed)

I represented the husband, and this was a recent case which involved both of these issues. After extensive Discovery, this case was settled by written Agreement and a Final Order was issued, which granted the parties a Divorce and approved the written Agreement.

- (g) Ronnie D. Johnson vs. Lynda J. Johnson 2008-DR-16-113 (Closed)

I represented the wife, and this was a recent case which involved both of these issues. It also involved the issues of Alimony (as the wife was disabled) and Attorney Fees. A Final Hearing was held and the wife was granted a Divorce, awarded Alimony, and the property was divided among the parties.

- (h) Traci M. Teal vs. James Harvey Teal 2008-DR-16-273 (Closed)

I represented the husband, and this was a recent case which involved both of these issues. It also involved the issue of Alimony, Child Support, and Attorney Fees. One of the major marital assets was a business operated by the husband. After Discovery, the parties reconciled and the case was dismissed.

- (i) Deborah Michelle Moore vs Butch Samuel Moore 2008-DR-16-1206 (Closed)

I represented the husband, and this was a recent case which involved both of these issues. It also involved the issues of Alimony, Child Custody, Visitation, and Child Support. A Final Hearing was held and the parties were divorced and the other issues were decided by the Court.

- (j) Cheri L. Pittman vs. Christopher J. Pittman 2008-DR-16-496 (Closed)

I represented the husband, and this was a case which involved both of these issues. It also involved the issues of Child Custody, Visitation, Child Support, and Attorney Fees. Shortly before the Final Hearing, the parties entered into a written Agreement as to

all issues except for the issue of Divorce. At the Final Hearing, the Court approved the Agreement and granted the Divorce.

- (k) Gina Sasser Anderson vs. Scott Edward Anderson 2007-DR-16-1125 (Closed)

I represented the wife and this case involved both of these issues. It also involved the issues of Child Custody, Visitation, Child Support, and Attorney Fees. A Temporary Hearing was held in this case. Extensive Discovery was done prior to the Final Hearing. The parties entered into a written Agreement as to all issues except the issue of Divorce. At the Final Hearing, the Court approved the Agreement and granted the Divorce.

- (l) Kirsten Anderson vs. Daniel R. Anderson vs. Auleen Pabst 2006-DR-16-0683 (Closed)

I represented Mrs. Pabst, and this was a Divorce, Equitable Division of Property, Child Custody, Visitation, Child Support, Alimony, and Attorney Fees case between Kirsten Anderson and Daniel R. Anderson. During the course of this hotly contested case, Mrs. Auleen Pabst (the mother of Kirsten Anderson) was added as a party-defendant to this case due to Daniel R. Anderson claiming an interest in the house in which Kirsten and Daniel had lived as husband and wife, but which had always been owned by and titled in the name of Mrs. Pabst. There were several Hearings involved in this case. After the second day of the Final Hearing, Mr. Anderson withdrew his request to be awarded an equitable interest in the house owned by Mrs. Pabst.

- (m) Gloria T. Smith vs. Gregory C. Smith 2008-DR-16-331 (Closed)

I represented the husband, and this case involved both of these issues. We were unable to resolve these issues and the Court made the decision on the issues of Equitable Division of Property, Alimony, and Attorney Fees. Also, the Court granted a Divorce to the parties.

- (n) Diane J. Lisenby vs. R. Steven Lisenby 2008-DR-13-205(Closed)

I represented the wife, and this case involved both of these issues. Also, this case involved the issue of Non-Marital Property claimed by both parties. We were unable to resolve these issues and the Court made the decision on the property matters and granted the wife a Divorce.

Some Recent Child Custody Cases

- (a) Cheri L. Pittman vs. Christopher J. Pittman 2008-DR-16-496 (Closed)

Reference the comments about this case as set forth under the Divorce and Equitable Division Case Section.

- (b) Gina Sasser Anderson vs. Scott Edward Anderson 2007-DR-16-1125 (Closed)

Reference the comments about this case as set forth under the Divorce and Equitable Division Case Section.

- (c) William Christopher Norton vs. Kellie Louise Norton 2002-DR-34-298 (Closed)

I represented the father, and this was a case in which the father sought the custody of two children. I was able to obtain the custody of the two children for the father, and the mother was only allowed supervised visitation due to her use of drugs, and the mother was required to pay Child Support. The maternal grandmother was granted some limited visitation rights in this case. A Guardian *ad Litem* was also active in this case.

- (d) Deborah Michelle Moore vs. Butch Samuel Moore 2008-DR-16-1206 (Closed)

Reference the comments about this case as set forth under the Divorce and Equitable Division Case Section.

- (e) Patrice C. Hollingsworth vs. Jerry Hollingsworth 2009-DR-13-625 (Active)

Reference the comments about this case as set forth under the Divorce and Equitable Division Case Section.

- (f) James C. Ward vs. Angie E. Ward 2009-DR-16-0518 (Closed)

Reference the comments about this case as set forth under the Divorce and Equitable Division Case Section.

- (g) Bryson Thomas McBrayer vs. Miranda Nicole Blackwell McBrayer 2010-DR-16-0153 (Closed)

Reference the comments about this case as set forth under the Divorce and Equitable Division Case Section.

- (h) Martin Lee Dearing vs. Kimberly Ann Dearing 2009-DR-16-0646 (Closed)

Reference the comments about this case as set forth under the Divorce and Equitable Division Case Section.

Some Adoption Cases

- (a) James Frederick Jones and Elwanda Susan Munn Jones vs. Baby Graham 1984-DR-16-167 (Closed)

I represented both of the adoptive parents and this was a private adoption case. The Court approved the Adoption of the baby.

- (b) Barbara Robinson Slater vs. Zaereona Shydea Slater and John Doe 2008-DR-16-419 (Closed)

I represented the adoptive grandmother, who was the mother of the natural mother. The father was unknown. The maternal grandmother had been taking care of the minor child since birth and the minor child was six years old. The Court granted the Adoption.

- (c) William Christopher Norton and Tonya Marie Norton Kellie Nolan Norton and Yvonne Kersey 2008-DR-34-469 (Closed)

I represented the adoptive mother and the natural father in this case which was brought against the natural mother and the maternal grandmother. This case also involved the issue of Termination of Parental Rights against the natural mother and the Termination of Grandparental Rights of the natural grandmother. The Court Terminated the Parental Rights of the natural mother and the limited visitation rights of the maternal grandmother. In addition, the Court approved the Adoption of the two children by the adoptive mother (who was the new wife of the natural father).

There have been some other Adoption Cases, but I cannot recall them at this time.

Some Abuse and Neglect Cases

(a) S.C. Department of Social Services vs. Lorenzo Scott
1998-DR-16-1408 (Closed)

I represented the father in this case since November 21, 2001. The SCDSS had the custody of the father's three children. Mr. Scott had been incarcerated in the State Prison System and the mother of the children had been accused of abuse and neglect in Case Number 1998-DR-16-1408.

The SCDSS also initiated a Complaint for Termination of Parental Rights against both the father and the mother, Shelieka Jones, in Case Number 1999-DR-16-1411. The Court issued its Order on March 11, 2001, in which the Court terminated the rights of the natural parents. Thereafter, the Court later issued a Supplemental Order (due to Mr. Scott's Motion for Reconsideration) in which the Court ruled that the Parental Rights of Mr. Scott to the above three children were not terminated. I was not representing Mr. Scott at this time.

Later, by Order dated February 19, 2004, the SCDSS withdrew its request for Termination of the Parental Rights of Mr. Scott to these children. I did represent Mr. Scott at that time.

The SCDSS instituted another action for the Termination of the Parental Rights of Mr. Scott in Case Number 2001-DR-16-0112. I was appointed to represent Mr. Scott on November 21, 2001. On May 30, 2002 the Court issued its Order which terminated his parental rights to one child.

I had continued to represent Mr. Scott in Case Number 1998-DR-16-1408 in regards to Hearings held for Permanency Planning on 3/7/2002, 9/26/2002, 11/25/2003, 6/10/2004, 6/7/2005, 6/6/2006, 6/5/2007, 6/3/2008, 5/13/09, and 5/4/2010. Mr. Scott has now been released from prison, but SCDSS still has the custody of the children. By Order dated May 28, 2010, I was relieved from further representation of Mr. Scott.

- (b) S.C. Department of Social Services vs. Thereva Copeland, Mark Bosch, Maurice Bell, Stanley Bosch, and Sara Bosch 2002-DR-16-0169 (Closed)

I was appointed to represent Thereva Copeland, the children's mother, in this action for the removal of her children for alleged abuse and neglect. Several Hearings were held in 2002, 2003, and 2004. Ms. Copeland complied with the Treatment Plan and by Order dated October 23, 2004, the children were returned to Ms. Copeland.

- (c) S.C. Department of Social Services vs. Renee S. Wright, Hattie Toney, and Troy Toney 2003-DR-16-0151 (Closed)

I was appointed to represent Renee S. Wright, the mother of the minor child, in a removal action for abuse and neglect. The SCDSS was granted custody of the minor child by Order dated April 3, 2003. A Treatment Plan was approved by Order dated December 30, 2003. Permanency Hearings were held on December 13, 2003, June 10, 2004, and November 30, 2004, which resulted in Orders being issued to continue the custody of the child with the SCDSS. On March 11, 2005, the Court issued its Order returning the child to Ms. Wright.

- (d) S.C. Department of Social Services vs. Tina Commander, Michael Commander, Jermaine McDonald, and Ola Commander 2003-DR-16-437 (Closed)

I was retained by Michael Commander, the father of one of the subject children. Mr. Commander had obtained a Divorce from Tina Commander on November 6, 2002, in the State of North Carolina. Ms. Tina Commander had the child living with her when the SCDSS instituted this case for abuse and neglect on her part. There were no allegations as to abuse and neglect against Mr. Commander. On May 14, 2005, the Court issued its Order granting the Temporary Custody of the minor child to Ola Commander, the paternal grandmother. On June 22, 2005 the Court granted the Temporary Custody of the child to Mr. Commander. Mr. Commander had filed an Answer in which he requested the legal and physical custody of the minor child. Also, Mr. Commander later had filed an Amended Answer, Counterclaim, and Cross-Claim for the legal and physical custody of the minor child. On September 28, 2005 the Court issued its Order continuing the custody of the subject minor child with Mr. Commander and required that Ms. Tina Commander be entered in the Central Registry of Child Abuse and Neglect. On December 30, 2005 the Court issued an Order which continued the custody of the subject minor child with Mr. Commander.

- (e) S.C. Department of Social Services vs. Amanda Bradley, Brandon Smothers, and Donna Smothers 2003-DR-16-1230 (Closed)

I was appointed to represent Amanda Bradley, the mother of the minor child, in an abuse and neglect action against her for her use of illegal drugs. Ms. Bradley filed an Answer in which she requested that the custody of the child be returned to her. On January 8, 2004, the Court continued the custody of the child with the SCDSS and approved a Treatment Plan. On February 17, 2004 the Court issued its Order continuing the legal custody of the child with the SCDSS. On August 27, 2004, the Court issued its Order granting the legal and physical custody of the child to Donna Smothers, the paternal grandmother, and provided that Ms. Bradley would have visitation with the child and that Ms. Bradley would continue her efforts to complete the Treatment Plan. On November 22, 2004, the Court issued its Order continuing the custody of the child with Donna Smothers, but provided for visitation by Ms. Bradley.

- (f) S.C. Department of Social Services vs. Jenna Collier, James Lee, and Frank Collier, Jr. 2004-DR-16-0114 (Closed)

I was appointed as the *Guardian ad Litem* for the minor child in this case involving allegations of abuse and neglect against the child's parents. On May 25, 2004, the Court issued its Order granting the custody of the child to the maternal grandfather, Mr. Frank Collier, Jr., and the Court made findings of abuse and neglect against the parents. On October 1, 2004, the Court issued its Order continuing the custody of the minor child with the maternal grandfather, Mr. Frank Collier, Jr. (as recommended by the undersigned as *Guardian ad Litem*).

There have been many other cases in the Abuse and Neglect area, but I cannot recall them at this time.

Some Juvenile Justice Cases

I have represented some juveniles in some Juvenile Justice Cases, but I cannot recall them at this time. Therefore, I have experience in this area of family law.

A Recent Reduction of Alimony Case

- (a) Gary Wilson White vs. Gloria Wase White 2010-DR-16-0500 (Closed)

I represented the husband and the husband had lost his primary job due to a "reduction in force" from a company which he had worked for twenty years and this drastically reduced the husband's income. The husband was under a prior 2006 Order to pay Alimony. The husband, in an attempt to maintain his previous income, was employed in one full-time job and three part-time jobs. However, his income had been reduced 18%

through no fault of his own. At the contested Final Hearing, the Court reduced the husband's Alimony from \$1,200.00 per month to \$984.00 per month and the Court denied the ex-wife's request for Attorneys Fees.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

My Martindale-Hubbell rating is AV and is listed as J. Alex Stanton.

16. What was the frequency of your court appearances during the past five years?
- (a) federal: very infrequently and I only recall two cases which I was involved within the last five years.
- (b) state: probably an average of three to five times per month.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
- (a) civil: 59%;
- (b) criminal: 0% to 1%;
- (c) domestic: 40%;
- (d) other: 0%.

18. What percentage of your practice in trial court during the past five years involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: 2%;
- (b) non-jury: 98%.

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

I almost always serve as sole counsel.

19. 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) Estate of Margaret S. Goodson (1998-ES-16-216) and Estate of Helen S. Goodson (2000-ES-16-284)

I was retained in 2005 by seven of the nine Heirs to these two Estates in an attempt to determine the status of both Estates and to determine what had happened to the assets of both Estates. Ms. Harriett E. Wilmeth had served initially as the Attorney for both Estates and later served as the Personal Representative of both Estates. I filed an extensive "Demand for Documents and Information" and served it on Ms. Wilmeth. A Hearing was held by Probate Judge, Marvin I. Lawson, on February 25, 2005, which resulted in an Order being issued on April 25, 2005, but Judge Lawson had orally advised the parties of his ruling on February 25, 2005. This Order set forth that a full Hearing would be conducted during the first week of May of 2005 and required Ms. Wilmeth to provide to the undersigned his requested information and documents prior to such Hearing.

A Hearing was held on May 5, 2005, but there was not sufficient time to complete a presentation of the witnesses and issues and another Hearing was held on December 8, 2005. As a result of the two Hearings, the Probate Court issued an Order, dated February 3, 2006, consisting of sixty-eight pages. This Order was prepared by the undersigned pursuant to instructions issued by Judge Lawson to the undersigned. This Order found that Ms. Wilmeth had not properly served as the Attorney and/or Personal Representative of the Goodson Estates' and the Probate Court Order granted the following Judgments against Ms. Wilmeth as follows:

1. In favor of the Margaret S. Goodson Estate in the sum of \$150,000.00
2. In favor of the Helen S. Goodson Estate in the sum of \$317,760.97

Both Judgments totaled the sum of \$467,960.97. However, at the May 5, 2005 Hearing, upon examination of Ms. Wilmeth by the undersigned, it was discovered that Ms. Wilmeth had deposited some of the Goodson Estates' monies into one of her personal companies, namely, Wilmeth Enterprises, LLC. The Probate Judge "orally ordered" Ms. Wilmeth to return those monies to the Goodson Estates' on or before May 15, 2005. Ms. Wilmeth presented a deposit slip for \$861,367.52, which purported to show compliance by Ms. Wilmeth with the May 5, 2005 "oral order" to return those monies to the Goodson Estates. However, later on, it was discovered that the check for \$861,367.52 (as reflected as having been deposited into the Goodson Estates' by Ms. Wilmeth) had been "returned by the Bank due to insufficient funds". The Probate Judge issued his Emergency Order and Rule to Show Cause to Ms. Wilmeth on February 15, 2006, which required Ms. Wilmeth to appear at a Hearing on February 17, 2006 regarding the required deposit from her to the Goodson Estates' of the sum of \$861,367.52.

A Hearing was held on February 17, 2006, at which time Ms. Wilmeth did appear and the undersigned was also present. When Ms. Wilmeth admitted that she did not return the sum of \$861,367.52 to the Goodson Estates', as required by Judge Lawson on May 5, 2005, and when Ms. Wilmeth refused to inform the Probate Judge as to the whereabouts of said money, the Probate Judge issued his Order on February 17, 2006, which sentenced Ms. Wilmeth to six months in the Darlington County Detention Center. Said Order did allow her to purge herself of the Contempt of Court by return to the Goodson Estates' of the sum of \$861,583.22. This Order also removed Ms. Wilmeth as the Personal Representative of both Goodson Estates and prohibited Ms. Wilmeth from making any further withdrawals from the Goodson Estates. On February 18, 2006, Ms. Wilmeth caused the delivery to the

Probate Judge of a Certified Check in the sum of \$861,583.22, and the Probate Judge then allowed Ms. Wilmeth to be released from jail.

Through my efforts, I was able (1) to recover from Ms. Wilmeth the sum of \$861,583.22 for the Heirs of the Goodson Estates', (2) to have Ms. Wilmeth removed as Personal Representative of the Goodson Estates', and (3) obtained Judgments against Ms. Wilmeth in the total sum of \$467,960.97. I am continuing my efforts to collect the Judgments against Ms. Wilmeth on behalf of the Goodson Estates'.

Also, another significant matter relating to Ms. Wilmeth and this case, was that I believe that my representation of the Goodson Estates' and the uncovering of the conversion of the Goodson Estates' money by Ms. Wilmeth, was helpful in the Supreme Court of South Carolina issuing its Order for Interim Suspension of Ms. Wilmeth on March 22, 2006 and the Disbarment Ms. Wilmeth by Order of the Supreme Court of South Carolina on May 15, 2007 (with the Goodson Estates' being referred to as "Matter 1" in the Disbarment Order).

(b) Eden Hernandez vs. Labor Services, Inc. W.C.C. File No. 020033 2004-CP-12-792 (Circuit Court Appeal)

I represented Mr. Hernandez in this Workers Compensation Case against his employer, Labor Services, Inc. Mr. Hernandez was employed by Labor Services, Inc. and was placed at Charles Ingram Lumber Company. Mr. Hernandez was injured on January 3, 2002 while operating a machine at Charles Ingram Lumber Company. Mr. Hernandez incurred an injury to his right arm which required surgery and which resulted in Mr. Hernandez being given a 100% permanent residual impairment to his upper right arm. Mr. Hernandez did not reach maximum medical improvement until August 16, 2002, but that he would still require some continuing medical treatment due to his continuing pain in his right hand, arm, and shoulder.

Mr. Hernandez was an illegal alien and he did misrepresent his legal status on his employment application. On October 15, 2002, Commissioner Sherry Shealy Martschink held a Hearing on this matter and on June 10, 2003, the Hearing Commissioner issued her Order which ruled that Mr. Hernandez sustained a compensable injury by accident during his course and scope of his employment. The Order further provide that he was entitled to payment of all medical expenses related to his treatment of injuries due to the accident. It further provided that he was entitled to Temporary Total Disability payments for a period of 33 weeks and for payment of an additional 50 weeks for disfigurement. The Order further provided that he was entitled to the payment for 220 weeks for his 100% permanent impairment to his right arm.

Within the statutory time period, the Employer filed an Application for Review before the Appellate Panel of the South Carolina Workers'

Compensation Commission. On February 24, 2004, the parties appeared before the Appellate Panel of the South Carolina Workers' Compensation Commission and on April 2, 2004, the Appellate Panel issued its Decision and Order, in which it unanimously approved the Hearing Commissioner's Findings of Fact and Rulings of Law, and that the Appellate Panel sustained the June 10, 2003 Order in its entirety.

The Employer filed a Notice of Intent to Appeal the April 2, 2004 Decision and Order of the Appellate Panel of the South Carolina Workers' Compensation Commission on April 28, 2004 in the Circuit Court for the Twelfth Judicial Circuit in Florence, South Carolina. This Appeal was given Case Number 2004-CP-12-792. The basis for the Employer's Appeal was that Mr. Hernandez was prohibited from compensation due to the federal Immigration Reform and Control Act of 1986 "pre-empting" South Carolina Law.

This Appeal was heard before the Honorable James E. Brogdon, Jr., Judge of the Twelfth Judicial Circuit, and on October 20, 2004, Judge Brogdon issued his Order, consisting of 17, which affirmed the April 2, 2004 Decision and Order of the Appellate Panel of the South Carolina Workers' Compensation Commission. The undersigned prepared this Order pursuant to the instruction from Judge Brogdon. After the October 20, 2004 Order, The Employer paid to Mr. Hernandez the benefits to which he was entitled.

The significance of this case was that the rulings followed the Law of South Carolina that an employee, even if he was an illegal alien, could recover for his injuries sustained in a work related accident. If the Appellate Panel or the Circuit Court had ruled against Mr. Hernandez, such ruling could have been a precedent for other cases involving illegal aliens who were employed and then injured on the job.

(c) Leon C. Pennington, Jr. and Beverly J. Pennington vs. City of Hartsville
2003-CP-16-679

I represented the homeowners, Mr. Leon C. Pennington, Jr. and Beverly J. Pennington, in an action for damages sustained as the result of a sewage back-up into their residence located within the City of Hartsville. The residence sustained substantial damage as the sewage back-up occurred during a time period when the homeowners were out of town. The bottom floor of their residence was totally inundated with sewage and it contaminated not only the floors, rugs, walls, appliances, and furnishings, but also the clothing of the Penningtons and their children (including everything upstairs).

The Penningtons had to move out of their house for the repairs to be made. Many of the appliances, rugs, furnishings, and clothing had to be disposed of. Some of the furnishings and clothing were able to be cleaned by a special and expensive disinfectant cleaning process.

Even after the repairs had been made to the house, Beverly J. Pennington still suffered from an allergic reaction to what toxins may have remained in the house.

Also, since it was common knowledge in the community as to what had transpired, the house was looked upon as being "tainted", which affected the valuation of the house. The Penningtons had planned to try to sell the house prior to the sewage back-up, but due to the "stigma" on it after the back-up, they were unable to sell it.

During the lawsuit, Discovery was conducted and it was discovered that the City was aware of some prior minor sewage back-ups to the Penningtons' house, but these had been only minor back-ups in the tub, and when noticed by the Penningtons, they called the City, and the City sent some workers out to fix the sewage line. The City was under notice that it needed to periodically check the sewage line to prevent such sewage back-ups, but the City had failed to check on that sewage line for an extended period of time.

The City strongly contested its liability. However, shortly before trial, the parties agreed to submit this case to Mediation. During the daylong Mediation, the City finally agreed to pay to the Penningtons the sum of \$219,000.00

The significance of this case was that it was a very difficult case in which to prevail, but due to the outcome of the Discovery, we were able to place the liability squarely on the City of Hartsville due to its failure to take steps in which to lessen the possibility of such an extreme sewer back-up after it had notice of prior problems.

(d) First National Bank vs. John Kokontis and Shirley Kokontis 1977-CP-16-205

In this case, I represented the Bank in a collection matter against Mr. Kokontis and Mrs. Kokontis. This case was tried by a Jury, and the Jury brought back a Verdict for the Bank.

The facts of the case were that Mr. and Mrs. Kokontis had obtained a loan (secured by an automobile and restaurant equipment) from the Bank on September 3, 1976. Sometime during the term of the loan, a Bank employee mistakenly marked some loan documents as "paid" and mailed out the said documents. These mistakenly marked "paid" documents included the loan documents of Mr. and Mrs. Kokontis along with the loan documents of several other customers.

The other customers called the Bank and inquired about their having received their loan documents marked "paid" when they had not paid off their loans. Based upon those calls by the other customers, the Bank became aware of the mistake of marking of the loan documents as "paid". Upon contacting Mr. and Mrs. Kokontis, they took the position that since their loan documents were marked "paid", they did not owe any money to the Bank.

At trial, the Bank presented testimony from its employee who had mistakenly marked the loan documents as "paid", together with testimony as to the payment history of Mr. and Mrs. Kokontis (which did not reflect the receipt of any payments from them around the time that the loan documents were marked "paid"). Also, another customer of the Bank testified that he had not paid off his loans and the Bank must have made a mistake when they were marked "paid".

Mr. and Mrs. Kokontis continued to take the position that the loan was paid off and they stated that it had been paid off with cash given to a Bank employee. However, they could not identify that employee or prove where they had obtained the cash to have made the payment.

The Jury returned a Verdict for the Bank as they did not believe the testimony of Mr. and Mrs. Kokontis.

The significance of this case was that when one (the Bank) unilaterally makes a mistake, another person cannot profit from that mistake made by the other person. It further showed that a Jury will weigh all of the pertinent facts and render a Verdict that the Jury believes is appropriate and correct.

- (e) Major A. Kelly vs. Nationwide Mutual Insurance Company, Edward Jack Smith and Edward L. Jennings 278 S.C.488, 298 SE2d 454 (1982)

In this case, I solely represented Mr. Kelly in the Jury Trial in Circuit Court in regards to his claim for damages sustained to his automobile under a policy insured by Nationwide Mutual Insurance Company. Mr. Edward Jack Smith was the local agent and Mr. Edward L. Jennings was a Vice-President of Nationwide Mutual Insurance Company.

The facts of this case were that Mr. Kelly had purchased an insurance policy on his vehicle from Nationwide through a local agent. The insured automobile was destroyed by fire, and when Mr. Kelly made a claim for his damages, Nationwide, through his local agent, advised Mr. Kelly that his insurance policy had been cancelled for non-payment of premium prior to the fire which destroyed his automobile. Mr. Kelly had his vehicle financed with a local bank and he still owed money to the bank on his loan. The bank had also been listed as a "loss payee" on the Nationwide insurance policy.

After Mr. Kelly made his claim, it was denied as Nationwide, his local agent, and Mr. Jennings all made assertions that the policy had been cancelled for non-payment of premium prior to the fire and that Mr. Kelly and his local bank had been given Notice of Cancellation of the policy.

Mr. Kelly and Mr. Kelly's bank did not recall having received any Notice of Cancellation from Nationwide.

Based upon the refusal to pay by Nationwide, I brought a lawsuit on behalf of Mr. Kelly in which the lawsuit alleged a cause of action for

breach of contract (for actual damages) and a cause of action for breach of contract accompanied by a "fraudulent act" (for punitive damages). We took the Deposition of several people, including the postal employee who certified that Nationwide had mailed hundreds of document on a particular day as shown on a list prepared by Nationwide (which allegedly included the Notice of Cancellation of Mr. Kelly's policy). However, upon cross-examination, this postal employee testified that he never checked to see if all of the documents contained on the list had been mailed as he merely "took Nationwide's word" that all documents contained on the list were in the container of documents which were mailed.

During a trip to Raleigh, North Carolina, when I was looking through Mr. Kelly's records at Nationwide's main office, I came across a "Memo" written by Mr. Jennings that "cautioned" people to be especially careful in handling the claim of Mr. Kelly.

During Trial, upon cross-examination of Mr. Jennings, the undersigned asked Mr. Jennings, about when he first knew of Mr. Kelly's claim, and he stated that it was not until the lawsuit had been served. The undersigned then presented Mr. Jennings with a copy of his "Memo" about cautioning people to handle the claim of Mr. Kelly especially carefully. Mr. Jennings could not explain the discrepancies between his answer and the "Memo" that he wrote prior to the lawsuit being served. The Judge submitted both causes of action to be decided by the Jury.

The Jury returned a Verdict for Mr. Kelly for several thousand dollars in actual damages on the breach of contract cause of action and for \$125,000.00 in punitive damages on the breach of contract accompanied by a fraudulent act cause of action.

The Defendants made a Motion for Judgment N.O.V. on the cause of action for breach of contract accompanied by a fraudulent act (i.e., punitive damages).

The Trial Judge granted the Defendants' Motion for Judgment N.O.V. as to the punitive damages cause of action.

Mr. Kelly appealed the disallowance of the \$125,000.00 punitive damages awarded by the Jury. The undersigned requested Mr. J. Rutledge Young, Jr. to assist him in the Appeal. Both attorneys fully participated in the Appeal.

The Supreme Court "Affirmed" the ruling of the Trial Judge in granting the Motion for Judgment N.O.V. as to the punitive damages award. The Supreme Court stated that there was not any evidence where fraudulent intent could be reasonably inferred and that Mr. Kelly did not rely on the alleged misrepresentation concerning coverage.

The problem which Mr. Kelly encountered in the breach of contract accompanied by a fraudulent act cause of action was to be able to prove "reliance" on the misrepresentation made by Nationwide. It was

clear that Mr. Jennings had made an attempt to handle this claim especially carefully (i.e., the Memo), but there was no way that Mr. Kelly could prove that he relied on it to his detriment.

At this time, our Supreme Court had not yet recognized the tort of "Bad Faith", which does not require the proof of all of the elements as required in a case for breach of contract accompanied by a fraudulent act cause of action.

The undersigned believes that this case may have had some bearing on the Supreme Court later recognizing the tort of "Bad Faith".

20. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.
- (a) Major A. Kelly vs. Nationwide Mutual Insurance Company, Edward Jack Smith, and Edward L. Jennings, 278 S.C. 488, 298 SD 2d 454 (1982). This was heard by the South Carolina Supreme Court and the Opinion was filed on December 21, 1982.
 - (b) Mutual Savings and Loan Association vs. James Glee McKenzie and Eunice S. McKenzie, 274 S.C. 630, 266SE 2d 423 (1980). This was heard by the South Carolina Supreme Court and the opinion was filed on May 13, 1980.
 - (c) W.F. Beasley vs. Etta Mae Beasley
This was an Appeal by Mr. Beasley, whom the undersigned represented in a Darlington County Family Court Case Number 1978-DR-16-540. Briefs were filed by the undersigned, but the parties resolved this Appeal prior to it being heard by the South Carolina Supreme Court and the Appeal was dismissed by Order of the South Carolina Supreme Court on April 24, 1979.
 - (d) Eden Hernandez vs. Labor Services
Reference the discussion of this case under Question Number 19—response of the undersigned under (b), which involved (1) an Appeal from the Order of the Hearing Commissioner to the Appellate Panel of the South Carolina Workers' Compensation Commission and (2) an Appeal from the Decision and Order of the Appellate Panel of the South Carolina Workers' Compensation Commission to the Circuit Court of the Twelfth Judicial Circuit.
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. None
22. Have you ever held judicial office?
No, but I have served as a Special Referee in a few cases.
24. 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?

- (a) Darlington County Board of Education (Elected by the voters of Darlington County)
Dates: 1979 to 1994
Served as Chairman: 1989 to 1991
Served as Vice-Chairman : 1981 to 1989
- (b) South Carolina State Board of Education (Appointed by the Legislative Delegation)
Dates: 1995 to 1998
Served as Chairman : 1997 to 1998
Served as Vice-Chairman : 1997

I timely filed all reports with the State Ethics Commission.

- 25. 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
- 26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? Yes
In the Spring of 2009, I was a candidate for the Fourth Judicial Circuit Family Court, Seat 3. I was deemed qualified, but i was not one of the three candidates "screened out."
- 27. 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?
 - (a) O & S Enterprises, Inc.
I was one of two shareholders in this Corporation from 11/15/1983 to 4/30/1998. We operated a restaurant known as "Carter's Fried Chicken" and which later became known as "Showmars" at 225 W. Lucas St., Florence, S.C. When we closed the restaurant, we operated an ABC Store at the same location. During 1998, we sold the land and building and the Corporation filed its Articles of Dissolution on 4/30/1998 with the Office of the Secretary of State.
 - (b) Commercial Wall Systems, Inc.
I have been one of two shareholders in this Corporation from 4/3/1998 until the present time. I was not and am not actively involved in the operation of this business, and I was not an officer or director, but I am only a shareholder. The other shareholder was the sole manager and operator of this business, which was a 'stucco construction business". Since 2006, the business has had no activity, but the Corporation has continued to file "No Activity Tax Returns," but it has not been dissolved.
 - (c) BAHA Corporation of Hartsville, Inc
I was one of two shareholders of this Corporation with my wife (Betsy Catherine Hayes Stanton) being the other shareholder. This business was engaged in the selling of Air Purification Units from 4/1/1997.

There has not been any activity in the Corporation since the end of the Tax Year 2004, but it had continued to file "No Activity Tax Returns" for all later years. This Corporation has been dissolved effective 12/31/2008, and Articles of Dissolution have been filed with the Office of the Secretary of State.

(d) ARK Enterprises, Inc.

I was one of the shareholders of this Corporation and it was formed on 4/19/1993 for the purpose of the ownership and rental of real estate. When Mr. J. Richard Jones (my last law partner in Stanton & Jones Attorneys) decided to become employed with the Public Defender's Office and withdrew from Stanton & Jones Attorneys, we decided to dissolve this Corporation on 12/31/2008 and the Articles of Dissolution were filed on 2/18/2009 with the Office of the Secretary of State.

28. Are you now an officer or director or involved in the management of any business enterprise?

Commercial Wall Systems, Inc.

Reference the comments above in response to Question 27. I have only been a shareholder and I have not served as an officer or director as the other shareholder served as the only officer and solely operated the business when it was active. It has continued to be "inactive" since Tax Year 2006, but it has not been dissolved.

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

30. 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. Explain how you would resolve any potential conflict of interest. None

31. 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?

Yes. On April 14, 1990, I was in the North Myrtle Beach, South Carolina, area. I had gone to the beach in order to attempt to clean up my condominium in the Windy Hill Beach section of North Myrtle Beach. I had taken my sons' two Dixie Youth Baseball Coaches with me to help me do the cleaning. The condominium was damaged during Hurricane Hugo in the Fall of 1989, but electricity had only been recently restored to my condominium.

On April 14, 1990, I was arrested for DUI. I did not believe that I was under the influence of alcohol. I hired Attorney Paul Joseph of Myrtle Beach to represent me in the DUI case. On December 7, 1990, a Jury Trial was held and I was found guilty of DUI. Attorney Joseph timely filed his Notice of Intent to Appeal the December 7, 1990 Guilty Verdict.

On September 6, 1991, the Honorable David H. Maring, Circuit Court Judge, issued a written Order in which it stated "the verdict of the trial court is

vacated and a new trial granted." (A "true copy" of the September 6, 1991 Order is attached to the "hard copy" of my application.) On September 9, 1991, the case was then returned to North Myrtle Beach Municipal Court by Billie G. Richardson, Clerk of Court for Horry County. The case was later dismissed by the North Myrtle Beach Municipal Court, but I cannot locate a copy of the Order of Dismissal.

This DUI charge does not reflect on my South Carolina Department of Motor Vehicle Driving Record. The Darlington Office of the SC DMV advised me that I could only receive a three-year record or a ten-year record, but the lady at the Highway Department "did pull up" my "complete driving record", and she told me that there was not a DUI listed on it from my 1990 arrest for DUI, but she told me that she could not print that far back. However, I had noticed that at one time the SLED Records still show my April, 14, 1990 Arrest for the DUI Charge, but it does not reflect a Disposition.

32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? No Have you ever defaulted on a student loan? No Have you ever filed for bankruptcy? No
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? Yes

(a) William Kale Byerly Lawsuit

On 1/6/2000, William Kale Byerly filed a Summons and Complaint against me regarding my service as a Trustee of an Irrevocable Trust created by his father, William L. Byerly III. On 1/12/2000, I was served with the Summons and Complaint.

William Kale Byerly is the son of William L. Byerly, III. On June 11, 1987, William L. Byerly, III executed an Irrevocable Trust Agreement in which he designated a friend of his as the Trustee and whose name was Raymond F. Nicolai. This Trust Agreement had been prepared by the undersigned.

On December 12, 1988, Mr. Nicolai resigned as Trustee, and another friend of Mr. Byerly, Jane J. Fink, became the First Successor Trustee, and, on December 14, 1988, the original Trustee executed a Deed to the Trust's real estate to the First Successor Trustee.

On July 3, 1990, Jane J. Fink resigned as First Successor Trustee.

On August 21, 1991, the undersigned agreed to serve as the Second Successor Trustee at the request of William L. Byerly, III since he could not get anyone to serve as Trustee for him.

On August 21, 1991, the First Successor Trustee executed a Deed to the Trust's real estate to the Second Successor Trustee.

The Trust's assets were comprised of some real estate, but when the undersigned assumed the position of Second Successor Trustee, there were no cash deposits in the Trust.

Mr. William L. Byerly, III was in very bad health, and except for some income from Social Security, Mr. Byerly did not have any other apparent source of income known to the undersigned.

Mr. Byerly requested various periodic distributions from the Trust while the undersigned served as Second Successor Trustee.

On August 23, 1991, the undersigned, as Second Successor Trustee, received the sum of \$3,954.32 as the proceeds from a sale of a lot.

From August 21, 1991 through December 31, 1992, the undersigned made partial distributions from the Trust (which ranged from \$26.73 to \$125.00 each) to William L. Byerly, III. The cash balance in the Trust as of December 31, 1992 was \$0, as was reflected on the First Interim Accounting by the undersigned.

On September 8, 1993, the undersigned, as Second Successor Trustee, received the sum of \$18,459.87 as the proceeds from the sale of some property to SCN Bank.

From January 1, 1993 through December 31, 1993, the undersigned made partial distributions from the Trust (which ranged from \$50.00 to \$13,000.00) to William L. Byerly, III. The \$13,000.00 distribution was made to enable Mr. Byerly to purchase a mobile home in which to live. The cash balance in the Trust as of December 31, 1993 was \$6.74, as was reflected on the Second Interim Accounting by the undersigned.

On February 7, 1994, the undersigned, as Second Successor Trustee, received the sum of \$4,495.93 as the proceeds from a sale of a lot.

From January 1, 1994 to December 31, 1994, the undersigned made partial distributions from the Trust (which ranged from \$50.00 to \$3,500.00) to William L. Byerly, III. The cash balance in the Trust as of December 31, 1994 was -\$13.45 due to a service charge made by the Bank on December 16, 1994, as was reflected on the Third Interim Accounting by the undersigned.

From January 1, 1995 to December 31, 1995, there was no activity in the Trust, as was reflected on the Fourth Interim Accounting by the undersigned.

From January 1, 1996 to December 31, 1996, there was no activity in the Trust, as was reflected on the Fifth Interim Accounting by the undersigned.

On June 25, 1997, Mr. William L. Byerly, III died and his estate records are filed in Probate Court File Number 97-ES-16-293.

There was no activity in the Trust during the years 1997, 1998, and 1999, but there was some real estate remaining in the Trust.

In late 1999, the undersigned received a letter from Attorney J. Lewis Cromer, who was representing Mr. Kale Byerly, the son of William L. Byerly, III, and the ultimate beneficiary of the Trust. Mr. Cromer stated that the Trust only provided for the distribution of the income from the Trust to Mr. William L. Byerly, III, but that the undersigned had made

distributions from the corpus of the Trust to Mr. William L. Byerly, III during his lifetime.

The undersigned notified the undersigned's Legal Malpractice Carrier, ALPS (Attorneys Liability Protection Society) of this Claim. On December 15, 1999, a representative of ALPS "faxed" a letter to Mr. Cromer in which ALPS requested information about the Claim. Mr. Cromer only responded by sending a "fax" of a draft Complaint to ALPS on December 16, 1999. The ALPS representative wrote another letter to Mr. Cromer on January 5, 2000 in which she again requested information about the Claim.

The next activity in this matter was the filing of the Lawsuit against the undersigned and his Law Firm, Stanton and Jones, on January 6, 2000 and the service of the Summons and Complaint upon the undersigned on January 12, 2000.

The undersigned immediately forwarded the Summons and Complaint to ALPS and ALPS retained Mr. Finley B. Clarke of Florence, South Carolina to represent the undersigned.

Attorney Clarke filed an Answer to the Complaint.

Various settlement negotiations took place between Attorney Cromer and Attorney Clarke, which resulted in a Settlement in the sum of \$32,000 (which was paid by ALPS to Mr. Cromer and his client).

After the Settlement was reached, the undersigned resigned as the Second Successor Trustee.

On June 28, 2000, a Third Successor Trustee was designated by Mr. Kale Byerly, and he appointed his mother, Katherine K. Crawley.

On June 30, 2000, the undersigned executed a Deed from himself as Second Successor Trustee to Katherine K. Crawley, the Third Successor Trustee.

On July 24, 2000, a Stipulation of Dismissal with Prejudice was filed.

The undersigned, even though the undersigned actually prepared the Trust Agreement, did not remember that the Trust Agreement only provided for the payment of income to Mr. William L. Byerly, III during his lifetime and that it did not provide for any payments from the corpus of the Trust to Mr. Byerly, (as most usual Trust Agreements provide). Therefore, the undersigned admitted that distributions to William L. Byerly, III were made from the corpus of the Trust (which was not allowed by the Trust Agreement).

The undersigned did not receive any Trustee Fees from the Trust, but the undersigned was paid some Attorneys Fees from the Trust.

The undersigned only agreed to serve as the Second Successor Trustee as a favor for an old friend, Mr. William L. Byerly, III.

36. Have you ever been investigated by the Department of Social Services? No
Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No

37. 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)? No.
38. 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? No
39. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
40. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. Include the disposition, if any, of such charges or allegations. None
41. 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. None
42. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None
43. 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? 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? No
44. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? No. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No
45. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No
46. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No
47. 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) Darlington County Bar Association

Member – 1974 to Present
President – 1992
Secretary/Treasurer – 1975-1976;

(b) South Carolina Bar Association

Member – 1974 to Present
Member of Citizen's Implementation Committee – 1980-1981
Sixth District Congressional Representative to the South Carolina Young
Lawyers' Division – 1982-1983
Appointee to the Panel of the South Carolina Board of Grievances
(cannot recall dates);

(c) South Carolina Trial Lawyers Association

(now known as South Carolina Association for Justice)
I have previously been a member, but I have never held any office;

(d) American Trial Lawyers Association (ATLA)

(now known as American Association for Justice)
I have previously been a member, but I have never held any office;

(e) American Bar Association

I have previously been a member, but I have never held any office.

48. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.

Prestwood Country Club, Hartsville, S.C.

Member – 1977 to 2010
President – 1980 to 1981
Vice-President – 1979-1980
Director – 1977-1979

49. 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.

(a) St. Luke United Methodist Church, Hartsville, S.C.

Member – 1975 to Present
Youth Leader – 1975 to 1977
Board of Trustees – 1979 to 1983;

(b) Hartsville Chamber of Commerce, Hartsville, S.C.

Member – 1975 to Present
President – 1978 to 1979
Vice-President – 1977-1978
Director – 1977 to 1979
Coordinator, Great Town Program (1977-1978);

(c) Hartsville Development Corporation, Hartsville, S.C. (This was an "arm" of the Chamber of Commerce to assist in attracting industry and business to Hartsville.)

Secretary – 1977 to 1988

- Director – 1977 to 1988;
- (d) Byerly Hospital, Hartsville, S.C.
Director – 1980 to 1984;
- (e) Hartville Rotary Club, Hartsville, S.C.
Member – 1976 to 1989
Director – 1978 to 1979;
- (f) Hartsville Sertoma Club, Hartsville, S.C.
Member – 1976 to 1977
Vice-President – 1976 to 1977
Director – 1976 to 1977;
- (g) Darlington County Human Services Association
Director – 1977 to 1979;
- (h) Darlington County Chapter of the American Cancer Society
Director – 1977 to 1979;
- (i) Hartsville United Way
Professional Division Chairman – 1976;
- (j) Hartsville National Dixie Youth Baseball
Vice-President – 1987 to 1994;
- (k) South Carolina School Board Association
Director – 1990 to 1994
Board Member Training Cadre – 1980 to 1984
Board Member Mentor Program – 1990 to 1994
Legislative Network – 1989 to 1992
Presenter of Seminar in 1990 on topic “How to be an Effective School Board Chairman”
Co-Author on the topic of a “Curriculum Audit” which was published in the October 1990 SCSBA Journal;
- (l) National School Board Association (NSBA)
Member of the Federal Relations Network – 1989 to 1990
Moderator at the 1990 NSBA National Convention on the topic of “How to Teach Kids to Withstand Peer Pressure”;
- (m) American Association of School Administrators (AASA)
Presenter of Seminar at the 1990 AASA National Convention on topic “Utilizing the Curriculum Audit as a School Reform Tool.”

50. References:

- (a) Mr. Harris E. DeLoach, Jr.
(Chairman, President, and Chief Executive Officer of Sonoco Products Company)
400 North Second Street
Hartsville, S.C. 29550
843-383-7080/office and 843-332-2527/home
- (b) Mr. John S. Nichols
(Banker with First Citizens Bank)
208 West Home Avenue

Hartsville, S.C. 29550
843-332-1121/office and 843-332-1885/home

- (c) Mr. James C. Cox, Jr.
(Attorney with Saleeby & Cox Law Firm)
311 West Home Avenue
Hartsville, S.C. 29550
842-332-1531/office and 843-332-1278/home
- (d) Mr. Leon C. Pennington, Jr.
(Businessman)
121 North 5th Street
Hartsville, S.C. 29550
843-332-7211/office and 843-307-4038/home
- (e) Mr. Thomas E. Goodson (Accountant)
720 South 4th Street
Hartsville, S.C. 29550
842-332-1327/office and 843-332-1765/home

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: J. Alex Stanton, IV

Date: March 2, 2011