

JUDICIAL MERIT SELECTION COMMISSION)
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In the Matter of: Monet Pincus)
Candidate for Family Court)
)
)
)

**WITNESS AFFIDAVIT
FORM**

I will appear to testify concerning the qualifications of the above-named candidate and will produce all documents in my possession, if any, which will further develop or corroborate my testimony.

I understand that this written statement and all supporting documentation, if any, must be completed and the hard copies of all such documents shall be returned to the Judicial Merit Selection Commission by the deadline for complaints in order for the Commission to hear my testimony, and that the deadline for complaints is **12:00 Noon, Monday, October 28, 2024**. I understand I must be available to testify at the Public Hearing, and failure to appear will result in a dismissal of my complaint.

In regard to my intended testimony, I will offer information as to the following:

- (1) Set forth your full name, age, address, and both home and work telephone numbers.

Ansley Caroline Younginer

Redacted

- (2) Set forth the names, addresses, and telephone numbers (if known) of other persons who have knowledge of the facts concerning your testimony.

Matthew Todd Younginer

Redacted

Matthew Bryce Younginer

Redacted

Rachael Dain

Redacted

- (3) State the nature of your testimony regarding the qualifications of the above-named judicial candidate, including:
- (a) specific facts relating to the candidate's character, competency, or ethics, including any and all allegations of wrongdoing or misconduct on the part of the candidate;

When I was 16 years old, I had my entire life stripped away from me. I was forced against my will to live uncomfortably, live anxiously, and live in fear. This is because of the order that Judge Pincus signed off on. August 25, 2014 was what I thought to be a normal day at school, yet suddenly turned into a day that lived in infamy. I sat in a courtroom with Judge Pincus telling me I had been alienated by my father away from my mother. Judge Pincus then said I would not be allowed to see him and if I tried I would be sent to a new home or even jail. Judge Pincus' order also had me shipped across the country against my will and told I could not tell anyone where I was going. The alienation from my father that Judge Pincus alleged was nothing further from the truth, yet she did not bother to investigate. I lived in a paranoid state for approximately 6 months. It took me a very long time to overcome the mental side effects of what Judge Pincus did to me. To this day the relationship with my mother that Judge Pincus ordered reunification therapy for is still strained. I knew from that day that the ethics and character of this Judge should be questioned. But after the Judicial Merit Commission hearing on November 28, 2018 I then started to question the competence of this judge due to what multiple attorneys have stated was perjury she committed that day. I have seen Judge Pincus do many unethically malevolent things and the children of South Carolina are continuing to suffer because of her rulings.

- (b) specific dates, places, and times at which or during which such allegations took place;

August 25, 2014, South Carolina Courtroom
November 28, 2018, Judicial Merit Commission Hearing

- (c) names of any persons present during such alleged actions or possessing evidence of such alleged actions; and

Matthew Todd Younginer, Caroline Hillard Donaldson, Matthew Bryce Younginer, Theresa Younginer, Peter Shahid.

- (d) how this information relates to the qualifications of the judicial candidate.

This information relates to the qualifications of this judicial candidate based on the fact that her rulings and orders are harming the children of South Carolina including both my brother and I.

- (4) Set forth a list of and provide a copy of any and all documents to be produced at the hearing which relate to your testimony regarding the qualifications of the judicial candidate.

Attached are transcripts from the Judicial Merit Commission hearing showing the testimony presented by Judge Pincus.

- (5) State any other facts you feel are pertinent to the screening of this judicial candidate.

I understand that the information I have provided herein is confidential and is not to be disclosed to anyone except the Judicial Merit Selection Commission, the candidate, and counsel.

WAIVER

I further understand that my testimony before the Judicial Merit Selection Commission may require the disclosure of information that would otherwise be protected by the attorney-client privilege. Therefore, in order that my complaint may be fully investigated by the Commission,

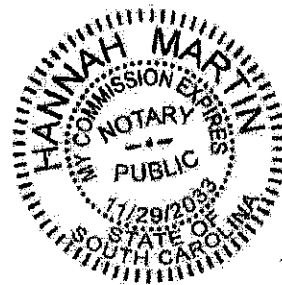
I hereby waive any right that I may have to raise the attorney-client privilege as that privilege may relate to the subject of my complaint. I further understand that by waiving the attorney-client privilege for this matter, I am authorizing the Commission to question other parties, including my attorney, concerning the facts and issues of my case.

Arsley Younginer
Signature

Sworn to me this 28 day of October, 2024

Karl Mack L.S.
Notary Public of South Carolina

My commission expires: 11-29-33



1 notice from a second attorney for Mr. Younginer, asking me
2 to hear, on an emergency basis, a stay of my order, to
3 reopen the record, to allow another opportunity to be heard
4 before I closed the record and signed my order. And it's a
5 little bit of an unusual request. I granted it. We
6 scheduled an emergency hearing as soon as I could do it.
7 It was within days.

8 At this hearing there was even more
9 documents presented. Both parties had a lot of time on the
10 court -- all open court on the record to present multiple
11 documents, affidavits, and oral arguments again for as long
12 as they needed. So after all of this time -- and the two
13 hearings that I scheduled, I granted the request to open
14 the record. I did stay my order. I didn't change my
15 underlying decision orally. I made a few -- a few, maybe
16 adjustments to it, but I ended up granted the relief on a
17 temporary basis that Ms. Donaldson requested. Not all of
18 it. But I generally granted her relief and not Mr.
19 Younginer's.

20 So after I did that, I appointed a guardian.
21 I didn't know the guardian. It was a guardian from Sumter
22 County, Mr. Stoddard, who was recommended to me from some
23 other judges, who would -- who might be a good fit. Other
24 than -- and I was asked to appoint a guardian. So it's not
25 something I did independently.

1 But I did not take -- I don't even recall if
2 the attorneys offered a suggestion on guardians. I really
3 don't recall. So nevertheless, I appointed a guardian. I
4 understand there was an emergency appeal of my order.
5 Justice Few reviewed it -- he was Judge Few at the time.
6 He denied the emergency appeal, the supersedeas. And my
7 order went forward.

8 Now, at that point it's not correct to say
9 that I kept any kind of close eye on this case. I don't do
10 that. Even if I keep jurisdiction on a case, I don't call
11 people and say, "How's it going?" I don't check with the
12 guardian and say, "How's it going?"

13 The attorneys have to report to me, under the
14 rules, which would be by motion or perhaps a request for a
15 conference call. I don't even think that happened, that I
16 recall. So it's not to say that I followed the case to
17 make sure everything was going okay. It was news to me
18 when I got a call that they settled. I was very happy that
19 they settled the case. I asked for time to come in to put
20 it on the record. But I don't track cases.

21 And in my temporary order -- I think it's
22 important to understand that I -- I did not independently
23 research any type of therapist or program or camp or
24 anything like that. That's not what I do as a judge. I
25 received information from very competent attorneys to

1 A. Well, it's my temporary order that appointed a
2 guardian, but then -- was immediately appointed, and
3 certainly consulted along with therapists about the best
4 reunification plan.

5 Q. So is there a --

6 A. So we had the opportunity to do that.

7 Q. And there would be within that record a guardian
8 report supporting --

9 A. In this case --

10 Q. -- that decision?

11 A. I don't know if he filed a written report at the
12 -- in the file. Again, the parties settled. And I can't
13 recall --

14 Q. Well, I'm saying at the point of a temporary
15 order, would there be a requirement to have a guardian ad
16 litem's report or testimony --

17 A. Not at that first temporary hearing. No, sir.
18 Some temporary hearings we do, but not this one. This was
19 the very first time they were in court. They had not yet
20 agreed upon a guardian. The court had not yet appointed
21 one.

22 I did appoint one the first time it came before
23 me. Of course, the guardian stayed involved all through
24 the five months of litigations, six months of litigation,
25 until the final order. And he -- and he signed off on

1 their agreement.

2 CHAIRMAN RANKIN: Mr. Safran.

3 EXAMINATION BY MR. SAFRAN:

4 Q. Judge, I'm going to make the request -- because I
5 don't want to put you or anybody else through anything
6 longer than is necessary, So I'm going to kind of echo what
7 Representative Smith said, "give me it back as a rifle
8 shot." Just tell me if I'm right or wrong, okay?

9 You issued an order that vested custody, where it
10 had been previously alternating, to the mother; is that
11 right?

12 A. Yes.

13 Q. As part of that order, you basically gave her
14 complete and sole discretion in terms of choosing where
15 this child was going to go for the therapy that you had
16 determined that they needed; is that fair?

17 A. Fair. Yes.

18 Q. Okay. And basically, you've excluded the
19 particular psychologist that was objectionable, locally.
20 Benedetto, correct?

21 A. Yes, sir.

22 Q. Do you have any idea whether or not Benedetto was
23 the one that actually chose this place out in Montana, to
24 effectively facilitate what they wanted anyway?

25 A. I can't recall, sir.