



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2024**

Court, Position, and Seat # for which you are applying:
Circuit Court, Fifth Judicial Circuit, Seat #1

1. Name: Mr. William Kenneth Witherspoon
Mrs.
Ms.

Name that you are known by if different from above
(Example: A Nickname):

None

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.)

Not applicable

Home Address: [Redacted]

County of Residence: Richland

Business Address: 1441 Main Street, Suite 500
Columbia, S.C. 29201

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): (803) 929-3026
(cell): [Redacted]

2. Date of Birth: [Redacted], 1959
Place of Birth: Lancaster County, South Carolina
Social Security Number: [Redacted]
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
4. SCDL# or SCHD#: [Redacted]
Voter Registration Number: [Redacted]

5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

I have never served in the military.

6. Family Status:
- (a) State whether you are single, married, widowed, divorced, or separated.
 - (b) If married, state the date of your marriage and your spouse's full name and occupation.
 - (c) If widowed, list the name(s) of spouse(s).
 - (d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds.
 - (e) State the names of your children and their ages. If your children are NOT full-time students, also include the occupation and employer of each child.

Family Status: Married on August 8, 1992 to Maggie Sythiner Bracey
Never divorced, two children
[Redacted]

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) June 1977 – August 1977, University of South Carolina-Lancaster
 - (b) August 1977 – May 1981, University of South Carolina (B.S.)
 - (c) August 1988 – May 1991, University of South Carolina School of Law (J.D.)
8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
- (a) Student Bar Association 1988-91
 - (b) Law School Senator 1989-90
 - (c) President Student Bar Association 1990-91
 - (d) John Belton O'Neal Inns of Court 1990-91
 - (e) Law School Student/Faculty Partnership Board 1990-91
 - (f) Law School Pro Bono Board of Directors 1990-91
 - (g) Black Law Students Association (BLSA) 1988-91
 - (h) Treasurer BLSA 1989-90
 - (i) Phi Alpha Delta Legal Fraternity 1989-91

9. 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. Please indicate the number of times you took the exam in each state.

I was admitted to practice law in South Carolina in November 1991. I took the bar exam only once. I have not taken the bar examination in any other state.

10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.

- (a) August 1991 – July 1992
Law clerk to the Honorable Randall T. Bell
S.C. Court of Appeals
- (b) August 1992 – August 1993
Law clerk to the Honorable Matthew J. Perry, Jr.
United States District Court for the District of South Carolina
- (c) September 1993 – November 1995
Berry, Dunbar, Daniel, O'Connor, Jordan & Eslinger
My practice was a general civil plaintiff's-oriented practice. I was involved in contract matters, automobile accidents and other personal injury cases.
- (d) November 1995 – August 1996
Law clerk to the Honorable Matthew J. Perry, Jr.
United States District Court for the District of South Carolina
- (e) September 1996 – July 1998
Berry, Adams, Quackenbush & Stuart
My practice was a general practice with both plaintiff's and defense cases. Cases included employment matters, contract matters, criminal defense, automobile accidents and other personal injury cases.
- (f) July 1998 – May 2000
Associate General Counsel, South Carolina Budget & Control Board
As a member of the General Counsel's Office, I served as legal advisor, provided legal advice, and representation to different Board offices and staff. I reviewed contracts, proposed legislation, and represented the Board offices in legal disputes.

- (g) May 2000 – present
Assistant United States Attorney, United States Attorney’s Office
I am involved in the prosecution of federal narcotics and firearms crimes. I have held several positions in the US Attorney’s Office including, Anti-Terrorism Coordinator, interim Violent Crimes Section chief, First Assistant United States Attorney and Senior Litigation Counsel.

Justices/judges applying for re-election to their current position may omit Questions 11–17. If you are a full-time judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience *prior to serving on the bench.*

11. Please answer the following:
- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court judge. Please also indicate the frequency of your appearances before a Family Court judge within the past five years.
- (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, and 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 and procedural knowledge 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. Please also indicate the frequency of your appearances before a Circuit Court judge within the past five years.

Criminal Experience

Over the last five (5) years, my practice has been exclusively in criminal matters. I have handled cases involving violations of federal narcotics and firearms statutes, immigration laws, armed robbery matters, and narcotics related murders. I was the leader prosecutor in a case involving the prosecution of a former FBI agent. As part of my criminal practice, I have handled some appeals and responded to post-conviction matters which are civil in nature.

Civil Experience

Over the course of my career, I have represented both plaintiffs and defendants in civil matters. My civil practice included personal injury cases and other intentional torts. I have handled automobile accident cases, contract disputes, and employment matters. In addition, I have continued to review reported civil cases from both the state and federal courts. I would continue to study the Rules of Civil Procedure and the reported civil cases to overcome any deficiency in my experience. I have viewed civil CLEs through online training courses and read South Carolina Advance Sheets in this area.

- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.
 - (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.
12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?
- (a) federal: 100%
 - (b) state:
13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?
- (a) civil: 5%
 - (b) criminal: 95%
 - (c) domestic: 0%
 - (d) other:
14. During the past five years
- (a) What percentage of your practice was in trial court, including cases that settled prior to trial? 100%
 - (b) What number of cases went to trial and resulted in a verdict? 10%
 - (c) What number of cases went to trial and resolved after the plaintiff's or State's case? 0% (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.
 - (d) What number of your cases settled after a jury was selected but prior to opening statements? 0%

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel?

Sole Counsel

For sitting judges seeking a judgeship different than your current position,
During the five years prior to your election to the bench, what percentage of your practice
was in trial court, including matters that settled prior to trial?

15. 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) Tobias, et al. v. The Sports Club, et al., 332 S.C. 90, 504 S.E.2d 318 (1998). I served as co-counsel in this case. This was a first party cause of action against the defendants for serving alcohol to an intoxicated plaintiff under the theory of Christiansen v. Campbell, 328 S.E.2d 351 (S.C. Ct. App. 1985). After the jury returned a verdict for the defendants, my firm appealed on behalf of the plaintiffs. The jury verdict was upheld but the Supreme Court overruled Christiansen.

(b) United States of America v. Jorge Gonzalez-Vasquez, et al., 77 Fed. Appx. (4th Cir. (S.C.) October 20, 2003). I served as co-counsel in this case. This case was tried in federal court. This case arose from the discovery of an organized drug smuggling and sports betting ring in the federal prison in Edgefield, South Carolina. A total of 22 defendants, including inmates and their family members, were charged. Four of the defendants went to trial and were convicted. The remaining eighteen (18) defendants pled guilty to several different charges. Because several of the defendants did not speak English, this case involved the use of Spanish interpreters for the defendants, the use of translated recorded prison telephone calls, and the use of historical evidence of drug smuggling from other federal prisons.

(c) United States v. David Michael Woodward, et al., 430 F.3d 681 (4th Cir. 2005). I served as co-counsel in this case. This case arose out of a pain management clinic in Myrtle Beach. The clinic was dispensing powerful narcotic pain medication to its patients. We alleged that the doctors were over prescribing and illegally prescribing these medications to patients who were not in need of the medication. In some cases, the doctors did not perform any physical examination of the patients or the patients were intoxicated when they came to the clinic. Patients, allegedly in severe pain, were traveling more than three (3) hours to visit the clinic. The doctors alleged that they were in a better position to diagnose and treat the patients. After a two (2) week trial, the doctors were convicted. This case was the first of its kind in South Carolina.

(d) United States v. Kenneth Reid, et al., 523 F.3d 310 (4th Cir 2008). I served as co-counsel in this case. This case arose out of an undercover drug deal in Rock Hill, South Carolina. After Mr. Reid determined who the undercover informant was, he hired another drug dealer to kill the informant. They were successful in killing the informant. The local police sought federal help in investigating and prosecution of this case. After the shooter was located in Texas and brought back to South Carolina, he then faked being mentally ill which required a mental evaluation and hearing to determine his competency. Only Mr. Reid went to trial. At trial, we tried Mr. Reid on several different charges, including using a

firearm during a violent crime. He was convicted of several charges and sentenced to life imprisonment. This case is significant based upon the request from the victim's family.

(e) United States v. Darryl Hemphill, et al. I served as lead counsel in this case. This case arose out of a drug organization located in the Rock Hill, South Carolina area. I indicted approximately 19 defendants as a result of a wiretap. The defendants were flying to California to meet with the source of supply for cocaine, methamphetamine, marijuana, heroin, and fentanyl. Once they met with the source of supply, they would ship packages containing the illegal substances back to different locations in Charlotte, North Carolina. Eventually, the defendants began making counterfeit pain pills using fentanyl. Out of 19 defendants charged, sixteen plead guilty to varying charges. Three defendants went to trial and were convicted of all charges. This case is on appeal. This case is significant because after the arrest of the individuals the local law enforcement noticed a significant decrease in the number of counterfeit pills in the area which help lower the number of opioid related deaths in the area.

16. 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.

(a) Walker v. South Carolina Department of Health and Environmental Control, 1998 WL 637298 (4th Cir. (S.C.) August 31, 1998);

(b) Heyward v. Monroe, 1998 WL 841494 (4th Cir. (S.C.) December 7, 1998).

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.

(a) United States v. Anderson, 773 Fed. App'x. 127 (4th Cir. 2019).

(b) United States v. Cannon, 740 Fed. App'x. 785 (4th Cir. 2018).

(c) United States v. Cash, 2008 WL 4699771 (4th Cir. (S.C.) October 27, 2008).

(d) United States v. Hallman, 2007 WL 1423758 (4th Cir. (S.C.) May 10, 2007).

(e) United States v. Charley, 2006 WL 521735 (4th Cir. (S.C.) March 03, 2006).

18. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

I was appointed a Municipal Court judge for the City of Columbia in August 1998. I served in this position until May 2000 when I joined the United States Attorney's Office.

19. If the answer to question 18 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.

As a Municipal Court judge, I did not issue any order or opinion.

20. 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.

I was admitted to practice in South Carolina in November 1991. I was admitted to practice in the United States District Court for the District of South Carolina in September 1993. I was admitted to the United States Court of Appeals for the Fourth Circuit in May 1993.

21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

- (a) I have lectured at the SC Bar Program “Bridge the Gap” for new lawyers.
- (b) I have made presentations on the topics of appellate advocacy and domestic relations to lawyers attending the Annual SC Bar Meeting
- (c) I have taught an upper-level Business Law class at Benedict college.
- (d) I have taught a Trial Advocacy class at the U.S.C. School of Law.
- (e) I have lectured at the SC Bar CLE program “20/20: An Optimal View of Significant Developments”.
- (f) I have lectured at the Richland County Bar Association’s annual ethics seminar.
- (g) I have lectured to federal paralegals on “Pretrial Discovery” issues.
- (h) I have lectured to federal paralegals on “Fifth Amendment” issues.
- (i) I have lectured to federal paralegals on “Witness Immunity” issues.
- (j) I have lectured to new federal employees on federal criminal procedure.
- (k) I have lectured to law students on criminal conspiracy issues.
- (l) I have lectured to several classes at USC on mental health issues in criminal matters.
- (m) I have lectured at Narcotics Commanders School on “Preparing Search Warrants” to law enforcement officers attending the school.
- (n) I have made presentations to students at the Charleston School of Law and UofSC School of Law.

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

Attached

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

- (a) S.C. Appellate Practice Handbook (S.C. Bar CLE 1995), Contributing Author;
- (b) Marital Litigation in S.C., Roy T. Stuckey and F. Glenn Smith (S.C. Bar CLE 1997), Editorial Board;

I have not written any articles.

24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

I have attached a response to a motion to vacate a sentence in both United States v. Cannon and United States v. Anderson.

25. What is your rating or membership status, if any, by any legal rating organization; such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I am rated AV by Martindale-Hubbell.

26. 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) President, S.C. Bar 2016-2017
- (b) President-elect, S.C. Bar 2015-2016
- (c) Treasurer, S.C. Bar 2014-2015
- (d) Member, S.C. Bar Board of Governors 2010 – 2018
- (e) Member, S.C. Bar House of Delegates 1998 – present
- (f) Chair, S.C. Bar House of Delegates 2013-2014
- (g) Past Chair, S.C. Bar Long Range Planning Committee
- (h) Past Member, S.C. Bar Nominating Committee
- (i) Past Member, S.C. Judicial Qualifications Committee
- (j) Past Member, Supreme Court Board of Grievances and Discipline
- (k) Past Member, S.C. Bar Continuing Legal Education Committee
- (l) Past Member, S.C. Bar Publications Committee
- (m) Past Member, S. C. Bar Diversity in Profession Committee
- (n) Past Member, S.C. Bar Professionalism Committee
- (o) Past Member, Richland County Bar Long Range Committee
- (p) Past Member, Palmetto Legal Aide Board of Directors

27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.

I have never held public office.

28. For sitting or former judges, 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.
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

Yes. I ran for the Circuit Court, At-Large, Seat No. 9 in September 2002. I was found qualified but not nominated by the Judicial Merit Screening Committee. I ran for the Circuit Court, At-Large, Seat No. 9 in May 2006. I was found qualified and nominated by the Judicial Merit Screening Committee. I was not elected. I ran for the Circuit Court, At-Large, Seat No. 8 in 2009. I was found qualified but not nominated. I ran for the Circuit Court, At-Large, Seat No. 3 in 2022. I was found qualified but not nominated.

30. 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? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

(a) 1981 – 83 Celanese Corporation - I worked as a lab analyst for a chemical company. Duties included collecting and testing chemicals used in dye production.

(b) 1983 – 85 Celion Carbon Fibers - I worked as a lab analysts for a graphite producer. Duties included collecting and testing graphite material produced by manufacturer. In 1984 through 1985, I managed the day-to-day operations of the lab.

(c) 1985 – 88 Lancaster County Sheriff's Office - I worked as a deputy sheriff. I answered and responded to emergency calls by county residents.

31. 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.

Not applicable.

32. 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)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

(a) 1994 – 95 SC Broadcasters Association

(b) 1997 Roper Ventures

33. Provide, as a separate attachment, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.)

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

34. (a) Have you filed state and federal income tax returns for the last 5 years? If no, please provide details. Yes
- (b) Have you or any business with which you are associated been delinquent in any local, state, or federal taxes? If yes, please provide details. No
- (c) Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If yes, please provide details. No
- (d) Have you ever defaulted on a student loan? If so, please provide details. No
- (e) Have you ever filed for bankruptcy? If so, please provide details, along with proof of satisfaction of any liens or defaults. No
35. 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? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No.

36. 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. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

I have not expended any funds to date.

37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years. If you participate in any employer-mandated contributions to a PAC or any other political entity, please describe and note your personal involvement in contributions. If you are a sitting judge, please include such contributions since your last screening.

Not applicable.

38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No

39. 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 or currently hold. Explain how you would resolve any potential conflict of interest.

There are none.

40. 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 more that adjoins property in which there have been public improvements of \$200 or more; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

Not applicable.

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.

Attach a copy of any contract or agreement.

41. 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.

Not applicable.

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.
43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.
44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
45. 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? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

In 2005, a defendant, who I had previously prosecuted, named me as a defendant in a 42 U.S.C. § 1983 action. The defendant also named a federal District Court judge, a Drug Enforcement Administration Special Agent, the United States Marshal's Service, Richland County Sheriff's Department, and the Kershaw County Sheriff's Department in the action. The civil case name is Daniels v. Currie, et al. The civil case number is 6:04-cv-2280. The case was dismissed without service on me or the other named defendants. The case arose out of the arrest and prosecution of the named defendant for a number of drug related charges. The defendant was found guilty at a jury trial and sentenced. Thereafter, he filed this action.

48. 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.

Not applicable.

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details.

No

51. 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, or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? 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? If so, give details.

I have not sought, either directly or indirectly, a pledge from any member of the General Assembly for this position.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

I have not requested any third party to contact a member of the General Assembly on my behalf other than the five (5) reference letters required. I am not aware of anyone contacting a member of the General Assembly.

53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?

Yes, I am familiar with the 48-hour rule.

54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.

Neither I nor anyone on my behalf has contacted any member of the Judicial Merit Selection Commission.

55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application.*

1. Jason P. Peavy
Law Office of Jason P. Peavy, LLC
[Redacted]
2. Allen B. Burnside
Assistant Federal Public Defender
[Redacted]
3. Jonathan M. Milling
Milling Law Firm, LLC
[Redacted]
4. Mark C. Moore
Maynard Nexsen PC
[Redacted]
5. Jonathan S. Gasser
Harris & Gasser, LLC
[Redacted]

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?

I have a Facebook account [Redacted]

If so, please list the account names for each account and the relevant platform.

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

As I only view posts on Facebook, it would not affect my service as a judicial officer. If I am selected, I would cease and close my account.

57. 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, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.

- (a) Salvation Army Board of Directors- 2023 Vice-chairman; 2024 Chairman
- (b) Child Evangelism Fellowship Board of Directors
- (c) Omega Psi Phi Fraternity

58. 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. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

I believe that my diverse legal background would benefit me as a Circuit Court judge. I have worked as a law enforcement officer, in private practice, in public service and over my legal career gained valuable courtroom experience as a federal prosecutor. I believe these experiences would be an attribute to me if I am selected as a Circuit Court judge.

I have also tried to continue my involvement in civic and professional activities in addition to practicing law. I have served on several committees and boards in the South Carolina Bar including the Board of Grievances and Discipline, CLE, Diversity, Professional Responsibility, Long Range Planning and the Nominating Committee. As a result of my bar and community service, I was awarded the Compleat Lawyer Silver Medallion by USC School of Law. The Silver Medallion is awarded to lawyers practicing less than fourteen (14) years for service to the legal profession and the community at large. The recipients of the award are chosen by the Chief Justice of the Supreme Court, the Chief Judge of the Court of Appeals, the Dean of the Law School, the Executive Director of the SC Bar and the President of the Law School Alumni Board. In 2023, I received the Compleat Lawyer Platinum Medallion. I have also received the South Carolina Lawyers' Weekly Leadership in the Law award.

These activities are important and beneficial to me in that they have provided an opportunity to improve both the legal profession and the community at large. I believe that it is important that judges come from varied backgrounds and perspectives. Being involved in professional and civic activities is a way of achieving that diversity of experience and allow me to gain valuable insight into other ideas and perspectives.

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: _____

Sworn to before me this ____ day of _____, 2024.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____