



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

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

Circuit Court, Judge, Eleventh Judicial Circuit, Seat 1

1. Name: Mr. Derrick E. Mobley

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.). No. Previously served as a Municipal Court
Judge (part-time) from June 2014 until December 2021.

Home Address: [Redacted]

County of Residence: Lexington County

Business Address: 811 S. Lake Drive, Lexington SC 29072

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): (803) 951-3847
(cell): [Redacted]

2. Date of Birth: [Redacted]/77
Place of Birth: Spartanburg, 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.

(a). No. I've never served in the military.

6. Family Status:
- (a) State whether you are single, married, widowed, divorced, or separated.
- 1). Family Status: Divorced
- (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.
- 1). Family Status: Divorced. Divorced on December 10, 2013. The moving party was Angela Marie (Boyd) Mobley. Richland Co., S.C. Family Court, Ms. Boyd was moving party, One Year's Continuous Separation.
- (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.
- 1). [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). Attended Hampton University from August 1996 until May 2000. Obtained a Bachelor of Science degree in Marketing.
Initially, I attended law school at Cleveland State University College of law from June 2003 until August 2003 for a Summer Law Study program. However, I left Cleveland State University College of Law after being admitted to the University of South Carolina School of Law. I attended the University of South Carolina School of Law from August 2003 until May 2006 after which I obtained my Juris Doctor degree.
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). I was a member of the Sports and Entertainment Society (2003 – 2006), and a member of the Black Law Students Association (2003 – 2006). Beginning my 2L year, most of my extracurricular time was consumed by working two jobs to help pay for my education and provide necessities for my family. Beginning in the fall semester of my 2L year, I began working at the S.C. Court Administration (Judicial Department) as a law intern. Then, during the spring semester of my 2L year, I acquired a second job as a Verizon Wireless Sales Representative at the Two Notch Road store to help supplement my income. I continued to work both jobs throughout law school until I graduated.

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.

(a). South Carolina – 2007 (2)

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.

August 2006 – November 2006: Judicial Law Clerk for the Honorable Alison Lee

- Perform stator and case law research
- Draft memorandums of law
- Analyze legal issues
- Liaison between the Judge and interested parties
- Interpret relevant statutes and case law
- Was not involved in any financial matters.

December 2006 – October 2007: South Carolina Department of Labor, Licensing and Regulations

- Perform statutory and case law research
- Draft memorandums of law.
- Analyze legal issues.
- Draft formal complaints.
- Investigate alleged regulatory and stator violations.
- Was not involved in any financial matters.

October 2007 – November 2010: Eleventh Judicial Circuit Solicitor's Office (Lexington)

- Prosecuted defendants that were arrested in Lexington County for charges ranging from Driving Under the Influence, Felony DUI, Drug Trafficking, Hit & Run, Armed Robbery, Assault and Battery with the Intent to Kill, and Murder.
- Issue legal opinions regarding pending cases.
- Correspond and meet with victims regarding pending cases.
- Presenter for the Prosecution Commission (D.U.I.)
- Drug prosecutor for the Lexington County Narcotics Enforcement Team (N.E.T. Team)
- Disposed of at least 908 active warrants during tenure.
- Trials to jury verdict included Driving Under the Influence, Felony D.U.I. – Death, Drug Trafficking, Armed Robbery, Murder.
- Was not involved in any financial matters.

November 2010 – June 2012: Law Office of Richard J. Breibart, LLC

- Defend clients against criminal arrest warrants and/or accusations.
- Perform legal research.
- Draft memorandum of law.
- Advise and counsel clients of the legal process.
- New Business Development.
- Was not involved with financial matters of the firm. I was only responsible for signing the new clients up with a retainer agreement, then the retainer fees were accepted and handled by the firm's intake specialist and in-house accountant through the completion of said matter.

June 2012 – Present: Law Office of Derrick E. Mobley, LLC (Founder/Owner)

- Criminal Defense and Plaintiff Attorney.
- Perform legal research
- Draft memorandums of law
- Advise clients of the legal process and protection of their Constitutional rights.
- Managed all day-to-day operations of office.
- Managed and completed all administrative tasks until 2018.
- Calendared and managed daily calendar.
- Completely control and manage all financial matters of the office including Operating and Trust/IOLTA accounts.
- Manage payroll, expenditures, distributions, operation expenses, etc...

June 2014 – December 2021: Municipal Court Judge (part-time)

- Conduct administrative functions of the court, as needed.
- Preside over bond settings.
- Review, accept/deny arrest and/or search warrants.
- Conduct research, and issue rulings in compliance with Federal, State and local laws.
- Was not involved with any financial matters.

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.

Not Applicable.

- (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.

- (1). Prior to even graduating from law school, I had the privilege of working at the South Carolina Court Administration, Judicial Department, as a law intern. Me and a co-law intern were assigned the task of correcting, updating and interpreting every CDR code (approximately 3000) that existed within the South Carolina judicial system. Although the work was tedious and labor intensive, it provided me with direct knowledge of every active criminal statute that allows General Sessions court to function. This began the foundation of my criminal law experience, and it was a project ordered by Chief Justice Toal for a statewide launch under the new case management system.

After graduating from law school, I had the opportunity to work as a law clerk to the Honorable Alison Lee, as an Assistant Solicitor to the Honorable Donald V. Myers at the Eleventh Circuit Solicitors Office, as an associate in private practice, as an owner/founder of the Law Office of Derrick E. Mobley and 7 ½ years as a Municipal Court Judge in the City of Mauldin. As a judicial law clerk to the Honorable Alison Lee, I had the opportunity to observe both civil and criminal matters from the bench. I would assist with drafting orders, scheduling motions hearings, and conducting research regarding legal issues. As an Assistant Solicitor, I disposed of at least 908 warrants that that ranged from Driving Under the Influence to Murder. During my tenure as an Assistant Solicitor, I was able to secure guilty verdicts at trial that included the following: State v. Adrian Eaglin (murder; life without parole); State v. Christopher Manning (Felony D.U.I. Death; 18 years); State v. Andre Jamison (Felony D.U.I. Death; 15 years; “Jesse’s Way” bike lane on the Blossome Street bridge is dedicated to the victim).

My tenure at the Solicitors Office is by far the most important legal experience of my career. I had the opportunity to understand the admission of evidence, expert witness testimony, evidentiary issues and trial dynamics. The position taught me how to be a trial attorney.

Upon entering private practice, I had the opportunity to understand the dynamics of business development, managing client expectations, time management, and the day-to-day functions of private practice. It helped me understand the urgency, or lack thereof, of private attorneys as they represented their clients while I was an Assistant Solicitor. I appreciated their efforts and understood their plight and/or strategies now as an attorney in private practice.

In June 2012, I opened the Law Office of Derrick E. Mobley, LLC. The office immediately began accepting criminal defense and personal injury clients. In 2014, I was chosen as a Rule 608 Contract Attorney and have had the contract renewed every year since. Over the course of the 12 years that this office has been open, I've represented individuals in both federal and state courts at all stages of both criminal and civil proceedings as either lead counsel or co-counsel. According to my records, I've opened 1,222 new criminal files (unknown number of total warrants) and handled and closed at least 30 personal injury files (total gross settlements exceed \$2 million; lead counsel and co-counsel cases included).

In June 2014, I had the privilege of being appointed as a part-time Municipal Court Judge at the City of Mauldin. My chief responsibilities were reviewing search warrant request, probable cause inquiries from law enforcement, issuance of arrest warrants, bond setting hearings, judicial administrative duties and presided over several guilty plea hearings, and bench trials. I resigned from the judgeship in December 2021 as I was elected to be President of the Lexington County Bar Association. Thus, my resignation was to conform with the requirements as stated under Judicial Canon 4(C)(3)(B)(iii) which forbids a judiciary member from "personally participate in membership solicitation if the solicitation might be reasonably be perceived or, except as permitted in Section 4C(3)(b)(i), if the membership solicitation is essentially a fund-raising mechanism;" As President of the Lexington Bar Association, not only are you tasked with leading the organization, but you are also expected to promote membership growth through solicitation of prospective new membership which increases the organizations bottom line revenue growth. Therefore, I could not retain the Municipal Court Judgeship while acting as the President of the LCBA. Therefore, I resigned to avoid any violation of Judicial Canon 4(C).

Focusing on the last five years of my criminal legal practice, I have represented individuals in various criminal matters in state and federal court. My criminal practice includes representing individuals that are charged with

everything from Driving Under the Influence to Murder. I've attended preliminary hearings, bond hearings, motions to reconsider bond, motions to reconsider sentence, motions to vacate bench warrants, plea hearings, interrogations, and jury trials. Most recently this year, I had a 3 co-defendant "Stand Your Ground" murder hearing that did not result in a ruling of immunity from the bench, but it did result in the hearing being suspended, murder warrant dismissed and the client accepting a negotiated Accessory After the Fact of Murder plea. In 2021, a "Stand Your Ground" hearing was held after my client was arrested, along with two co-defendants, for murder. There were issues of legal theory of mutual combat and the protection of others under the "Stand Your Ground" statute. In this case, my client was granted immunity under the "Stand Your Ground" statute and released. I have 3 more "Stand Your Ground" hearings that are currently being scheduled over the next few months. In short, it is common for me to appear before multiple Circuit Court judges daily in multiple counties throughout each week.

Civilly, my practice focuses more on being the plaintiff attorney of personal injury cases. Almost all my Court of Common Pleas matters result in settlement as opposed to trial. I mainly focus on securing a personal injury settlement through negotiations with the adjuster of the at-fault's insurance company. I've had the opportunity to settle cases for individuals involved with motor vehicle accidents, slip-and-fall, and premise liability. However, I have been involved with several filed lawsuits, as co-counsel, that have resulted in significant six figure settlements on both the federal and state level. Those specific cases involved depositions, motions to compel, pretrial hearings, mediations, scheduling orders and confidential settlement agreements. There are several pending personal injury matters that have yet to be resolved through mediation or trial, if necessary.

Over the course of my legal career, I have been fortunate to be able to experience litigating matters from both sides of the courtroom aisle while also ruling upon matters of law from the middle: Personal Injury Plaintiff Attorney, Criminal Defense Attorney and Municipal Court Judge. I believe these experiences uniquely qualify me as a candidate for the Circuit Court bench.

- (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.

Not Applicable.

- (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.

Not applicable.

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: Approximately 3 – 5 times total.

(b) state: Almost daily. I have a statewide practice that requires me to represent individuals in multiple Municipal, Magistrate and Circuit Courts throughout the state in multiple counties almost daily.

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: 10 - 14%

(b) criminal: 85-90%

(c) domestic: 0%

(d) other: 1%

14. During the past five years

(a) What percentage of your practice was in trial court, including cases that settled prior to trial?

Approximately 90 - 95%

(b) What number of cases went to trial and resulted in a verdict?

(e) What number of cases went to trial and resolved after the plaintiff's or State's case? (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.)

a. Approximately 5.

(f) What number of your cases settled after a jury was selected but prior to opening statements?

a. None.

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

1). I served most often as 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?

1). Not applicable.

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) State v. Adrian Eaglin: In this matter, I was the assigned Assistant Solicitor. As 1st chair prosecutor, I was tasked with trying this case as a circumstantial evidence strangulation murder case in Lexington County General Sessions. The was three years old (arrest to trial) and relied heavily upon reluctant witness testimony and forensic blood analysis. This case was significant to me, because the family of the victim was not encouraged that justice could be achieved for their loved one after 3 years of the case pending. I wasn't assigned to the case until approximately 2 years after initial arrest. After being assigned the case, my intent was to assure the family that justice would be sought swiftly and efficiently. After thoroughly examining the evidence and trial preparation, my co-counsel and I proceeded to trial and obtained a guilty verdict. The defendant was sentenced to life imprisonment.

(b) State v. Kevin Holland: In this matter, Jack Swerling and I represented the client as his Criminal Defense Attorneys. This criminal matter was litigated in Newberry County General Sessions Court. This matter involved a shooting at a Halloween Party which ultimately resulted in a 3rd party bystander death. Our client, along with two other defendants, were arrested for murder of the bystander. The State's theory was that all three co-defendants were equally responsible for the death of the bystander, because they were engaging in "mutual combat." Our position was that our client was protecting his twin brother by returning gun fire at the person who was firing gunshots at his brother. Furthermore, we were able to forensically determine that our client's gunshots were not the cause of the bystander's death. Unable to come to a mutual agreement regarding the legal implications of their legal theory and our evidentiary analysis, we proceeded to a "Stand Your Ground" hearing. The Court granted immunity under the "Stand Your Ground" statute after hearing all witnesses, analyzing all evidence and expert witnesses. This case was important to me, because it allowed me to utilize the law, and case law, as written for a just and proper outcome.

(c) State v. Christopher Manning: In this matter, I was the assigned Assistant Solicitor. The case was litigated in Lexington County. The case involved the Defendant being charged

with Felony DUI resulting in Death because of his friend (front seat passenger) being killed during a dramatic single car wreck. Testimony revealed that both the defendant and his friend were impaired (blood alcohol levels of .173 and .169, respectively). At issue was who was the driver as both occupants had been ejected into a field from the overturned vehicle. Testimony, forensic expert witness testimony of blood splatter on the steering wheel, and expert witness testimony about accident reconstruction by the South Carolina Highway Patrol's M.A.I.T. Team identified the Defendant as the driver of said vehicle. A jury subsequently returned a verdict of guilty. The Defendant was sentenced to the South Carolina Department of Corrections for a term of 18 years. This case is significant to me, because the verdict was appealed to the South Carolina Court of Appeals and upheld. Furthermore, the case provided guidance regarding the failure to produce an affidavit in compliance with the video taping statute. State v. Manning, 400 S.C. 257, 264, 734 S.E.2d 314, 317–18 (Ct.App.2012)

- (d) State v. Andra Jamison: In this matter, I was the assigned Assistant Solicitor. This matter was litigated in Lexington County. The Defendant was charged with Felony D.U.I. resulting in Death of a bicyclist. This case involved allegations that the Defendant was “materially and appreciably impaired” to the point that his faculties to drive were not safe. The matter proceeded to jury trial where the defendant was found guilty and sentenced to 18 years at the South Carolina Department of Corrections. The bicyclist, who was riding his bike home after leaving work, was subsequently memorialized by the City of Cayce with a bike lane over the Blossom Street bridge appropriately dedicated as “Jesse’s Way” Bike Lane. This case is important to me, because it allowed me to weave common sense, legal theory and creative arguments together for a just outcome.
- (e) State v. Max Gantt: In this matter, I was appointed as the Criminal Defense Attorney through S.C. App. Ct. R. 608. The case was litigated in Richland County Court as a State Grand Jury case. The South Carolina Attorney General Office was the prosecuting agency. Mr. Gantt was charged with Trafficking Marijuana (more than 100 lbs.). It was alleged that he knowingly assisted and helped further, in conspiracy with a targeted co-conspirator, the trafficking of marijuana from Texas to South Carolina. At some point, a heavy-duty truck was dropped off at the Richland Count Mall by a 3rd party. My client was instructed by his employer to go pick up the truck and bring it back to his work location. My client then proceeded to the mall area parking lot, and began the process of cranking the truck and leaving the parking lot; at which point, numerous law enforcement officers surrounded the truck and arrested my client. 100+ lbs. of packaged marijuana was subsequently located in the truck’s gas tank. The State’s theory was that my client knew what was in the truck’s gas tank and was a co-conspirator with the targeted co-conspirator, and he was guilty of constructive possession of the marijuana. My theory was that he had no knowledge of said contents, was not conspiring with the co-conspirator, only following the directions of his employer and the State could not prove beyond a reasonable doubt that my client had knowledge of said marijuana in the gas tank. The case proceeded to trial and resulted in a Not Guilty verdict. This case is

significant to me, because it shows that I treat all private and appointed clients the same while vigorously defending their rights and advocating the law on their behalf.

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) None.
 - (b)
 - (c)
 - (d)
 - (e)

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) None. As a trial attorney, I've only lost 6 jury trials in my entire career as either an Assistant Solicitor or Criminal Defense Attorney. Therefore, the need to file criminal appeals has been quite limited. However, I have filed several Notice of Intent to Appeals for some of those trial losses to preserve their right to appeal, but the appeals were ultimately handled by the South Carolina Indigent Defense (Appellate Counsel) or other private attorneys.
 - (b)
 - (c)
 - (d)
 - (e)

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.
 - (a). Yes. I was appointed as a Municipal Court Judge (part-time) in the City of Mauldin (June 2014 – December 2021). The Mauldin Municipal Court has jurisdiction over cases arising under ordinances of the municipality, and over all offenses (criminal and traffic) which are subject to a fine not exceeding \$500.00 or up to 30 days imprisonment, or both. The Municipal Court Judges' jurisdiction does not extend to misdemeanor or felony offenses where the possible fine is in excess of \$500.00 or more than 30 days imprisonment. Furthermore, Municipal Court Judges do not have jurisdiction over civil matters. It is a court of limited jurisdiction.

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.
 - (a) As a Municipal Court Judge, I mainly presided over misdemeanor offenses. As such, I never had the opportunity to issue an order as most matters were resolved without a need or desire by the parties to have an order or opinion issued.
 - (b)
 - (c)
 - (d)

- (e)
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 have been admitted to practice in the following courts:
(a) South Carolina State Courts – 2007
(b) US District Court for the District of SC – 2012
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) As an Assistant Solicitor, I was a frequent speaker for the South Carolina Commission on Prosecution Commission on matters involving DUI arrests, pre-trial motions, evidence and trial strategies. The courses were made available to and attended by law enforcement officers, prosecutors and Summary Court Judges.
(b) Additionally, as an Assistant Solicitor, I assisted instructors from the South Carolina Criminal Justice Academy with teaching accident reconstruction and testifying as accident reconstruction experts during Felony DUI prosecutions.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
(a) Continuing Legal Education reports attached.
23. List all published books and articles you have written and give citations and the dates of publication for each.
(a). I have not published any books or 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.)
(a). I have attached a Motion to Reconsider Sentence and a Demand Letter.
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.

- (a) Martindale-Hubbell: 4.4 out of 5 stars.
- (b) Google Reviews: 4.9 out of 5 stars.

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) Lexington County Bar Association – Past President (2021 – 2022)
- (b) Richland County Bar Association
- (c) South Carolina Black Lawyers Association – 11th Circuit Representative

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.

- (a). No.

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.

(a). June 2014 – December 2021: City of Mauldin Municipal Court; Municipal Court Judge (part-time). Department Head/Chief Administrative Judge/Supervisor: Honorable Angela T. Martin

- Trained individual officers and staff the proper methods to submit search and arrest warrants for approval.
- Instituted first internal pre-submission content review process for search and arrest warrant content.
- Trained officers and staff how to use legal software to review statutory violations for compliance with federal/state/municipal compliance requirements.
- Utilized research, analytical and comprehensive skills to perform bond hearings accurately, efficiently and effectively; thus, improving the process cycle timeline.
- Multi-task and perform administrative functions of a small team to include the clerk of court staff and fellow judicial members, which allows an efficient and productive team approach to completing the daily workflow products.
- Issue rulings during bench and jury trials in compliance with federal, state and municipal law.

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
- (a). No.
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). July 2012 – June 2013: JaniKing (Independent Contractor); Janitor; Lexington, SC
- Provided cleaning services afterhours to local banks in the Lexington and Irmo areas.
- (a). July 2012 - April 2013: CarMax; Sales Associate; Columbia, SC
- Advised, consulted and guided customers through the car purchasing process.
 - Recognized as one of the “Top 10% Salesmen/women” during the 1st quarter of 2013 for overall sales at the branch location.
- (b). February 2005 – July 2006: Verizon Wireless; Sales Associate; Columbia, SC
- Advised, consulted and guided customers through purchasing cellular devices, accessories, and data solutions.
 - Assisted with customer service inquiries regarding billing.
- (c). April 2001 – August 2003: Verizon Wireless; Lead Coordinator of Customer Service
- Team leader of approximately 15 – 20 call center representatives.
 - Provided leadership management and guidance to customer service representatives.
 - De-escalation of irate customers regarding billing disputes, equipment failure and service coverage complaints.
 - Appointed to the “Interview Preparation Committee”
 - Appointed to the “Management Trainee Program.”
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.
- (a). DCM Holdings, LLC - Owner
- Holding company for domain names
 - eCommerce
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). No. I am not nor have I ever been employed as a lobbyist. Furthermore, I have never acted as a lobbyist principal.

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.
(1). 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.
(1). 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.
(1). Yes. On September 18, 2012, a tax lien was filed by the South Carolina Department of Revenue against me and my ex-wife in the amount of \$732.18. At the time, my ex-wife and I were separated and proceeding towards divorce. (We separated September 9, 2011. Divorced December 10, 2013). I no longer lived at the residence; therefore, I never received any notification regarding an individual income tax obligation (or who it belonged to as a couple filing jointly) that had not been satisfied until a few months later. Upon the discovery, I immediately satisfied said lien by satisfying the amount of \$732.18 on November 20, 2012. Please see attached Tax Lien notice and Tax Lien Satisfaction letter.
- (d) Have you ever defaulted on a student loan? If so, please provide details.
(1). No.
- (e) Have you ever filed for bankruptcy? If so, please provide details, along with proof of satisfaction of any liens or defaults.
(1). 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.

- (a). 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?
- (a). I have no expenses.
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.
- (a). Todd Rutherford for House - \$250.00 (March 2023)
(b). Taylor Bell for Senate - \$250.00 (January 2024)(candidate; lost during primary)
(c). I am not aware of any immediate family members donating to any member of the General Assembly.
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.
- (a). 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.
- (a). Stephen Burn and I have an office sharing agreement that requires us to equally contribute to a joint bank account for office expenses, office staff payroll and supplies. The agreement is governed and controlled by a limited liability company known as Lexington Legal, LLC. Stephen Burn and I are the only members of this company. We do not allow or accept any clients to be retained or work performed under the LLC as both our offices operate totally independent of one another. Although there is very minimal risk of a potential conflict of interest, as we do not allow joint representation under Lexington Legal, LLC, any such instance would be examined pursuant to South Carolina Judicial Canons 3 and 4, Rule 501, SCACR.
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.

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.

- (1). 200 Parlock Road, Irmo SC 29063. 100% interest. Only name on mortgage and deed.

- (a). I have 100% ownership interest in the property located at 200 Parlock Road, Irmo SC 29063. While I have ownership interest in the property, there could be a potential conflict of interest with any third parties who may rent the property from me now or in the future. Any such instance would be examined pursuant to Canons 3 and 4, Rule 501, SCACR. Subsections (b) & (c) are not applicable to this property as now.

- (b). Value: Approximate value of home is \$219,000.00. Remaining balance on mortgage is approximately \$67,000.00.

- 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.

- (a). None.

- 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.

- (a). Not applicable.

- 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.

- (a). Not applicable.

- 44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?

(a). Not applicable.

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.

Yes.

On May 27, 2001, after returning home from graduating Hampton University, I was attending Bike Week in Myrtle Beach (Horry County) when I encountered a traffic checkpoint. I presented my South Carolina driver's license. The officer informed me that my drivers license was suspended in South Carolina. I advised the officer that I received a letter from Virginia indicating that my license was not suspended at which time he advised me that the statutes for South Carolina and Virginia suspensions were different. He basically advised me that I needed to pay a reinstatement fee in South Carolina before driving on my license once the Virginia suspension was over (which I did not before this incident or even have the knowledge to do so). I was not informed of any such requirements by Atty. John Rice at the time. I was issued a ticket for Driving Under Suspension. I mailed in the fine money before the scheduled court date.

[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.

(a). 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.

(a). No.

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.

(a). Yes, I am covered by malpractice insurance. I have had the same insurance with the same company (Berkeley Insurance Group/Vista Insurance Group) since 2013. Coverage is up to \$500,000.00 with a deductible of \$2,500.00.

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.

(a). 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.

(a). No.

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.

(a) No. However, I have informed several members of the General Assembly of my intent to run for this position. I introduced myself, my work experience, my background and invited them to ask me any questions regarding those topic areas. I have not asked any individuals to campaign on my behalf and I am not aware of anyone who has done so of their own initiative.

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?

- (a). Yes.
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.
- (a). No.
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.*
- (a) The Honorable David Stumbo
[Redacted]
- (b) Jack B. Swerling
[Redacted]
- (c) Chief Terrence Green
[Redacted]
- (d) Taylor W. Daniel
[Redacted]
- (e) Brett West Price
[Redacted]
56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?
- (a). Yes. I am active on Facebook, Instagram, Twitter, Tic Tok and LinkedIn.
- If so, please list the account names for each account and the relevant platform.
- 1). Facebook:
Usernames: [Redacted]
- 2). Instagram:
Usernames: [Redacted]
- 3). Twitter:

Username: [Redacted]

- 4). Tik Tok:
Username: [Redacted]
- 5). LinkedIn:
Username: [Redacted]

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

- (a). All social media pages would be deleted; except, maybe my personal Instagram page so that I can keep contact with my relatives.
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) Farmers Enterprise Lodge #280 – PHA F&AM
 - (b)
 - (c)

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.

The Widow's Son

As a teenager (17 years old), my mother told me something that I will never forget...

She stated, "...you can't be protected by the law if you don't know the law..."

This was on the heels of us finding out that my father (her husband) 17 years earlier died because of possible workplace negligence, instead of personal safety lapses as told to her by the company. I'll never forget those words or the day we found out about what allegedly happened to cause my father to fall 180 ft to his death while working on a railroad trestle in Toccoa, GA on May 11, 1977.

I was filled with confusion that filled my thoughts, heart, and spirit during that conversation.

Me: "How could this be?"
"What can we do?"
"Who can we call?"

Mom: "I don't know..."
"I don't know any attorneys to call."

Thus, at the tender age of 17 years old, entering my senior year of high school, I had decided that I wanted to become an attorney. I never wanted to hear any other person in my family or community feel as if they did not personally know an attorney or what to do when a legal situation arises. It was at this point I would embark upon a lifelong journey to acquire as much legal knowledge and experience as possible to simply help others.

During my efforts to acquire as much legal knowledge as possible, I had the opportunity to continue helping others during some of their most difficult moments in life. As a young Assistant Solicitor, I learned essential trial skills to help provide a sense of justice to communities, families and victims. As a Criminal Defense Attorney, I was able to protect the constitutional rights of the accused while requiring the State to meet their burdens of proof when proceeding with prosecuting someone for an accusation. As a Personal Injury Plaintiff's Attorney, I've utilized case preparation skills to address individual's injuries while skillful negotiation, preparation and case law analysis. As a Municipal Court Judge, I've been able to combine my experience as a prosecutor, criminal defense attorney and plaintiff's attorney to apply the law as written in a fair, impartial and just manner. While in each position, I remembered that each defendant, victim, juror, witness, clerk of court, bailiff, law enforcement agent, observer and/or custodial staff member deserved to be treated with the utmost respect and courtesy as this may be the first time that either one of them has ever met an attorney in real life. I've had the benefit of acquiring vast amounts of knowledge across a wide range of legal fields, and plan to utilize that knowledge to serve the best interests of the citizens of South Carolina for many years to come regardless of which position that I continue to serve.

I am very confident that I know the duties required to fulfill the duties of the office due to my legal knowledge, legal experience and life lessons along the way. If appointed, I would dedicate my efforts to ensure that everyone in the courtroom is treated with respect, courtesy and even temperament. The administration of justice does not have to seem so foreign and distant to all that enters its orbit. The doors of the courthouse will be open, public and without mystery to all whom seek justice.

"...you can't be protected by the law if you don't know the law..." Bernice Jeter Mobley Land
(Sunrise: 10/01/43 - Sunset: 01/13/2014)

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: _____