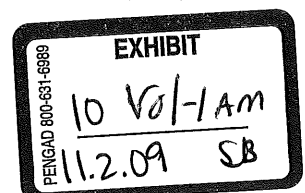


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Court of Appeals Seat 5, Chief Judge

1. NAME: Mr. Thomas E. Huff
E-MAIL ADDRESS: thuffj@sccourts.org
TELEPHONE NUMBER: (office): (803)-734-1541
2. Date of Birth: 1949
Place of Birth: Augusta, GA
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 May 5, 1974, to Patricia Dale Huff. Never divorced. One child.
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) University of South Carolina-Aiken, 1967-69
Assoc. Degree-Science
 - (b) Augusta State University-formally Augusta College, 1969-70
Bachelor of Business Administration-Management
 - (c) University of South Carolina School of Law, 1972-75, 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. South Carolina 1976 (3)
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) USC-Aiken Yearbook Business Manager, 1968-69
 - (b) Augusta College Jaycees-Vice President, 1970-71
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.

Conference/CLE Name	Date(s)
(a) Annual Judicial Conference:	08/04
	08/05
	08/06
	08/07
	08/20/08



- (b) NC/SC Appellate Judge's Conference 08/22/07
 - (c) Mini Summit on Justice for Children 08/23/06
 - (d) Hot Topics in Civil Law 06/18/04
 - (e) 14th Annual Criminal Practice in SC 11/19/04
 - (f) SC Assoc. for Justice Annual Convention 08/07/09
 - (g) SC Bar Convention 01/05; 01/06
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) SC I have lectured at SC Bar CLE Programs covering the topics of appellate practice in the areas of criminal law, civil law and matters of appeals before summary courts and civil court
 - (b) I participated as a Faculty member for a week long program of training for U.S. Attorneys at the National Advocacy Center in Columbia, South Carolina. The course was entitled Appellate Advocacy, course number 01-01AA1.
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) Admitted to practice before the State Courts of South Carolina in 1976;
 - (b) Also admitted to practice before the Federal District Court in 1978
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.
- 1976-96: I started a solo law practice with an emphasis in domestic law, workers compensation and civil/tort/personal injury matters. In 1990 I was selected by Aiken Electric Cooperative to serve as their corporate counsel. I represented them in the Circuit Court and Supreme Court until I was elected to the Court of Appeals.
15. What is your rating in Martindale-Hubbell? BV
- Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.
16. What was the frequency of your court appearances during the last five years?
- (a) federal: Twice
 - (b) state: Twice a month
17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?
- (a) civil: 30%;

- (b) criminal: 15%;
(c) domestic: 55%.
18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?
(a) jury: 85%;
(b) non-jury: 15%.
- 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) City of Aiken v. Aiken Electric Co-operative, Inc., 305 S.C. 466, 409 S.E. 2d 403. This case addressed the constitutional and statutory implications of territorial assignment of service area and subsequent municipal annexations into the co-ops assigned service territory.
- (b) Army Navy Bingo, Garrison No. 2196 v. Plowden, 281 S.C. 226, 314 S.E. 2d 339, S.C. This case challenged the imposition of a constitutional three year residency requirement to obtain or renew an operator's license which would constitute a taking of the parties business and ability to earn a living.
- (c) Barnes v. Barnes, 276 S.C. 519, 280 S.E. 2d 538, S.C. This case addressed the statutory interpretation of 20-3-10(5) 1976 which addresses the requirement of separation without co-habitation before a divorce is permitted. The implications of the decision was not to permit parties to remain under the same roof but in different bedrooms and establish the necessary separation factor
- (d) Berry v. Ianuario, 286 S.C. 522, 335 S. E. 2d 250. This case touched on the issue of waiving adoptive home studies.
- (e) Nguyen v. Uniflex Corp., 312 S.C. 417, 440 S.E. 2d 887. This litigation touched on the issues of national standards for storing toxic materials, municipal codes and national and regional building codes. There was also an issue of storage of toxic materials adjacent to leased premises of the plaintiff.
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).

By way of explanation and response to this question I wish to inform the Commission that I have served on the Court of Appeals for the last thirteen years and my Law office was closed in 1996. I deeply regret that I am unable to provide copies of any briefs due the lengthy lapse of time. I would draw the Commissions attention to the case cited above by way of a response to this question. (see question 19)

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. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).

I do not have access to my files anymore in that my office has been closed since 1996 when I was elected to the Court of Appeals. I did represent a number of criminal defendants during my twenty years of practice. The cases ranged from misdemeanors, assault and battery with intent to kill, kidnapping, domestic violence, possession with intent to distribute, failure to stop for a blue light, burglary, breaking and entering, presenting and pointing, criminal sexual conduct, DUI involving death, possession of crack cocaine, ABHAN and trafficking

22. Have you ever held judicial office?

Yes South Carolina Court of Appeals, elected 1996. This court has statewide jurisdiction over all courts, agencies, commissions and administrative law courts and serves to correct errors of law. We can hear all appeals except those matters exclusively reserved to the Supreme Court.

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) Mozingo & Wallace Architects, LLP v. Patricia Grand, 379 S.C. 478, 666 S.E. 2d 267 (Ct. App. 2008), cert. denied (June 6, 2009)
- (b) Cox v. Bellsouth Telecommunications, 356 S.C. 468, 589 S.E. 2d 766 (Ct. App. 2003) cert. denied (Apr 07,2005)
- (c) Straight v. Goss, Op. No. 4532 (S.C. Ct. App. Filed April 16, 2009) (Shearouse Adv. Sh. No. 17 at 71)
- (d) State v. Paige, 375 S.C. 643, 654 S.E. 2d 300 (Ct. App. 2007) (cert. denied 3/5/09)
- (e) State v. Bennett, 375 S.C. 165, 650 S.E. 2d 490 (Ct. App. 2007) (cited by Sup Ct. in State v. McGrier, Op. No. 26489 (S.C. Sup. Ct. refilled June 23, 2008) (Shearouse Adv. Sh. No. 26 at 24)

24. Have you ever held public office other than judicial office?

Yes I was elected to the South Carolina House of Representatives in 1978. I served from 1978 to 1996. I timely filed all required reports and disclosures.

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. None

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

Yes. I ran for a seat on the Court of Appeals in 1993 but lost in a two candidate race by seven votes.

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?

As set-forth in question 24 I previously served in The South Carolina House from 1978 to 1996.

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? Yes Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No A state tax lien was mistakenly and in error filed and was immediately removed when the agency had the error brought to their attention. They realized it had been filed against the wrong person.
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. 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.
37. 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?

I attended the South Carolina Association for Justice Annual Convention August 2009 and was provided lodging for my three night stay.

38. 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. Include the disposition, if any, of such charges or allegations.

I have no knowledge of any charges or allegations against me or any other candidate.

39. 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.

I have no knowledge of any charges or allegations against me or any other candidate.

40. 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
41. 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
42. 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? No 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
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? No If so, give details. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No
44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No
45. 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
46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar
 - (b) Aiken County Bar
47. 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. None
48. 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.

Over the past five years I have served on the Curtis Baptist School Board. During my service I served two terms as the Board Chairman and two terms as the Vice Chairman. I also served on the Finance committee primarily

to assist in the preparation of budgets and make presentations to the full board concerning budgetary matters. The school had an enrollment from 180 to 300 students in grades 1 thru 12.

49. References:

- (a) Dr. John Baxley
Aiken Family Physicians PC
Suite 200
Aiken, SC 29801
803-502-0502
- (b) Dr. Mark Harris
Charlotte First Baptist Church
9837 Adison Gray Lane
Charlotte, NC 28270
- (c) Mrs. Susan Mullis
Asst. Vice President
Bank of America
441 West Martintown Road
North Augusta, SC 29841
803-279-0034
- (d) Mr. Rick Reed
2127 Long Trail
Hopkins, SC 29061
803-776-3252
- (e) Mr. Mark Alison
4 Woodspring Ct.
North Augusta, SC 29860
803-279-9226

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: Thomas Huff

Date: August 11, 2009