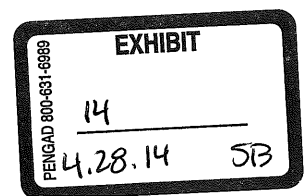


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Court of Appeals, Seat 7

1. NAME: The Honorable Carmen Tevis Mullen
BUSINESS ADDRESS: Beaufort County Courthouse
100 Ribaut Road
Beaufort, SC 29901
TELEPHONE NUMBER: (office): (843) 255-5070
2. Date of Birth: 1968
Place of Birth: West Covina, California
3. Are you a citizen of SC? Yes.
Have you been a resident of this state for at least the immediate past five years? Yes.
5. Family Status: Married to George Edward Mullen on July 26, 2004. Never divorced. Four children.
6. Have you served in the military?
No.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Indiana University – 1986-90, BA in English and Speech Communications;
 - (b) Clemson University – Coursework Fall 1991 – Summer 1992, Wrote Master’s Thesis in Summer/Fall 1997, Received M.A. in English in December 1997;
 - (c) USC, School of Law – 1992-94, JD.
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.
 - (a) SC – May 9, 1995 – Continued member in good standing;
 - (b) Illinois – June 13, 1996 – Continued member in good standing.
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) Delta Delta Delta Sorority, 1987-90;
 - (b) Graduate Teaching Assistant at Clemson University;
 - (c) Taught two sections of Freshman Composition “Elements of Argument” Spring Semester 1992;
 - (d) Assistant to the Director of Southern Literature Writer’s Conference at Clemson University, Summer 1992;
 - (e) Research Assistant to Professor William J. Quirk, University of SC School of Law, Summer 1994;
 - (f) Law Clerk while in law school at Bolt, Popowski, McCulloch & Strom, 1993-1995, Columbia, SC.



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>Date</u>	<u>Conference/CLE Name</u>
1/25/13	SC Bar Association – Trial & Appellate Advocacy Section;
1/25/13	SC Bar Association – Part 2: Criminal Law Section;
4/25/13	SC Bar Association – Spring Sporting Clays;
5/1/13	SCCJC – Spring Conference;
8/21/13	SCCA - 2013 Annual Judicial Conference;
9/24/13	Hilton Head – How to Win In Circuit Court;
9/23/13	Myrtle Beach - Public Defenders' Conference;
1/20/12	SC Bar Association – Part 2 Criminal Law Section;
1/20/12	SC Bar Association – Trial & Appellate Advocacy Section;
4/12/12	SC Bar Association – Spring Sporting Clays;
5/2/12	SCCJC – Annual Circuit Court Judges Conference;
8/22/12	SCCA – 2012 Annual Judicial Conference;
10/18/12	SC Bar Association – Spring Sporting Clays;
1/20/11	SC Bar Association – Criminal Law Section;
1/21/11	SC Bar Association – Trial & Appellate Advocacy Section;
4/14/11	SC Bar Association – Sporting Clays CLE Ethics w/Judges;
5/4/11	SCCJC – SC Circuit Court Judges' Conference;
8/17/11	SCCA – 2011 Annual Judicial Conference;
10/13/11	SC Bar Association – Sporting Clays CLE Ethics w/ Judges;
10/21/11	SCWLA – Women Lawyers and Leadership;
7/12/10	National Judicial Conference;
8/5/10	SCAJ – SCAJ 2010 Annual Convention;
8/18/10	SCCA - 2010 Judicial Conference;
11/5/10	USC Law School – Judging Judges;
11/12/10	SC Bar Association – 2010 SC Tort Law Update;
5/6/09	SCCJC – Judge's Conference;
8/19/09	SCCA – 2009 Annual Judicial Conference;
11/5/09	SCDTA – 42 nd Annual Meeting.

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

- (a) Speaker, Solicitor's Association Fall Conference, September 2008;
- (b) Presenter, "On Judging Judges," USC School of Law Class of 1995 Reunion, November 5, 2010;
- (c) Speaker, SC Tort Law Update, November 12, 2010;
- (d) Speaker, Practice Basics for the New Lawyer, Charleston School of Law Women in Law, April 13, 2011;
- (e) Panel Member, "Sporting Clays: Ethics with the Judges," April 14, 2011;
- (f) Panel Member, "Sporting Clays: Ethics with the Judges," October 13, 2011;
- (g) Speaker, Senior Leadership of Beaufort, Spring 2012;
- (h) Panel Member, "Sporting Clays: Ethics with the Judges," April 12, 2012;
- (i) Panel Member, "Sporting Clays: Ethics with the Judges," October 18, 2012;
- (j) Panel Member, "Sporting Clays: Ethics with the Judges," April 25, 2013;
- (k) Panel Member, Public Defender's Conference, September 23, 2013;

- (l) Speaker, How to Win in Circuit Court, Hilton Head Bar Association CLE, September 27, 2013;
 - (m) Speaker, Summary Jury Trials, Hilton Head Bar Association CLE, November 22, 2013;
 - (n) Panel Member, Construction Law, SC Bar Convention, January 24, 2014;
 - (o) Panel Member, Tips from the Trial Bench for Criminal Practitioners, 23rd Annual;
 - (p) Criminal Practice in SC Seminar, February 28, 2014.
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 Supreme Court, May 9, 1995;
 - (b) State of Illinois, June 13, 1996;
 - (c) U.S. District Court for the District of SC, November 6, 1998;
 - (d) U.S. District Court for the Southern District of Mississippi, August 6, 1999.
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.
- (a) Law Clerk to Honorable L. Casey Manning, Circuit Court Judge for the Fifth Judicial Circuit, April 1995 – August 1996. Assisted Judge in all research, writing orders, scheduling, etc;
 - (b) Charleston County Public Defender's Office, Assistant Public Defender, August 1996 – December 1997. Handled caseload of 250+ criminal defendants for misdemeanor and felony crimes including Murder, CSC 1st, Burglary 1st, and ABHAN;
 - (c) SC House of Representatives, Labor, Commerce & Industry Committee, Staff Attorney, December 1997 – October 1998. Duties include researching legal affect of pending bills before legislature and instructing Members on law and drafting some legislation when requested by Members;
 - (d) Uricchio, Howe, Krell, Jackson, Toporek & Theos, Associates, October 1998 – April 2000. Criminal and civil litigation practice in state and federal courts. Case types: Plaintiffs tort actions, contract disputes, criminal defense;
 - (e) Berry, Tevis & Jordan, Partner, April 2000 – May 2001. Tort litigation including automobile accidents and some criminal defense;
 - (f) Carmen M. Tevis, LLC, Solo Practitioner, May 2001 – June 2006. Tort litigation, construction litigation, contract litigation, fraud litigation, and criminal defense in state and federal courts;
 - (g) Resident Circuit Court Judge, 14th Judicial Circuit – June 2006 - Present.
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.
Martindale Hubbell - BV
16. What was the frequency of your court appearances during the past five years?

- (a) federal: approximately 50 times;
 (b) state: approximately 200+ times.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
 (a) civil: 80%;
 (b) criminal: 20%;
 (c) domestic: 0;
 (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: 10%;
 (b) non-jury: 90%.

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

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) Manuel and Gloria Peralta v. Shamsy Mandini and S. Ahmed Mandini, 2000-CP-07-1175, and Saunders, Inc. d/b/a Re Max Island Realty v. Shamsy Mandini and S. Ahmed Mandini, 2000-CP-07-907. These two cases derive out of a breach of contract regarding the sale of a million dollar home in Windmill Harbour, Hilton Head Island. One action was brought by the realtor and the other by a buyer in an effort to force Defendant to sell her home during a time Defendant was particularly vulnerable going through a divorce. I tried both of these cases and received defense verdicts for my clients;
- (b) Cambridge Building Corp. v. Dr. Joseph A. Borelli, 2002-CP-07-676. A breach of contract action I brought on behalf of a builder who was not paid by a homeowner. Significant in that the counterclaim by Defendant far exceeded the original claim. Case was tried to a jury and the builder received his money in full and no money was owed on the counterclaim;
- (c) "Hamlet Litigation"
Thomas W. Knode, et al v. Southeastern Construction Co. of Summerville, Inc., Systems of SC, Inc., Dryvit, Inc., Rogers Roofing Company, Inc., Willis & Jennings, Edward D. Scott, Kinco Ltd., Southeastern Design and Development, Inc., and John G. Dumas. 2004-CP-08-422; 2004-CP-08-424; 2004-CP-08-657; 2004-CP-08-427; 2004-CP-08-356; 2004-CP-08-645; 2004-CP-08-647. I represented a group of homeowners consisting of seven families against multiple defendants for faulty workmanship and construction defects in the building of their homes. All homeowners are older and had purchased homes to retire in and could not afford the cost to repair absent settlement paid;
- (d) Robert and Janice Varner, et al v. SC Federal Credit Union, Docket No. 2:04-0164-18; Docket No. 2:04-22323-18; Docket No. 2:04-22324-18; Docket No. 2:05-0716-18. Four federal court cases against the SC Federal Credit Union wherein a Credit Union employee performed transactions and drafted bank checks and embezzled funds in an attempt to defraud an elderly couple and others out of their life savings.

Causes of action: fraud, breach of express and implied contract/breach of contract, negligent misrepresentation, breach of fiduciary duty, negligence/gross negligence/willful misconduct, constructive fraud, violation of SC Unfair Trade Practices Act, theft, embezzlement or misappropriation by bank officer or employee, conversion, civil conspiracy, violation of #12 U.S.C.A. § 17-51, et. seq., Federal Credit Union Act, and accompanying regulations and libel and slander. Complexity of issues and extreme difficulty in ascertaining loss, even by forensic experts, make these cases significant;

- (e) U.S. v. Dominique Green, 9:01-00691. Defended in federal court by appointment a multi-court indictment, including conspiracy and trafficking crack cocaine and other narcotics with multiple levels of defendants wherein my client is charged at being on the top of the drug chain.
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. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).
L-J, Inc. v. Bituminous Fire & Marine Insurance Company, 350 S.C. 549, 567 S.E. 2d 489 (Ct. App. 2002). L-J, Inc. v. Bituminous is an insurance coverage case. Wrote Amicus Brief for the rehearing before the SC Supreme Court on behalf of SC Trial Lawyers Association, September 26, 2005.
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?
(a) July 17, 2006 to present – SC Circuit Court. Elected;
(b) General civil and criminal jurisdiction.
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
(a) State of SC v. Ernest Daise – Death Penalty Case tried in October, 2013. Double homicide of mother and child and also shooting of Defendant’s own 15 month old child. Significant for the heightened due process requirements of a death penalty case, significant pretrial publicity, multiple complex evidence issues, contested guilt stage, and lengthy explanation of juror bias issues;
(b) Ex Parte James A. Brown, Jr., Attorney/Appellant, In Re State of SC, Respondent, v. Alfonzo Howard, Defendant. 393 S.C. 214 (2011) Affirmed. Significant due to the gruesome nature of the underlying criminal case (kidnapping, rape, armed robbery) combined with a defense lawyer using the trial to make a public statement about compensation for appointed attorneys. Required maintaining the decorum of the court while protecting the victims’ rights to conclude the trial (avoid a mistrial) and simultaneously protect Defendant’s rights to a fair trial and competent defense, while maintaining the ability to sanction the defense lawyer for his courtroom antics;
(c) Maureen T. Coffey v. Community Services Assoc., Inc., George F. Bread, Jr., Sea Pines Resort, LLC, Assoc. of Sea Pines Plantation Property Owners Inc., and the Advisory Board. Involved slander and libel of a sitting judge, a public official. Substantial jury award given;

- (d) Harbour Ridge Homeowners Association, Inv. V. North Harbour Development Corporation, Inc, et al. Horry County.

Non-jury trial involving condominium project. Homeowner's Association suing Developer and General Contractor for negligent construction of 8 condominium buildings. Awarded \$1,908,354. Issues involved: statute of limitations and individual contractor liability. Significant as to the competing measure of damages and that all parties agreed to allow me to try it non-jury;

- (e) Willie Homer Stephens, Guardian ad Litem for Lillian Colvin, a minor, Appellant v. CSX Transportation, Inc., and SC Department of Transportation, Respondents, Hampton County. 400 S.C. 503 Affirmed by the Court of Appeals. Car versus train wreck wherein a car collided with a train and a 12 year old passenger suffered traumatic brain injury. Significant in length of trial (3 weeks), extensive pre-trial matters, 60+ witnesses and a defense verdict in Hampton County!!

24. Have you ever held public office other than judicial office?
No.
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.
None.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
No.
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?
One year following graduation from college and prior to graduate school, I worked as a tour guide for American Trans Air and in wireless communication sales for Cable and Wireless Communications.
28. Are you now an officer or director or involved in the management of any business enterprise?
No.
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.
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?
No.
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? Have you ever defaulted on a student loan? 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?

- No.
36. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect?
Not applicable.
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy?
No.
38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.?
My eighteen year old daughter created a Facebook page for me in December 2014. I do not have time to use it nor do I intend to use it.
39. 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.
40. 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.
41. 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."
None.
42. 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."
None.
43. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek.
December 2013 - \$161 for candidate announcement cards, \$93 postage and \$90 for assistance in addressing and stuffing envelopes.
44. 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.
45. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? 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.

46. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
No. None.
47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy?
No.
48. 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. I sent a notice of candidacy to members of the General Assembly as allowed by the Rules.
49. 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) SC Women Lawyers Association, Board Member 2010 – Present;
 - (b) National Association of Women Judges;
 - (c) American Bar Association;
 - (d) Beaufort County Bar Association;
 - (e) Hilton Head Bar Association;
 - (f) SC Bar Association.
50. 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.
- (a) Sea Pines Montessori, Board Member 2010 – Present; Board Chair 2012-13;
 - (b) Hilton Head High School Booster Club;
 - (c) Hilton Head Heroes;
 - (d) Providence Presbyterian Church.
51. 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.
- I firmly believe you cannot be an effective appellate court judge unless you have extensive experience in trying cases as a lawyer in front of a jury. With the exception of my time at the State House, my entire legal career has been in litigation. Further, my 8 years sitting on the Circuit Court bench having handled 5 death penalty cases, 2 statewide grand jury cases, class action construction cases, medical malpractice cases, products liability cases, railroad cases, easement disputes, have given me the education and experience to sit in review of the trial court. I am honored to have the opportunity to serve the people of SC and hope to continue to do so on the Appellate Court level.
52. References:
- (a) Thomas Lyles, President, Tideland Bank
875 Lowcountry Blvd.
Mt. Pleasant, SC 29464
(888) 877-8433
 - (b) Susan Sneider
69 Barony Lane
Hilton Head Island, SC 29928

- (847) 707-3000
- (c) Francis E. Grimball
171 Church Street, Suite 370
Charleston, SC 29401
(843) 364-8629
- (d) Edward Dukes
820 Bay Street
Beaufort, SC 29901
(843) 812-5000
- (a) Paul Aikman
70 Arrow Road
Hilton Head Island, SC 29938
(843) 290-0249

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: Carmen Mullen
Date: February 27, 2014