

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

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

Circuit Court, At-Large, Seat 8

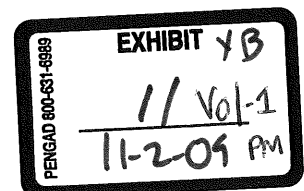
1. NAME: Mr. Allen Fretwell
BUSINESS ADDRESS: Thirteenth Judicial Circuit Solicitor's Office
305 East North Street, Suite 325
Greenville, SC 29601
E-MAIL ADDRESS: Office: afretwell@greenvillecounty.org
TELEPHONE NUMBER: Office: (864) 467-8789
2. Date of Birth: 1974
Place of Birth: Greenville, SC
3. Are 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 September 4, 2004, to April Elaine Fretwell. Never divorced. No children.
6. Have you served in the military? N/A
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) USC School of Law 08/96-05/99 Juris Doctorate
 - (b) USC 09/93-08/94 (Correspondence Course)
 - (c) Bob Jones University 08/91-05/95 Bachelor of Science
8. List the states in which you have been admitted to practice law and the year of each admission.

South Carolina, 1999

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. N/A
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.

College:

 - (a) Who's Who Among Students in American Universities & Colleges
 - (b) Dean's List
 - (c) Judge National Forensic League
 - (d) Counselor, Home Educators Leadership Program
 - (e) Actor, University Classic Players (Dramatic Productions)
 - (f) Member, University Debate Association
 - (g) Software Instructor, Carlson Group, Inc. (Summer 1996)
 - (h) Guardian *ad Litem*, (11/1995 - 07/1996)



- (i) Legislative Intern, Fourth Congressional District (Fall 1995 – Summer 1996)
- (j) Substitute Teacher, Greenville County School District, (Fall 1995)
- (k) Instructor, South Carolina Department of Juvenile Justice (1994-1996)
- (l) Intern, Merrill Lynch, Pierce, Fenner, & Smith (Fall 1994)
- (m) Volunteer, Commission on Alcohol & Other Drug Abuse Prevention (Fall 1994)
- (n) Member, Inter-Societal Council, (1994)
- (o) Vice-President, Excalibur Literary Society, (1994)
- (p) University Fine Arts Contest Finalist, Original Oratory, (1993)
- (q) Member, University Business Association, (1992-1995)
- (r) Computer Lab Assistant, (1992-1994)

Law School:

- (a) Order of the Palmetto, (1998)
- (b) Palmetto Legal Scholar
- (c) Order of the Wig and Robe, (1999)
- (d) Legislative Council Representative, Student Bar Association, (1997-99)
- (e) Student Editorial Board, ABA Real Property, Probate, & Trust Journal (1997–99)
- (f) John Belton O’Neal Inn of Court (1998-99)
- (g) Chair, Student Bar Association Technology Committee
- (h) Research Assistant, Professor Patrick Hubbard (National Historic Preservation)
- (i) Member, Federalist Society
- (j) Member, Student-Faculty Taskforce
- (k) Member, Christian Legal Society
- (l) Judicial Intern, Honorable Joseph F. Anderson, Jr., (Fall 1997)
- (m) Law Clerk, Chief Legal Counsel for Gov. David Beasley (Summer - Fall 1998)
- (n) Legislative Aide: Speaker *Pro Tempore* Terry E. Haskins, (Fall 1996-97)
 Honorable Michael Easterday (Spring 1998)
 Honorable Glenn Hamilton, (Spring 1998)
 Honorable Shirley Hinson, (Spring 1999)
 Honorable Robert Leach, (Spring 1998)
 Honorable John Graham Altman, (Spring 1999)
 Honorable Dr. Thomas Dantzler, (Spring 1999)
 Honorable Lynn Seithel, (Spring 1999)
- (o) Law Clerk, Furr and Henshaw P.A., (Summer 1997)

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) Polishing Trial: Beginning to End	5/3/09;
(b) Death Penalty Update	8/21/08 to 8/22/08;

- (c) Technology in Prosecution 5/11/08;
 - (d) 2007 Annual Conference 9/23/07;
 - (e) 7th Annual Meeting 5/13/07;
 - (f) 2006 Annual SC Solicitors' 9/24/06;
 - (g) Cross Examination 8/28/06;
 - (h) 13th Circuit Solicitor's Office 5/06/06;
 - (i) Avoiding Errors in Closing 9/27/05;
 - (j) Ethics & P.R. Training Tracks 9/26/05;
 - (k) Prosecution of Ted Bundy 9/25/05;
 - (l) 13th Circuit Solicitor's Office 5/08/05;
 - (m) Revised Lawyer's Oath CLE 9/27/04;
 - (n) 2004 Annual Solicitor's 9/26/04.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) Guest Speaker, Bob Jones University Criminal Justice Class [3/7/08]
Topic: Answering Pre-submitted Questions about Criminal Prosecution
 - (b) CLE Speaker, Thirteenth Judicial Circuit Conference
Topic: Applicability of the Fifth and Sixth Amendments Right to Counsel
 - (c) Guest Speaker, Bob Jones University Criminal Justice Association
Topic: A Prosecutor's Role
 - (d) Guest Speaker, Bob Jones University Criminal Justice Camp
Topic: The Courts
 - (e) Judge, *We The People: Project Citizen*, (7/14/06)
 - (f) Attorney Coach, Bob Jones Academy Mock Trial Team (2000 – Present)
 - (g) Judge, Greenville County Youth Court
 - (h) Presiding Judge, American Mock Trial Association Regional Tournament
 - (i) Scoring Judge, American Mock Trial Association Regional Tournament
 - (j) Scoring Judge, National High School Mock Trial Competition (2005)
 - (k) Attorney Coach, Bob Jones University Mock Trial Team (2004–05)
12. List all published books and articles you have written and give citations and the dates of publication for each.
- "Growing up With Grandparents" *Today's Christian Senior*, (Spring 2007)*
- *Article title may reflect editorial alteration
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.
- South Carolina November 15, 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) Assistant Solicitor, Thirteenth Judicial Circuit 08/99 to Present

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

(b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background has prepared you to preside over such matters as a Circuit Court Judge, or how you would compensate for your lack of experience in this area.

Although I am assigned to the Violent Crimes Unit, drug cases have comprised the majority of my prosecutorial workload over the past five years. Common issues involved in drug cases include: (1) evaluating the credibility of undercover informants; (2) identifying police conduct implicating the Fourth Amendment right against unreasonable searches & seizures; (3) determining the propriety of police-citizen encounters and interrogation of suspects within the Fifth Amendment framework; (4) verifying proper chain of custody for all fungible items and (5) responding to these and other suppression motions by oral argument.

I am also responsible for handling most of the arson cases in Greenville County. Common issues in arson cases include: (1) evaluating how law enforcement and arson investigators determine a fire's cause and origin; (2) reviewing the thoroughness of the investigation to rule out accidental and natural causes; and (3) learning the scientific process utilized by analysts to determine the presence of ignitable liquids and fuel loads in preparation for presenting this evidence at trial.

As the liaison for law enforcement "cold case" units, I evaluate the sufficiency of evidence obtained by cold case investigators and provide an alternate perspective for pursuing leads and uncovering additional evidence. In 2006, I successfully prosecuted a defendant in a double homicide that had been "cold" for over four years prior to arrest and have served as lead and co-counsel in other murder cases. I have also assisted in a recent capital prosecution by conducting the

preliminary hearing that resulted in the case being bound over for grand jury action.

Additionally, I have been involved in the mock trial program in South Carolina for eight years. The cases considered by the mock trial programs are evenly divided between civil and criminal subject matter and require an understanding of the distinction between civil and criminal cases such as burdens of proof and legal presumptions. I have served as the attorney coach for the Bob Jones Academy team who, during my tenure, twice won the State Championship and, in 2004, won the National Championship. I have also served as an attorney coach at the middle school and collegiate levels. I have served as a judge, both presiding and scoring, on the high school and collegiate level, and have most recently served as a presiding judge in multiple rounds at the American Mock Trial Association's District Competition hosted by Furman University. I served as a judge for the National High School Mock Trial Championship in Charlotte, North Carolina, in 2005.

I participated in the creation of Greenville County's school-based Youth Court Program and have served as a judge in this program many times. I have served as a judge for the South Carolina Bar's "Project Citizen" program hosted by Clemson University and was, for a number of years, a judge in competitions presented by the National Forensic League.

15. What is your rating in Martindale-Hubbell?

As a public sector attorney, I have neither been listed in nor rated by Martindale-Hubbell to the best of my knowledge.

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: None
(b) state: In court 2-3 weeks each month for please, trials or motions.
17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?
(a) civil: 0%;
(b) criminal: 100%;
(c) domestic: 0%.
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?
I carry 275 to 375 warrants on my docket at any given time, dispose of 500 to 600 warrants a year and try 2 to 5 cases a year. That doesn't even register as a percentage point.
(a) jury: 0.1%;

(b) non-jury: 99.9%.

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

Primarily sole or chief counsel; associate counsel as a mentor or assisting another prosecutor in a complicated murder case.

19. List five of the most significant litigated matters that 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) State v. Carla Taylor, 260 S.C. 18, 598 S.E.2d 735 (Ct. App. 2004)—Overruled State v. Chisolm, 355 S.C. 175, 584 S.E.2d 401 (Ct. App. 2003), and established the current test for proving chain-of-custody for drug cases in South Carolina.

(b) State v. Jomer Hill, Op. No. 4507 (S.C. S. Ct. filed February 24, 2009) (Shearouse Adv. Sh. No. 10 at 67)—This case involved one of the first cold case arrests since the Greenville Police Department started its cold case unit. The defendant was arrested in November 30, 2004 (four years after his crime), and was convicted of double-murder at trial in May of 2006.

(c) State v. Gustavo Alvarado, AP 2005-UP-120 (S.C. Ct. App. 2005)—Defendant was convicted of Trafficking in Marijuana and sentenced to 18 years. Defendant appealed on the basis that the stop was pretextual and without probable cause. The Court of Appeals disagreed and the conviction was affirmed. A significant aspect of this case was that the passenger, Gallegos, testified that the drugs were his and the defendant, Alvarado, didn't know anything about them. The case on appeal focused on the element of the defendant's ability to exercise dominion and control over the drugs or over the premises upon which the drugs were found.

(d) State v. Jermaine Hawkins—Defendant was convicted *in absentia* of two counts each of Armed Robbery and Assault and Battery of a High and Aggravated Nature. This case is significant to me because of the profound effect these crimes had on the victims and that the identification of the defendant was strong enough to convict the defendant in his absence. The defendant petitioned for post-conviction relief (PCR) and his application was granted since the trial judge did not specifically charge the jury panel at the conclusion of the trial that the defendant's absence should not be held against him. Following the granting of the defendant's application for PCR, this case was resolved by way of a guilty plea.

(e) State v. Jeffrey Motts—Handled the preliminary hearing where this capital-murder case was bound over for grand jury action. The defendant was subsequently convicted and sentenced to death.

20. List up to five civil 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. N/A

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. N/A
22. Have you ever held judicial office? No
23. If the answer to question 22 is yes, describe or attach 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. N/A
24. Have you ever held public office other than judicial office?
 Aside from being appointed as an assistant solicitor and serving as a law clerk in the governor's office, I have not held any public office.
25. List all employment you have 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?

I ran as a candidate for the Circuit Court, At-Large Seat 13 in 2007-08 and was found qualified and nominated by the South Carolina Judicial Merit Selection Commission (JMSC). Once I learned that a candidate in that race had secured enough pledges to be elected, I immediately withdrew from the race. In September of 2008, I again filed as a candidate for the Circuit Court, At-Large Seat 1. I was found qualified, but not nominated, by the JMSC.

In April of 2009, I filed as a candidate for residential Circuit Court Seat 3 in Greenville. The JMSC again found me qualified and nominated for the Circuit Court, but I withdrew from that race when I realized that, although I had a growing base of support, Judge Robin Stilwell had secured enough pledges to be elected.

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?

	<u>Occupation/Job</u>	<u>Employ. Dates</u>	<u>Employer Name</u>
(a)	Legislative Aide	01/99 – 05/99	SC House of Rep's
(b)	Sales Associate	12/98 – 05/99	The Men's Wearhouse
(c)	Law Clerk	04/98 – 01/99	Gov. David Beasley's Off.
(d)	Legislative Aide	01/98 – 04/98	SC House of Rep's
(e)	Law Clerk	05/97 – 10/97	Furr and Henshaw, P.A.
(f)	Paige/Leg. Aide	08/96 – 05/97	SC House of Rep's
(g)	Software Trainer	04/96 – 08/96	Carlson Compute
(h)	Waiter	03/96 – 04/96	Roe Coach Factory Rest.
(i)	Substitute Teacher	09/95 – 12/95	Greenville School District

(j)	Camp Counselor	06/95 – 08/95	Camp CoBeAc (MI)
(k)	Electrician's Asst	05/95	P.E. Collins Electric Co.
(l)	Courier	01/95 – 04/95	Mitchell Bouton Law Firm
(m)	Instructor	01/95 – 04/95	SC Dept of Juv. Justice
(n)	Usher	01/95 – 05/95	Bob Jones University
(o)	Banquet Server	08/94 – 09/94	Hyatt Regency Hotels
(p)	Comp. Lab Instructor	08/92 – 12/94	Bob Jones University
(q)	Food Service/Waiter	03/92 – 05/95	Greenville Country Club
(r)	Produce Delivery	1?/92 – 3?/92	Beason's Produce Co
(s)	Audio/Visual Director	08/91 – 05/92	BJU Academy Auditorium
(t)	Usher	04/91 – 08/91	Greenville Braves
(u)	Electrician's Asst	5?/89 – 8?/89	P.E. Collins Electric Co
(v)	Waiter/Cook	02/89 – 04/91	Swensen's Ice Cream Parl
(w)	Custodian	05/88 – 08/88	Bob Jones University

28. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.

No, other than being a landlord and an officer in our neighborhood association (see questions 30 & 47)

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

30. Describe any financial arrangements or business relationships that 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.

My wife and I have a rental house. I would recuse myself if our renters were a party to any suit in Circuit Court, and I would disclose this relationship in any case in which their employers were a party in any suit before me and offer to recuse myself if either party believed there to be a conflict of interest due to my landlord-tenant relationship with our renters.

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?

I have never been placed in custodial arrest for any reason. I have received one or two tickets for speeding and one for, I believe, an improper lane change, but I do not recall the amount of the fines. I have not, as I recall, received a ticket for any reason since being admitted to the SC Bar.

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?

Yes. A former criminal defendant in a state case brought an action in Federal Court suing me, his attorney, the trial judge, the court reporter, the clerk of court, and others in connection to his guilty plea or conviction in state court. The defendant alleged a violation of his civil rights under 42 U.S.C. § 1983, the case was styled Anderson v. Miller et al, and the case docket number was 9:2008cv00743. The defendant filed this suit on March 6, 2008, and he was ordered by Federal Magistrate Judge George C. Kosko on May 5, 2008, to conform his pleadings to the proper form in 20 days or risk having his suit dismissed. On August 19, 2008, Judge Kosko issued a "Report and Recommendation" that this suit be dismissed by the District Court. In his report, Judge Kosko found specifically that the plaintiff failed to state a claim upon which relief could be granted and that the actions I was alleged to have taken were immune from suit pursuant to the protections afforded by prosecutorial immunity. On December 2, 2008, District Court Judge Terry Wooten accepted Judge Kosko's recommendation to dismiss, and the Clerk's office issued an order dismissing the case.

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? No.
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.
- I have no knowledge of any such charges or allegations.
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 formal charges or informal allegations against myself or any other candidate for violations of these provisions.
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.

<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>PRICE/UNIT</u>	<u>AMOUNT</u>	<u>RUN TOTAL</u>
8/7/09	8/10/09	Cards (II)/Postage	2	0.242	\$0.48	\$0.51
		Manila Envelope	1	0.25	\$0.25	\$0.27
		Paper/Ink	38	0.062	\$2.36	\$2.50
		Envelopes	3	0.0258	\$0.08	\$0.08
		Ink	3	0.05	\$0.15	\$0.16
		B&W Copies	11	0.412	\$4.53	\$4.80
		Research Fee	1	0.08	\$0.08	\$0.08
		Stamps	5	0.42	\$2.10	\$2.10
		TOTAL			\$10.03	\$10.51

*An "expenditure" occurs at time of use and not purchase for accounting purposes.

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.

I have not made any contributions of this nature and I am not aware of, nor have I authorized, any such contributions on my behalf.

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? 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, to both questions.

43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf?

I have not requested that any friends or colleagues contact members of the General Assembly on my behalf with respect to the seat I now seek.

Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? .

Except for contact properly taking place during my last candidacy when such contact was appropriate, I am not aware of anyone contacting members of the General Assembly on my behalf.

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?

I have not contacted members of the Commission about my candidacy or my intention to become a candidate for the seat I now seek. My contact with Commission members during previous candidacies for judicial office was disclosed at that time.

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.

South Carolina Bar
Member, SC BAR Nominating Committee 2007 - Present

- | | | |
|--|---|-------------------------|
| | Member, House of Delegates | 2002-03; 2006 - Present |
| | Member, Law Related Education Committee | 2004 – Present |
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.
- | | | |
|-----|---|----------------|
| (a) | Colonel Elias Earle Historic District Association | |
| | President | 2008 – Present |
| | Vice President | 2008 |
| | Neighborhood Liaison to the City of Greenville | 2008 |
| | Member | 2007 – Present |
| (b) | *Roper Mountain Science Center Association | |
| | Member | 2001 - 2009 |
| | President | 2007 - 2008 |
| (c) | Center for Developmental Services Children’s Carnival | |
| | Volunteer | 2004 – 2007 |
| (d) | Hampton Park Baptist Church | |
| | Member | 1986 – Present |

*The RMSCA is a non-profit, eleemosynary “friends” group that supports the Roper Mountain Science Center (RMSC) through fundraising, volunteer recruitment and community involvement. The RMSC is a facility dedicated to the education of school-aged children and young people in the sciences and is owned and operated by the School District of Greenville County.

48. Provide any other information which 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 understand the distinction between the role of a judge and the role of an advocate. As a prosecutor, I advocate on behalf of the State. As a judge, I would have no advocacy role whatsoever. A judge has “no friends to reward nor enemies to punish.” I would strive to treat every litigant and attorney equally and with the respect with which I would wish to be treated.

As a Christian, I have adopted an ethical code for my life that includes many of the principles reflected in the Rules of Professional Conduct and the Code of Judicial Conduct. One of these principles is to treat others as I would like to be treated. My courtroom experience has taught me the importance of a level playing field where rules are consistently and fairly applied. My primary goal as a circuit judge would be to fairly, impartially and consistently apply the law. The prospect of studying new areas of the law is exciting to me, as I have always enjoyed learning. I realize, however, that the academic aspect of the judicial process will not be my only concern. I want to perform my duties in an ethical manner that honors our system of justice.

My siblings and I were raised by my grandparents after my mother died of liver cancer. As educators, my grandparents taught us the value of hard work and a good education. They worked and sacrificed to provide us with the highest quality of life. My grandfather taught me to do my best, even in the little things, and to finish the job. He put our needs ahead of his own and was

kind and helpful to everyone he met. Living and working in Greenville, I encounter his former students who remember him fondly and tell me how he profoundly and positively influenced their lives. I want to influence people as a circuit judge in the same positive and caring way that my grandfather did throughout his life.

As a trial attorney, I have observed many different lawyers, jurors and judges. I have waited for court to start, and I have had judges wait for my witnesses to appear. I have talked with witnesses about their fear of the courtroom and heard fellow attorneys concerned about the "mood" of the judge that day. Some judges have displayed extraordinary discernment and temperament in their roles, and others have failed to do so. Judges greatly influence the public perception of our justice system. Although few remember the lawyers involved in a particular case, most people remember the judge. I want to be the kind of judge who is the same both on and off the bench and who neither forgets the responsibilities nor violates the public trust of judicial office.

49. References.

- (a) Mr. Brett Robinson
Carolina First Bank
102 South Main Street
Greenville, SC 29601
(864) 255-7898
- (b) The Honorable Steve Loftis
Sheriff, Greenville County
4 McGee Street
Greenville, SC 29601
(864) 467-5284
- (c) Ms. Nell Stewart
26 East Montclair Avenue
Greenville, SC 29609
(864) 232-3392
- (d) Mr. Frank Eppes, Esquire
Eppes & Plumblee, P.A.
1225 South Church Street
Greenville, SC 29605
(864) 235-2600
- (e) Ms. Anne Culbreath, Esquire
Professor, Greenville Technical College
609 Neely Farm Drive
Simpsonville, SC 29680
(864) 228-8338

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: Allen O. Fretwell

Date: August 10, 2009

ALLEN O. FRETWELL
8 JAMES STREET
GREENVILLE, SOUTH CAROLINA 29609

October 29, 2009

Jane O. Shuler, Chief Counsel
Judicial Merit Selection Commission
Post Office Box 142
Columbia, South Carolina 29202

Re: Circuit Court, At-Large Seat 8

Dear Jane:

I wish to amend the following answers on my Personal Data Questionnaire:

(1) Amendment to Question 16(b) to change answer to the following:

(b) state: **In court 2-3 weeks each month for pleas, trials or motions.**

(2) Amendment to Question 40 to change answer to the following:

EXPENSE REPORT: JUDICIAL CANDIDACY (Fall 2009)

<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>PRICE/UNIT</u>	<u>AMOUNT</u>	<u>RUN TOTAL</u>
8/7/09	10/29/09	Cards (II)	12	0.242	\$2.90	\$3.08
		Manila Envelope	1	0.25	\$0.25	\$0.27
		Paper/Ink	48	0.062	\$2.98	\$3.15
		Envelopes	5	0.0258	\$0.13	\$0.14
		Ink	4	0.05	\$0.20	\$0.21
		B&W Copies	13	0.412	\$5.36	\$5.68
		Research Fee	1	0.08	\$0.08	\$0.08
		Postage (Appl.)	1	2.92	\$2.92	<u>\$2.92</u>
		Stamps	15	0.42	<u>\$6.30</u>	<u>\$6.30</u>
		TOTAL			\$21.12	\$21.83

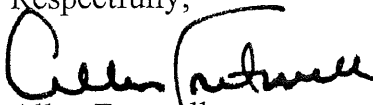
*For accounting purposes, an "expenditure" occurs at time of use and not purchase.

(3) Amendment to Question 47(b) to change answer to the following:

(b) **Roper Mountain Science Center Association**
Member 2001 – Summer 2009
President 2007 - 2008

Thank you for the opportunity to revise my questionnaire with this information.

Respectfully,


Allen Fretwell

ALLEN O. FRETWELL
8 JAMES STREET
GREENVILLE, SOUTH CAROLINA 29609

October 29, 2009

Jane O. Shuler, Chief Counsel
Judicial Merit Selection Commission
Post Office Box 142
Columbia, South Carolina 29202

Re: Circuit Court, At-Large Seat 8

Dear Jane:

I wish to amend the following answers on my Sworn Statement:

- (1) Amendment to Question 26 to change answer to the following:

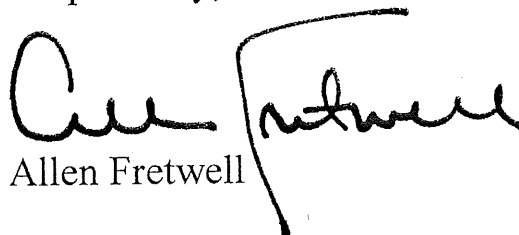
I have spent \$21.57 on my campaign.

- (2) Amendment to Question 31 to change answer to the following:

I have not contacted members of the Commission about my candidacy or my intention to become a candidate for the seat I now seek. I have greeted Commission members as they pass me outside the legislative chambers or in the Statehouse lobby and will say "hello" to them at receptions. I do not go out of my way to greet Commission members, and I do not discuss my candidacy with them in any way. My contact with Commission members during previous candidacies for judicial office was disclosed at that time.

Thank you for the opportunity to revise my statement with this information.

Respectfully,


Allen Fretwell