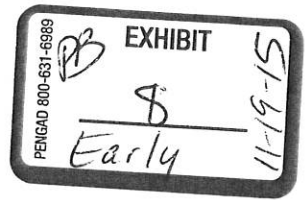


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**



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

1. Name: The Honorable Doyet A. Early, III
 Name that you are known by if different from above: Jack Early
 Are you currently serving in some capacity as a judge? Yes, Resident Judge of the Second Judicial Circuit
 Business Address: Post Office Box 90, Bamberg, SC 29003
 Telephone Number: (office): 803-245-4000
2. Date of Birth: 1948
 Place of Birth: Orangeburg, 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 July 20, 1969; Linda Lee Foy Early. Never divorced, two children.
6. Have you served in the military? Yes, March 1970–February 1976, Air National Guard, Sergeant, 251-82-2449, 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.
 University of SC 1966-1974, BS and 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, 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.
 None.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar Convention	01/21/10;
(b) October Sporting Clays CLE	10/28/10;
(c) SC Bar Convention	01/20/11;
(d) April Sporting Clays CLE	04/14/11;
(e) Fall Sporting Clays CLE	10/13/11;
(f) SC Bar Convention	01/19/12;
(g) Spring Sporting Clays CLE	04/12/12;
(h) Fall Sporting Clays CLE	10/18/12;
(i) Spring Sporting Clays CLE	04/25/13;
(j) Ethics With Judges Sporting Clays CLE	10/17/13;
(k) SC Bar Convention	12/16/13;
(l) SC Bar Convention	01/23/14;

- (m) Ethics With Judges Sporting Clays CLE 04/24/14;
 (n) Ethics With Judges Sporting Clays CLE 10/23/14;
 (o) SC Bar Convention 01/22/15.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) I participated in a panel discussion at the Solicitor's Conference on recent legal developments in the area of criminal law;
- (b) I participated in a presentation with other judges at the Charleston School of Law on the professional responsibilities of attorneys before the student body;
- (c) I participated in a panel with other judges at the S.C. Defense Association; topic was "Observation from the Bench;"
- (d) While still in practice, I lectured at a number of CLEs on medical malpractice issues.
12. List all published books and articles you have written and give citations and the dates of publication for each.
Bifurcated Punitive Damages Proceedings, Doyet A. Early, III, Richard B. Ness and Norma A. T. Jett (SC Trial Lawyer, Summer 1998).
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 Courts of SC in November of 1974;
- (b) Admitted to practice before the Federal District Court in November of 1975;
- (c) Admitted to practice before the Fourth Circuit Court of Appeals in July of 1977.
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) November 1974 to July 1976 practiced with W. D. Rhoad, Bamberg, SC—general practice;
- (b) July 1976 opened as a sole practitioner—My practice grew and at the time I took the bench I was the senior and founding member of Early & Ness, a firm with three partners, two associates and staff. I served as the County Attorney for Bamberg County for over twenty-five years. My practice covered all general areas with particular emphasis on medical malpractice litigation.
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.
 AV.
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.
 Yes—serving continuously since May 1, 2004, Circuit Court, elected February 2004.
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) Estate of James Brown—the management of all of the numerous issues and resulting litigation continues to be the most challenging, interesting, complicated and contentious case that I have had during my tenure as a judge. Many of my rulings

have been appealed, some reversed, some affirmed. Hopefully, the case is now in a posture for all issues to be resolved, of course, subject to further appeal. Reported cases are as follows: Wilson v. Dallas–Supreme Court, February 27, 2013 No. 27227; Cannon v. Georgia Attorney General’s Office–Supreme Court, May 2, 2012 No. 27119; Ex Parte Cannon–Court of Appeals, June 23, 2009 No. 470; Pope v. Estate of James Brown–Supreme Court, June 10, 2015 No. 2015-MO-032; Ex Parte Pope–Supreme Court, June 10, 2015 No. 2015-MO-031; Hollander v. Irrevocable Trust established by James Brown–Court of Appeals, April 1, 2015 No. 2015-UP-169; Ex Parte Cannon–Court of Appeals, June 23, 2009 No. 4570;

- (b) The State v. Kenneth Simmons–This was a death penalty PCR case. Mr. Simmons had been convicted of murder and sentenced to death. All of his appeals had been exhausted. The case was assigned to me to determine whether he was mentally retarded as mandated by the US Supreme Court in Atkins v. Virginia. I found him to be mentally retarded thus commuting his sentence to life. This case is currently on appeal;
 - (c) Heather Herron v. Rick Hendrick of Easley–This was the second case that I have tried regarding the interpretation of the car dealers act and its application to administrative or closing fees charged to car purchasers. Approximately three hundred cases involving dealers across SC have been filed. All have been consolidated for discovery, two tried. The first week long trial resulted in a defense verdict, the second week long trial resulted in a multi million dollar plaintiff’s verdict. That case is currently on appeal. All of the other cases are being held in abeyance pending the Supreme Court’s decision;
 - (d) The State v. Michael R. Batchelor–Batchelor was convicted after a jury trial of several charges stemming from an automobile wreck in which his three minor sons were killed and three other minors were injured. The defendant supplied all of the minors with alcohol at his house and when they ran out of alcohol they all left the home to buy more alcohol and look for marijuana. The defendant decided that he was too drunk to drive and encouraged and allowed his fifteen year old son who did not have a license, beginner’s permit or any driving experience to drive. He had a head-on collision resulting in the deaths and injuries. The minor driver’s blood alcohol was .108 at the time of his death. The defendant was not driving, but was tried on a theory of accomplice liability. He was convicted. Numerous issues regarding the indictments and accomplice liability arose during the trial. The conviction and rulings were all affirmed by the SC Supreme Court in Opinion No. 26455 on April 21, 2008;
 - (e) Julie Tuten v. David C. Joel – This was a legal malpractice suit tried in Aiken, SC which resulted in a \$275,000.00 verdict for the plaintiff. The case presented many complicated issues including granting the plaintiff a partial directed verdict and denying the defendant’s motion for a new trial nisi remittitur. The case was affirmed on appeal by the SC Court of Appeals in Opinion No. 5268 filed August 27, 2014.
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.
No.

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.
None.
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?
No.
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, I was sued by a former client who I represented for the murder of his wife. He was convicted. He sued, claiming that I failed to appeal his conviction of murder. The case was dismissed once the trial court was presented an affidavit from the SC Supreme Court verifying the notice of appeal had been timely filed by me and turned over to the Office of Appellate Defense. The case was filed in the court of Common Pleas, Barnwell, SC, Civil Action # 94-CP-06-150 and dismissed with prejudice on August 14, 1994.
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?
No.
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.
None.
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.
None.
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.
None.
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.
SC Bar.
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.
None.
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.
I consider my election and service since May 1, 2004 as a Circuit Court Judge to be the highest professional honor and privilege that I have ever had. I take all of my duties, requirements and responsibilities with the strongest professional and personal commitment possible. I have attempted to conduct myself professionally and personally in such a manner to avoid any negative reflection on the Judicial system. I am sixty-seven years old, have been married for forty-six years, practiced law for thirty years, have been on the bench for eleven plus years, raised two boys, was the oldest of five children and now have two granddaughters. I use all of the experiences in the above roles to guide my everyday decisions as a judge.
53. References:
- (a) Sheriff J. Edward Darnell
P.O. Box 210
Bamberg, SC 29003
803-245-3011
 - (b) The Honorable Nancy H. Green
P.O. Box 354
Bamberg, SC 29003
803-245-2931
 - (c) Sheriff Michael E. Hunt, Sr.
420 Hampton Avenue, NE
Aiken, SC 29801
803-642-1761
 - (d) Ronald Q. Maxwell
P.O. Box 1287
Orangeburg, SC 29116
803-245-2416

(e) The Honorable Rhonda McElveen
P.O. Box 723
Barnwell, SC 29812
803-541-1020

54. Describe any interest you or a member of your immediate family has in real property:

None.

(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.

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.

None

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.

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/Doyet A. Early, III

Date: August 14, 2015