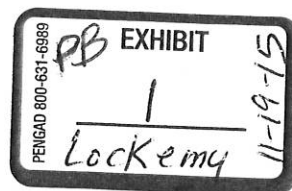


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Court of Appeals, Seat 9

1. Name: The Honorable James E. Lockemy
Are you currently serving in some capacity as a judge? Yes.
Business Address: P.O. Box 750
Dillon, SC 29536
Telephone Number: (office): (843) 774-4166
2. Date of Birth: 1949
Place of Birth: Dillon, 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: Divorced on September 1994, Florence County, SC Family Court, Ellen Lockemy was the moving party, One Year's Continuous Separation. Two children.
6. Have you served in the military?
 - (a) December 1974-October 1977, US Army, Active Duty, Captain, Honorable Discharge;
 - (b) February 1978-December 2004, SC National Guard, Colonel, Honorable Discharge;
 - (c) February 2005-Present, SC Military Department, Joint Services Detachment, Commander, Major General.
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) The Citadel, 1967-68, left after marriage;
 - (b) Coastal Carolina University, Fall 1968, transferred;
 - (c) University of North Carolina at Pembroke, Spring 1969-71, BA History;
 - (d) University of South Carolina School of Law, 1971-74, JD;
 - (e) The Citadel, Spring 2007-12, Graduate School, MA History.
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, 1974.
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) Member, Alpha Theta Mu fraternity, 1968-71. Parliamentarian and Pledge Chief;
 - (b) Team member, run from Pembroke to Raleigh to change Pembroke College to Pembroke State University, 1971;
 - (c) Worked as a bag boy and cashier at A&P Store and Lockemy's Grocery, delivered Charlotte Observer newspapers, and owned a number of peanut machines in several locations, all in Dillon, SC to help pay for education and family expenses, 1968-71.

Law School:

- (a) Honor Council, 1973-74;
- (b) Phi Alpha Delta Legal Fraternity, Chief Justice (President), 1973-74;
- (c) Worked on weekends at A&P Food Store and Lockemy's Grocery, 1971-73;
- (d) Law Library employee, 1972-74;
- (e) Rogers, McDonald, McKenzie, and Fuller, Law Clerk, Columbia, SC, 1973-74.

10. Describe your continuing legal or judicial education during the past five years.

Conference/CLE Name

Dates

- (a) Annual Judicial Conference 2010-2015;
- (b) American Bar Association Annual Meeting 2010-2015;
- (c) The Annual Symposium on Judicial Independence 2010-2015;
- (d) The Appellate Judges' Educational Institute 2013-2015;
- (e) SC Bar Civil and Criminal Law Update 2010-2015;
- (f) The Pound Institute 2011-13, 2015;
- (g) National Forum on Judicial Excellence 2012, 2014.

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

- (a) I have lectured at several SC Bar CLE programs and American Bar Association conferences;
- (b) I have also lectured innumerable times on military legal subjects.

12. List all published books and articles you have written and give citations and the dates of publication for each.

- (a) "Judging in Kosovo, When Duty Calls" Summer 2006 Edition of The Judges' Journal;
- (b) "Bumper Sticker for the People: Marbury vs. Madison" 50 The Judges' Journal 2011;
- (c) "The National Conference of State Trial Judges" Video Production 2008;
- (d) "The Appellate Judges' Conference of the ABA" Video Production 2014.

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, November 15, 1974;
- (b) US Court of Military Appeals, June 13, 1975;
- (c) US Court of Appeals for the Fourth Circuit, October 3, 1975;
- (d) US Supreme Court June 18, 1979 (Nominated and presented by US Senator Strom Thurmond);
- (e) US District Court for the District of SC, November 2, 1983.

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) 1974-1977, US Army Judge Advocate General's Corps;
- (b) 1978-2004, SC Army National Guard, Judge Advocate General's Corps;
- (c) 1977-January 1978, Associate, A. Glenn Greene, Jr., Latta, SC, General Practice;
- (d) 1978-September 1979, Legislative Assistant, US Senator J. Strom Thurmond. Minority Counsel, Senate Judiciary Committee's Subcommittee on Antitrust;

- (e) Sept 1979-1989, Partner, Greene, Lockemy and Bailey, Dillon, SC, General Practice;
 - (f) June 1989-2008, Judge, SC Circuit Court, At-large Seat 6;
 - (g) 2009-present, Judge, SC Court of Appeals, Seat 9.
16. 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.
No known rating.
23. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
- (a) SC Circuit Court, 1989-2008, elected by the General Assembly.
 - (b) SC Court of Appeals, 2008-present, elected by the General Assembly.
24. If the answer to question 23 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 v. Young, No. 2015-UP-345, 2015 WL 4275973 (Ct. App. July 15, 2015).
 - (b) State v. Moore, 404 S.C. 634, 746 S.E.2d 352 (Ct. App. 2013).
 - (c) Fairchild v. SC Dep't of Transp., 385 S.C. 344, 683 S.E.2d 818 (Ct. App. 2009) aff'd, 398 S.C. 90, 727 S.E.2d 407 (2012).
 - (d) Holst v. KCI Konecranes Int'l Corp., 390 S.C. 29, 33, 699 S.E.2d 715, 717 (Ct. App. 2010).
 - (e) State v. Hinson. I was involved as the trial judge in this case from 2007. In Hinson, the defendant was charged with kidnapping two teenaged girls, keeping them in a dungeon, and raping them. The jury found the State had not proven guilt by a reasonable doubt and acquitted the defendant. This case received national news coverage.
25. Have you ever held public office other than judicial office? Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office.
Yes. Member, SC House of Representatives, 1982-1989. Elected. Timely filed State Ethics Commission reports.
26. 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.
- (a) Adjunct Professor of American History and American Government, Horry-Georgetown Technical College, 2012-present;
 - (b) SC National Guard, 1978-2004;
 - (c) SC Military Department, Commander of Joint Services Detachment, volunteer, 2005-present. Appointed to the rank of Major General by the Governor and Adjutant General.
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
No

28. 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?
None, other than those listed above. I was also employed as a private investigator for Investigations Unlimited during the summer and fall of 1974.
29. 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
30. A complete, current financial net worth statement was provided to the Commission.
31. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.
None
32. 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
33. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute?
No
34. 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
35. 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, in 1993 I was involved in a traffic accident that resulted in a lawsuit. The suit was settled by the parties and insurance companies.
In addition, over the years, I have been named with many other public officials as a party in lawsuits by prisoners incarcerated in SC correctional facilities that have all been dismissed.
37. 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
38. 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? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.
N/A
39. 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.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?
I am not a member of any social media or internet sites. I do not think I have been featured or depicted on any social media or internet sites.

40. 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
41. 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
42. 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.
To my knowledge there are no such formal charges or informal allegations.
43. S.C. Code § 8-13-765 provides, in part, that “[n]o person may use government personnel, equipment, materials, or an office building in an election campaign.” Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. Include the disposition, if any, of such charges or allegations.
To my knowledge there are no such charges or allegations, and a basis does not exist for such charges and allegations.
44. 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.
No expenditures.
45. 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
46. 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
47. 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
48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy?
No
49. 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

50. 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 Association;
- (b) Judge Advocates Association;
- (c) American Bar Association;;
 - (i) Executive Committee, National Conference of State Trial Judges, 2008;
 - (ii) Executive Committee, Appellate Judges' Conference, 2011-present;
 - (iii) Secretary, Appellate Judges' Conference, 2014-present;
 - (iv) Co-Chair Editorial Board, The Judges' Journal, 2015-present.

51. 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) Dillon Kiwanis Club, President 1986, Youth Baseball Coach since 1980;
- (b) Dillon County Theater Board, President (about 12 years ago);
- (c) Florence Theater Guild;
- (d) Dillon County Veterans' Committee, Co-Chair, 1988-present;
- (e) Kappa Alpha Fraternity.

52. 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.

Growing up working in a country grocery store provided me with an opportunity to meet many people from different racial, ethnic, and economic backgrounds. Sharing with these amazing individuals illuminated a perspective of life that has been invaluable to me. In addition, the long periods between customers gave me an opportunity and desire to read book after book which led to my interest in history and the law. From these readings, I formed an appreciation of our country as well as the importance of justice and the rule of law in a democratic-republic such as ours. With this background, I have served my country, my state, and the interest of justice to the best of my ability.

53. List the **names, addresses, and telephone numbers** of five persons, including your banker, from whom references could be obtained.

- (a) Ray Stephens
Market Executive/Senior Vice President, First Citizens
406 Highway 301 North
Dillon, SC 29536
(843) 774-3360
- (b) John Braddy
Braddy Insurance
P.O. Box 968
Dillon, SC 29536
(843) 774-3763
- (c) Dr. David Preston
Professor, The Citadel
171 Moultrie Street
Charleston, SC 29409

- (d) (843) 953-5073
Larry German
Assistant Park Director, Dillon County
1441 West Main Street Extension
Dillon, SC 29536
(843) 841-3733
- (e) The Honorable Gwen Hyatt
Clerk of Court, Dillon County
P.O. Box 1220
Dillon, SC 29536
(843) 774-1425

54. Describe any interest you or a member of your immediate family has in real property:
- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
 - (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.
- None
- List the interest you hold and the value and location of the property. Identify as applicable the:
- (a) nature of any potential conflict of interest;
 - (b) nature and value of any public improvements; and
 - (c) South Carolina state or local public agency which purchased or is leasing or renting such property.
55. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.
- None

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: s/James E. Lockemy
Date: August 5, 2015