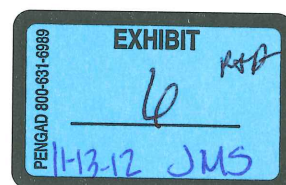


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Circuit Court At Large, Seat 14

1. NAME: Mr. David Warren Miller
BUSINESS ADDRESS: 109 Park Avenue
Aiken, SC 29801
TELEPHONE NUMBER: (office): 803-642-1557
2. Date and Place of Birth: 1972, Aiken, SC
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 on November 21, 2008, Christian Morton Miller.
Never divorced, two children.
6. Have you served in the military? Yes.
(a) 1991-95 US Marine Corps, Corporal, XXX-XX-XXXX Honorable;
(b) 1995-96 U.S.M.C. Reserve, Corporal, Honorable Discharge.
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- Aiken 1990-91 Left School to Join USMC;
(b) USC- Aiken 1995-96 Left to complete Degree at Columbia Campus;
(b) USC- Columbia 1996-98 BS Criminal Justice;
(d) USC School of Law 1998-2001 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.
SC, 2001, have never attempted another State's Bar Exam.
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.
Member of the USC Football Team during the 1996 season and continued to work in academic enrichment with athletes in 1997 and 1998.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Capital Litigation for Prosecutors: Basic Issues	May 21-23, 2012;
(b) 2011 Solicitor's Conference	Sept. 25-28, 2011;
(c) Capital Litigation for Prosecutors: Rebutting Mitigation	May 2-5, 2011;
(d) 2010 Solicitor's Conference	Sept. 26-29, 2010;
(e) Capital Litigation for Prosecutors: Overview	June 1-3, 2010;



- (f) Competency Hearings and Evaluations May 21, 2010;
 - (g) 2009 Solicitor's Conference Sept. 28-30, 2009;
 - (h) NDAA Capital Litigation: Penalty Phase August 10-14, 2009;
 - (i) Dealing with Difficult Clients October 31, 2008;
 - (j) 2008 SCTLA Annual Convention August 6-9, 2008;
 - (k) Training for Appointed Attorneys in Capital Cases November 9, 2007;
 - (l) 2007 SCTLA Annual Convention August 2-4, 2007;
 - (m) 2006 SCTLA Annual Convention August 3-5, 2006.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- I lectured on several topics and led focus groups with other experienced prosecutors at the 2012 "Prosecutor's Boot Camp" for new lawyers. These courses were held in March of 2012.
12. List all published books and articles you have written and give citations and the dates of publication for each. N/A.
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 SC since November, 2001;
 - (b) Also admitted to practice before the Federal District Court since September, 2002.
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) 2001-02 - Law Clerk for The Honorable Rodney A. Peeples;
 - (b) 2002-04 - Robert J. Harte, P.C.- Associate attorney involved in general litigation matters representing plaintiffs and criminal and civil defendants;
 - (c) 2004-09 - Smith, Massey, Brodie, Guynn & Mayes, P.C.- Associate attorney involved in general litigation matters representing plaintiffs and criminal and civil defendants;
 - (c) 2009-Present- -Office of the Solicitor, 2nd Judicial Circuit- Assistant Solicitor prosecuting felonies and misdemeanors in the General Sessions and Magistrate courts.
- 14.(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.

My first job as a member of the SC Bar was working as a law clerk for The Honorable Rodney A. Peebles. I then practiced as a private attorney for several years before becoming an assistant solicitor and was able to gain experience in many different types of cases, both civil and criminal. I have defended numerous criminal cases, involving defendants charged with everything from murder and criminal sexual conduct to Driving Under the Influence. I have also prosecuted hundreds of cases as an assistant solicitor in the General Sessions and Magistrate Courts. I have prosecuted several violent felonies including multi-defendant armed robbery cases, murders and home invasions.

Before becoming an assistant solicitor, I also represented both plaintiffs and defendants in civil matters while in private practice. As an associate attorney in a medium sized firm, I would handle diverse civil litigation matters ranging from personal injury cases to contract disputes in all trial courts. I also was personally involved in the litigation involving the Estate of James Brown before leaving private practice.

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. – N/A- Not aware of ever being ranked.
16. What was the frequency of your court appearances during the last five years?
 - (a) federal: 1 appointed GAL matter in the last five years;
 - (b) state: More than 50 per year for the last five years.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
 - (a) civil: 8%;
 - (b) criminal: 90%;
 - (c) domestic: 0%
 - (d) other: 2%.
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: 98%
 - (b) non-jury: 2%

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Most often acted as chief 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) David Mark Hill v. State of SC, 377 S.C. 462, 661 S.E.2d 92. This case was a Capital PCR where the Petitioner ultimately waived his rights to appeal and was put to death. This case is the most significant case I ever participated in because my client requested that I be one of his witnesses when the sentence was carried out, so I ultimately watched my client be put to death on June 6, 2008;
- (b) State of SC v. Honorio Gurrero, 382 S.C. 620, 677 S.E.2d 603. This was an extremely complex case logistically because it involved four defendants (none of whom spoke English) and four different defense attorneys. All of the Defendants were tried together. This case is also significant to me because it was the first criminal case I ever defended in General Sessions;
- (c) State of SC v. Tyler Lane Jones. This was a complex case involving a string of armed robberies of local businesses and a home invasion. The father of the Defendant was also convicted of supplying contraband to a witness against his son while the witness was incarcerated in Georgia;
- (d) State of SC v. Joshua Forrest. This was the first murder case I prosecuted as an assistant solicitor. The Defendant was convicted and sentenced to life;
- (e) State of SC v. Demetrius Boyd. This was a home invasion/kidnapping/ABWIK case where I was appointed to represent the Defendant. It is significant to me because the Defendant was the most difficult client I ever had to deal with, but I was convinced the defendant hadn't committed the crimes he was charged with. Less than two weeks before the trial, I received the State's notice of intent to seek life without parole. We tried the case and the jury found the defendant not guilty on all charges. After the trial, I bought the defendant a one-way bus ticket back to his home state of Michigan and drove him from the jail to the bus station in Augusta, GA.

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.

David Mark Hill vs. State of SC, SC Supreme Court (April 28, 2008)
377 S.C. 462, 661 S.E.2d 92.

21. List up to five criminal appeals that you have personally handled. N/A.

22. Have you ever held judicial office? N/A.

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. N/A.

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

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? No, except for occasional employment during college and high school.
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. Explain how you would resolve any potential conflict of interest.

No financial or Business relationships that I have had should result in any conflicts. If a conflict did arise, I would first inform the parties of the conflict to see if it could be waived without having to recuse myself. If the parties objected to me continuing with the case, I would recuse myself from the handling of the case.

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. N/A.
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? 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? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No.
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? N/A.
38. 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.
39. 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.
40. 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." N/A.
41. 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." N/A.
 42. 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.
 43. 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.
 44. 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.
 45. 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.
 46. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
 47. 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.
 48. 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 Bar 2001-Present;
 - (b) Aiken County Bar, 2001-Present, President 2004-06;
 - (c) SCTLA, 2001-08, Member, Board of Governors 2005-08.
 49. 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) Aiken Center for the Arts, Board Member, 2007-11;
 - (b) Community Medical Clinic of Aiken County, Board Member 2009-11;
 - (c) Public Education Partners, Board Member, 2006-09.
 50. 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 have been fortunate in my legal career to have witnessed and worked with many excellent trial lawyers. Whether from the bench as judges or from the opposing counsel table, I have tried to consistently learn the skills that

would allow me to be successful as an advocate. I try to implement the best characteristics of the lawyers I see. I have not handled many cases in the appellate Courts, and only one as lead counsel, but I have spent my entire career in the trial courts of this State. I have had a client executed in front of me, but I still believe that the death penalty is the appropriate punishment for certain crimes.

I strive to be fair in just in my dealings with the public and other members of the bar. I am proud of my reputation for being tough, but compassionate and fair. This is particularly important in my position as an assistant solicitor, and I think will be valuable experience to carry onto the bench. I am passionate about what I do, but I remember what it is like to be in private practice, so I try to be empathetic to other lawyers.

I want to be known as a "lawyer's judge". I want both sides of a dispute to come into the courtroom knowing that they will get a ruling that I believe is legally proper and free from outside influences. I know that from time to time I may ultimately be incorrect, but that will never be the result of prejudice or bias. The Judges that I have developed the greatest respect for are the Judges that maintain an even temper, accommodate the parties when possible, and don't hesitate to make a ruling when a ruling needs to be made. Being decisive and consistent allows the attorneys to accurately anticipate judicial decisions. This in turn allows the litigants to better prepare their clients and witnesses for court and, ultimately, leads to more resolutions of cases.

51. References:

- (a) Frank Townsend
President, Southern Bank & Trust
149 Laurens St., NW
Aiken, SC 29801
(803) 649-4240
- (b) The Honorable J. Strom Thurmond
Solicitor, Second Judicial Circuit
Post Office Drawer 3368
Aiken, SC 29802-3368
(803) 642-1557
- (c) Sheriff Michael Hunt
420 Hampton Ave.
Aiken, SC 29801
(803) 642-1761
- (d) John W. Weeks
Deputy Solicitor, Second Judicial Circuit
Post Office Drawer 3368
Aiken, SC 29801
(803) 642-1557
- (e) Bert Glenn Utsey III
Peters Murdaugh Parker Eltzroth & Detrick, PA

PO Box 1164
Walterboro, SC 29488
(843) 549-9544

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: David Warren Miller

Date: August 8, 2012

David W. Miller
452 Powder House Road
Aiken, South Carolina 29801

September 25, 2012

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

Re: Amendment to Judicial Application

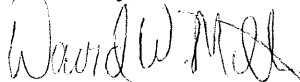
Dear Ms. Shuler:

Please accept this letter as an amendment to my response to Question 31 on the Personal Data Questionnaire. While undergoing my SLED background check it was brought to my attention that three fraudulent check warrants were issued for my arrest in September of 1993. According to the Aiken County Public Index, these warrants were judicially dismissed on the same day they were issued. I was never arrested or served with the warrants and was not aware they even existed until I was contacted by SLED in reference to this background check.

I have contacted the magistrate's office the warrants originated from and have been informed that any records relating to these charges would have been destroyed many years ago. At the time the warrants were issued, I was serving on active duty in the United States Marine Corps and was living in Arlington, Va. I was never aware that these warrants had been issued and I am not aware of how or why they were dismissed.

Please do not hesitate to contact me if you need any additional information regarding these matters. With kind regards, I remain

Sincerely,


David W. Miller

JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Circuit Court
(New Candidate)

Full Name: David Warren Miller
Business Address: Solicitor's Office
Post Office Drawer 3368
Aiken, SC 29802-3368
Business Telephone: (803) 642-1557

1. Why do you want to serve as a Circuit Court judge?
I want to continue to challenge myself professionally and to work to improve the legal system for the people of the State of SC.
2. Do you plan to serve your full term if elected? Yes
3. Do you have any plans to return to private practice one day? No
4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? Yes
5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
There are some situations where *ex parte* communications are allowed, for example for purposes of scheduling or for certain criminal defense requests, but as a rule I am very opposed to *ex parte* communications. Additionally, *ex parte* communications are not allowed pursuant to Canon 3 of the Code of Judicial Conduct except in very limited circumstances. I would strive to uphold the mandates of the Code of Judicial Conduct at all times.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
In the case of lawyer legislators, I would only recuse myself from hearing an issue if there was a claim of bias or conflict that actually raised an appearance of impropriety. Understanding that some litigants want to manufacture "conflicts" solely to delay their cases, I would not make a blanket rule that I would recuse myself from a case where a lawyer-legislator was involved. Likewise, where former associates or law partners were involved, I would disclose the potential conflict on the record and allow the parties to confer outside my presence. If they could not agree to waive the disqualification, I would recuse myself from the case.
7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference

would you give a party that requested your recusal? Would you grant such a motion?

I feel that the legitimate appearance of bias is reason enough to justify recusal. If I felt that I needed to disclose it, then it rises to the level that I need to recuse myself if either party makes the motion to do so.

8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I would recuse myself unless the involvement was de minimus, and even if the involvement was de minimus, I would almost certainly disqualify myself if asked to do so by one of the parties.

9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would only accept normal gifts and social hospitality as defined by Canon 4D(5). I would not accept, nor would I allow a member of my family to accept, any gift that was not commensurate with the nature of my friendship with the party giving the gift and the occasion for the gift, and even then only if the acceptance of the gift would not create an appearance of impropriety.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

My response to an incident would depend on the severity of the misconduct and whether or not I thought the misconduct evidenced some imposition on the ability of the lawyer or judge to fulfill their continuing legal responsibilities. If the incident was not one that I thought impacted the ability of the person to practice, I would speak to them directly about my concern(s). If, on the other hand, the incident was one that I deemed serious and one that I felt impacted the continuing ability of the person to practice, I would report the misconduct to the appropriate authorities.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated? No

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No

13. If elected, how would you handle the drafting of orders?

I would have my law clerk draft most simple orders or ask that they be prepared by the prevailing party. If I did not rule on the matter from the bench, I would request that the prevailing party prepare an order and outline my decision in writing. In complex cases or cases involving complex issues, I would ask the parties to each prepare proposed orders supporting their positions and submit them to me by e-mail so that I could easily amend the order(s) to conform to my ruling with the help of my law clerk.

14. If elected, what methods would you use to ensure that you and your

staff meet deadlines?

I would use computerized calendaring programs that could function over various platforms to schedule and monitor deadlines for activities.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

Judges should not have any role in setting or promoting public policy. It is not the function of the Courts to legislate, but rather to apply the law to the individual situation. Anything more than that is an intrusion into the legislative and executive functions.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

I would try to be active in promoting justice and the justice system by engaging young attorneys and law students in the judicial process as soon as possible so that they learn to do things the right way and develop good habits throughout their careers. Too often I see attorneys who struggle in the courtroom because they developed bad habits and those habits stay with them in every case they handle. I would attempt to counsel them in a patient and constructive way (outside the presence of their clients) to help them improve their overall courtroom skills.

17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this?

The pressure of being any type of practicing lawyer strains personal relationships, and judges are no different. To me, the key to overcoming this stress is to identify it and communicate with the people that are affected by it. I have an amazing family and am fortunate to have been raised in a home where the expression of feelings was encouraged. The only problems that can't be solved are the ones that can't be identified.

18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

a. Repeat offenders: I would be stern in dealing with repeat offenders, but I realize as a practical matter that most of the offenders we see are repeat offenders. Accordingly, It is necessary to evaluate the prior record and look for patterns that may indicate WHY the offender is back again. Alternative sentencing structures to include alcohol or drug counseling and compliance can sometimes be more effective than terms of incarceration that just drop the offender back into the addiction when they are released.

b. Juveniles (that have been waived to the circuit court): These cases are difficult because they are generally very serious cases and

there is usually not much of a track record to go on to decide the appropriate punishment. Within the confines of the law, I would be more lenient when sentencing juveniles because they seem to have the best chance of being salvageable as productive future citizens.

c. White collar criminals: White collar criminals are no less criminals than any other category of thief. I would not give any preferential treatment or leniency to a white collar criminal in the absence of some mitigation other than the fact that the offense was a white collar crime.

d. Defendants with a socially and/or economically disadvantaged background: Most people that come from socially or economically disadvantaged backgrounds do not commit crimes, so I do not put much weight into a defendant's claim of a socially or economically disadvantaged history. The defendant's background is not an excuse to commit crime.

e. Elderly defendants or those with some infirmity: It is very important to consider any possible alternatives to incarceration for elderly and infirm defendants because in many cases the State and the counties simply cannot afford the medical care required to keep them. My philosophy would be to do everything I could do to keep from giving these defendants active sentences of incarceration. Having said that, if the situation warrants incarceration I would not let the defendant's age or medical condition prohibit me from imposing an appropriate sentence within the bounds of the law.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

No

20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

Only after full disclosure on the record to the parties involved and only if, after the disclosure was made, all parties agreed to waive the disqualification.

21. Do you belong to any organizations that discriminate based on race, religion, or gender? No

22. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes

23. What do you feel is the appropriate demeanor for a judge?

Judges should be patient and courteous to all litigants and others that come in contact with the court during the judicial process. This includes attorneys, potential jurors, witnesses and court staff. Judges should be willing and able to listen to the parties before them and should demonstrate fairness when dealing with individuals before the court. In short, they should treat the people in front of them the way they would want to be treated if they were in front of a judge. When possible, judges should rule promptly on questions before the court.

Judges must command respect for the position they hold, but that can only be done when judges carry themselves appropriately both on and off the bench.

24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?

We should all treat each other the way we want to be treated, at all times.

25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or pro se litigants?

No, part of being a judge is having the skill, knowledge and experience to be able to remove the emotion from a situation when it impairs your judgment. There will certainly be frustration, and there will sometimes even be fear or loathing when it comes seeing the depravity of some of the people that come before you, but you have to be able to overcome those emotions. If a judge feels angry at anyone in the courtroom, they need to step off the bench until they can get the emotion under control and handle the situation without the emotional component.

26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees? None

27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? N/A

28. Have you sought or received the pledge of any legislator prior to this date? No

29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No

30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No

31. Have you contacted any members of the Judicial Merit Selection Commission? No

32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?
Yes

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

David Warren Miller

Sworn to before me this 8 day of August, 2012.

Notary Public for S.C.

My Commission Expires: 09/08/20_____