



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

Court, Position, and Seat # for which you are applying: Circuit Court, At-Large, Seat 7.

1. Name: Mr. De Grant Gibbons

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.)
No.

Home Address:
[Redacted]

County of Residence:
Aiken

Business Address:
Physical: 211 York Street N. E. Aiken, SC 29801
Mailing: P.O. Drawer 2247, Aiken, SC 29802

E-Mail Address:
[Redacted]

Telephone Number: (home): [Redacted]
(office): 803-642-1732
(cell): [Redacted]

2. Date of Birth: [Redacted], 1963
Place of Birth: Logan, Utah
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#: [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.
No.
6. Family Status:
- (a) State whether you are single, married, widowed, divorced, or separated.
Married, never divorced.
 - (b) If married, state the date of your marriage and your spouse's full name and occupation.
Married May 9, 1985, to Bonnie Carol Bass Gibbons. Bonnie is an Administrative Assistant at Kennedy Middle School.
 - (c) If widowed, list the name(s) of spouse(s). N/A.
 - (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. N/A.
Never divorced and not in the process of obtaining a divorce.
 - (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.
[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) 1981-1982 Brigham Young University (Left for 2 years to serve as a full-time missionary)
 - (b) 1985-1988 Brigham Young University, B.S. Business Management, Finance
 - (c) 1986-1987 Utah Valley University – A.A. Business Management (dual enrollment)
 - (d) 1988-1991 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) Phi Delta Phi – member (1989-1991)
 - (b) Pro Bono Society – Board member. I was a street law instructor for juveniles and was part of the divorce program for indigent spouses. The organization was named a “Point of Light,” by President George H. W. Bush. (1989-1991)
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) Admitted to the South Carolina Bar – Passed on the first attempt.
 - (b) No other bar exams were taken. Not admitted 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 the management of trust accounts.
- (a) 1991-1993: Assistant Solicitor, Second Judicial Circuit, assigned to Barnwell and Bamberg Counties.
- (b) 1993-1995: Deputy Solicitor, Second Judicial Circuit, violent crime, and sex crime prosecutor for the entire circuit.

1995-2008: Deputy Solicitor, Second Judicial Circuit, teaching, hiring, and training of attorneys, above caseload in the entire circuit, co-counsel on seven capital prosecutions.

2008-Present: Circuit Public Defender, Second Judicial Circuit. Manage and negotiate office budgets on state, county, and city levels. These routinely involve over 3 million dollars per year. I also serve as personnel manager for an office of thirteen attorneys along with thirteen support staff. I oversee and review financial audits of the operation yearly. I maintain a caseload of violent crimes, and I have defended one capital case.

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.
N/A.
- (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.

I have been involved in the General Sessions Court in the entire Second Judicial Circuit continuously for over thirty years. I have been a prosecutor, defender, or supervising attorney for nearly every term of court. As Deputy Solicitor I was responsible for creating trial rosters and dockets and supervising and assisting other attorneys on their cases. I did this while also carrying a full caseload myself. I have worked closely with violent crime victims and helped them navigate the criminal process. I have cultivated and maintained close working relationships with law enforcement and court personnel. As a young prosecutor, I routinely tried ten to twelve jury trials per year. These cases ranged from minor offenses up to death penalty cases. In 2008 I was approached by local attorneys and encouraged to seek the position of Circuit Public Defender. I have now held this position for over fifteen years. I have carried a caseload my entire tenure. I handle at least five matters during each term of court. Our circuit has at least twenty terms of General Sessions Court per year. I have defended everything from minor offenses up to a death penalty defense. I routinely serve as co-counsel with new attorneys when they try serious cases.

State v. Dahkir Anderson, murder trial July 10, 2023; (2022-GS-02-00569)

Mr. Anderson was tried for murder, trafficking meth, kidnapping, and other charges. He was alleged to have abducted the victim along with four co-defendants. Evidence was produced that indicated they took him at gunpoint, tied his hands, and drove around Aiken County looking for a dog he stole from Mr. Anderson. Mr. Anderson admitted to assaulting the victim but denied the murder. He went to trial as the sole defendant in the case. The medical examiner testified that death was the result of homicidal beating. The body was burned at some point, but the examiner could not testify if it was before or after death. There were several issues associated with this trial. There was a horrendous seven-second video of the victim gasping for breath on the ground with a pistol stuck to his chin. There were also gruesome photos of the burned body being taken from a shallow grave. The jury returned a guilty verdict on Murder and Kidnapping, but was unable to reach a unanimous verdict on the drug and weapon charges. Mr. Anderson was given a life sentence.

State v. Marcus Turner, murder trial December 5, 2018; (2018-GS-02-00440)

This case involved a charge of Murder and Robbery. Mr. Turner, along with two co-defendants, called a cab for a ride home. The cab driver and his girlfriend responded to the request. Upon arriving the passengers exited the vehicle and refused to pay the fare. An argument ensued and the elderly cab driver was struck in the head by the defendant. The other two men then reached in and took items from the driver and the passenger. The cab driver then fled the scene. The following day, the victim had

some issues and sought medical attention. He was found to have a subdural hematoma and was rushed into surgery. After surgery, he lapsed into a coma. Approximately a month later he died in the hospital. This case was complicated by the fact that the victim suffered a fall shortly before this incident and did injure his head. Medical experts were consulted, and the proximate cause of death was somewhat unclear. We proceeded to trial and during the course of the trial, the state approached me with a plea offer. Mr. Turner elected to plead guilty to voluntary manslaughter. This case was a prime example of so many legal disputes. As attorneys we must learn, study, and come to understand a wide variety of information. I had to give myself a crash course on brain injuries and the associated medical terms and processes. I believe this will be similar to my experiences as a judge in dealing with the myriad of legal issues associated with civil and criminal matters.

State v. Denzil Jordan, burglary 1st, kidnapping, armed robbery, A&B 1st August 9, 2018; (2018GS0200083)

Mr. Jordan was tried on the above charges. The allegations were that he, along with co-defendants, entered the victim's residence, tied him up, pistol-whipped him, and forced him to turn over his debit cards and PINs. They then held him there while a co-defendant went and withdrew funds and made purchases ensuring that they had been given the correct PIN. Entry was made into his residence after a female co-defendant, who went to school with the victim, convinced the victim that she was romantically interested in him. The female let her compatriots into the residence when the victim was out of the room. There were the usual technicalities associated with a multiple-defendant trial. The female defendant became a witness for the state. The defendant was convicted and received a sentence of twenty-five years to run concurrently.

In the civil realm, my experience consists of civil matters ancillary to the criminal system. I have dealt with PCR issues and have always reviewed the civil process and paperwork associated with these cases. As a young prosecutor, I argued appeals to the circuit court which had civil procedure aspects. During that time, I spent a short stint doing civil drug forfeiture actions and bond estreatments which have civil components. Our circuit jurists have always scheduled civil motions and hearings during criminal court. I have watched hundreds of these matters over my three decades in court. I am sure I will have much to learn and adapt to as I deal with civil cases. However, part of being a trial lawyer is being a fast study of new and unfamiliar material. I am confident that with hard work and determination, I can get up to speed quickly. I will also try to cultivate relationships with more experienced judges who can act as mentors when I need them. I plan on utilizing civil CLE courses whenever possible to further my assimilation.

- (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. N/A.

- (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. N/A.
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: 0%
 - (b) state: Over twenty terms every year, approximately five matters per term.
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: 0%
 - (b) criminal: 100%
 - (c) domestic: 0%
 - (d) other: 0%
14. During the past five years
- (a) What percentage of your practice was in trial court, including cases that settled prior to trial? 85 %
 - (b) What number of cases went to trial and resulted in a verdict? 5 %
 - (c) What number of cases went to trial and resolved after the plaintiff's or State's case? 5 % (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? 5 %

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

In my office we don't try cases solo. Most often I was co-counsel training younger attorneys. I was often chief counsel on cases but selected less experienced attorneys to serve as co-counsel as a means of helping them learn.

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? N/A.

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. Joshua Jones, 2012-GS-02-01854 (no appeal or PCR action was filed)

This was a capital murder case. The defendant killed his pregnant girlfriend in her bed in Georgia, he then took his father's car and fled to Aiken, South Carolina. He was parked in a parking space in a neighborhood park in the middle of the night. A neighbor reported a suspicious vehicle to law enforcement. An officer responded to check on the vehicle. When the officer approached Mr. Jones, he shot and killed her. A high-speed chase ensued when her backup officers responded. Mr. Jones eluded the officers but was arrested without incident when he was located at a relative's home. At the bond hearing on this case, Mr. Jones entered the courtroom gnashing his teeth and growling. He was somewhat unresponsive to the court's questions. This hearing was aired by local television stations and quickly went viral. I was appointed to represent Mr. Jones. We immediately arranged for a private mental evaluation to be performed by a renowned psychiatric expert. We also performed an exhaustive social, mental, and family background. Although this was clearly the murder of a law enforcement officer, we were able to establish that Mr. Jones was suffering from acute schizophrenia at the time of the offense. We found a family history of mental conditions going back generations. Based on these findings the state agreed not to seek a death sentence and Mr. Jones was found guilty but mentally ill and was given a life sentence. This case confirmed my belief that it is extremely important to actively work on every case as soon as possible.

(b) State v. Marcus Turner, 2018-GS-02-00440

This case involved a charge of Murder and Robbery. Mr. Turner, along with two co-defendants, called a cab for a ride home. The cab driver and his girlfriend responded to the request. Upon arriving the passengers exited the vehicle and refused to pay the fare. An argument ensued and the elderly cab driver was struck in the head by the defendant. The other two men then reached in and took items from the driver and the passenger. The cab driver then fled the scene. The following day the victim was having some issues and decided to seek medical attention. He was found to have a subdural hematoma and was rushed into surgery. After surgery, he lapsed into a coma. Approximately a month later he died in the hospital. This case was complicated by the fact that the victim suffered a fall shortly before this incident and did injure his head. Medical experts were consulted, and the proximate cause of death was somewhat unclear. We proceeded to trial and during the trial, the state approached me with a plea offer. Mr. Turner elected to plead guilty to voluntary manslaughter. This case was a prime example of so many legal disputes. As attorneys we must learn, study, and come to understand a wide variety of information. I had to give myself a crash course on brain injuries and the associated medical terms and processes. I believe this will be similar to my experiences as a judge in dealing with the myriad of legal issues associated with civil and criminal matters.

(c) State v. Clarence Ashby, 1979-GS-02-00268

On May 6, 1979, Clarence Ashby, who was seventeen years of age at the time, robbed an elderly gentleman. His co-defendant, who was nineteen years of age, shot and killed the victim. On July 11, 1979, the pair entered a plea of guilty and were sentenced to life for the murder and a consecutive twenty-five years for armed robbery. At the time of sentencing, murder convictions allowed for parole eligibility after the service of twenty years. If parole was granted it would remain for the defendant's remaining life. Aiken v. Byars, 410 S.C.

534, 765 S.E.2d 572 (SC 2014), was decided and provided a possible resentencing for any defendant who received a life without parole sentence while under the age of eighteen. Mr. Ashby filed for relief. I was appointed to address his motion. The law was clear that he could not obtain relief under the current case law. I joined other attorneys who were attempting to argue that Mr. Ashby, along with similarly precluded persons, had received a de facto life without parole sentence, and should be granted similar relief. This was not a probable remedy. As an alternative, I also started creating a history of Mr. Ashby's situation. I was very surprised to see that this case was pled to a life sentence barely over two months after the incident in question. Mr. Ashby was sent to maximum security prison at the age of seventeen. He described the horrors associated with the early years of his incarceration. He also informed me that he had contracted AIDS. I was able to track down the victim's daughter. I called and spoke with her by phone. She told me that their family had never been contacted when the case went to court. They found out about the sentence much later. They never heard any details of the crime, nor any details about the sentence itself. Nor had they ever been contacted about prior parole requests or hearings. When I shared the details of Mr. Ashby's involvement, and the details of his life while serving the thirty-seven years of his incarceration, the daughter was graciously in agreement that he should be paroled. I filed the appropriate documents and was able to get Mr. Ashby released on parole. This was one of the most satisfying cases of my career. Had Mr. Ashby not filed his ineffective motion, we never would have met, and he would likely still be incarcerated.

(d) State v. Scott Merkerison, 2011-GS-02-01651

Mr. Merkerison went to trial for the offenses of kidnapping, criminal sexual conduct first degree, and attempted murder. He was accused of kidnapping, raping, and assaulting his girlfriend's daughter. The daughter was an adult. On the night in question, the victim alleged that she went to the defendant's house and was watching a movie with him. She claimed he forced her to perform oral sex. She indicated that she bit his penis causing a cut and also lodging some of his skin in her teeth. She then said he vaginally raped her twice immediately after the bite. She showed broken blood vessels in her eyes and bruising on her neck. Before trial, I met with the investigating officer and reviewed some glaring problems with the victim's statement. I shared my investigator's findings about a huge fight going on between the victim's mother and the defendant. It appeared this may have been a planned event to harm the defendant. He felt that he needed to interview her again due to issues he had with the allegations. He decided to re-interview the victim. Before he could meet with her, he got a call from the prosecutor on the case forbidding him from having any contact with the victim. These facts came out during cross-examination. Other facts caused serious doubts about the prior statement. I strongly urged my client not to testify. I told him that I thought her credibility had been thoroughly shredded. He insisted on testifying. He described the event and indicated that he did grab the woman around the neck when she refused to let go of his penis. He also said after she finally let go, he restrained her for a few seconds. The jury returned a verdict of guilty on the kidnapping charge, and not guilty of the other offenses. I argued at sentencing that the jury had found that this was not a sexually related kidnapping event. The judge agreed and gave the defendant seven years and did not require sex offender registration. Jurors were approached after the trial and indicated that they only found him guilty of the kidnapping because he said he did not immediately release

the woman after she let go of him. My client said he was at peace because he just wanted the truth to be told.

(e) State v. Wise, 359 S.C. 14, 596 S.E.2d 475, 2004 S.C. LEXIS 112

This was a death penalty trial after Hastings Wise, a disgruntled employee, entered a manufacturing plant and opened fire on employees and security personnel. Hastings Arthur Wise was convicted of four counts of murder, three counts of assault and battery with intent to kill, one count of second-degree burglary, and four counts of possession of a weapon during the commission of a violent crime. The jury found two aggravating circumstances: a murder was committed during the commission of a burglary, and two or more persons were murdered by one act or pursuant to one scheme or course of conduct. The appellant was sentenced to death on the jury's recommendation for each count of murder, twenty years consecutive on each count of assault and battery with intent to kill, fifteen years concurrent for burglary, and five years concurrent on each weapon possession conviction. I was co-counsel to the elected solicitor on this trial. Mr. Wise was represented by two very capable attorneys who made every effort to defend him. Venue was changed from Aiken, SC to Beaufort, SC, numerous motions were filed and argued, and the case went to trial. Throughout the process, Mr. Wise refused to allow his counsel to use defenses or arguments they desired to employ. He refused to allow them to speak with his family, or to address any mental issues. Following his conviction, Mr. Wise attempted to waive all appeals and proceed with execution. What impressed me about this case was the example I saw of defense attorneys continuing to ably defend and represent a client in a horrible situation, who was continuously working against their efforts. These attorneys remained professional and dedicated even though they had been appointed to this task.

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.
 - (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.

No.

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) N/A
 - (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.
- (a) South Carolina, 1991
 - (b) United States District Court for the District of South Carolina, 2002
 - (c) Death Penalty Qualified, 2007
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.
- The South Carolina Commission on Indigent Defense created the South Carolina Indigent Defense Academy in 2014. I am a founding member of the faculty. The courses include PD 101, PD 102, and PD 103. Each course lasts for two and a half days. This training is done over three chambers weeks each year and is mandatory for new defenders.
- My instruction assignments are:
- (a) PD 101 – Holistic Defense, Client and Family Relationships, and Initial Contact with Clients.
 - (b) PD 102 – Cross-Examination Planning and Techniques, I also serve as a group leader to review and critique the students on all PD 102 exercises. This session includes Case Theme and Strategy, Opening Argument, Direct Examination, Cross-Examination, and Closings.
 - (c) PD 103 – Group leader for reviewing critiquing and coaching the students on all topics covered in PD 103. This session includes Advanced Cross-Examination, Exhibits, Experts, Evidence, Impeachment, and Pre-Trial Motions.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
- I contacted the CLE office, because of my years of practice, I am exempt from CLE reporting. I continue to pay, attend, and file my attendance, but they have removed me from the computerized system. I notified the office and they said they would send my last five years by hard copy. I have attached the forms for prior years.
23. List all published books and articles you have written and give citations and the dates of publication for each. N/A

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.)
See Attached.
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.
None.
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) South Carolina Bar - member
(b) National Association of Criminal Defense Lawyers – member
(c) South Carolina Association of Criminal Defense Lawyers - member
(d) South Carolina Association of Justice – member
(e) Aiken County Bar Association - member
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 do not believe Circuit Public Defender is considered a public office. However, if it is one, I have served in that capacity from July 9, 2008 until present.
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.
N/A.
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
Yes, Circuit Judge 2023. I was found Well Qualified, and I withdrew on the day of the election.

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.
I have worked at numerous summer and part-time jobs while a student. Since that time the only full-time employment was:
(a) Loan Adjuster – Citizens and Southern Bank, Summer of 1988
(b) Loan Adjuster – First Security Bank of Utah, 1985 to 1988
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.
No.
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.
No.
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?

Printing: \$237.00

Postage: \$220.00

Web Page: \$320.00

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.

None.

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.

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.

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.

None of the above.

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.
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.
N/A.
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.
N/A.
44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
N/A.
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.
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.
N/A.
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.
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.
No.
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.
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.
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) Sheriff Kenneth J. Bamberg, [Redacted]

(b) Barbara R. Morgan, [Redacted]

(c) Clerk of Court, Robert J. Harte, [Redacted]

(d) Sheriff Steven W. Griffith, [Redacted]

(e) Sheriff Michael Hunt, [Redacted]

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

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

(a) Facebook: [Redacted]

(b) Instagram: [Redacted]

(c) LinkedIn: [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?

I use them to keep up with old friends and my family. I could easily do without any of the above. My main purpose for each is to keep in contact with my children and grandchildren. I do not engage in any political or professional communications on social media.

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) Southern Wolves Wrestling Club – Volunteer Assistant Coach 2020 to present.

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 began my legal career as a young husband and father. I took a position with the Second Judicial Circuit Solicitors Office and was asked to work in Bamberg and Barnwell counties. I was determined to give this position every effort. There had never been a prosecutor who actually lived in Barnwell or Bamberg, so I decided that I would move my small family to Barnwell County and live in the community that I was going to serve.

I cherish the eight years that I lived and worked in Barnwell. I was a one-man operation, so I learned every facet of the criminal system. I formed lasting relationships with law enforcement and the local community that continue to this day. I had the opportunity to prepare and try a very large number of serious cases early in my career. In the first few years of my tenure, I tried several murder cases.

After a few years of being the sole attorney, another prosecutor was assigned to the Barnwell office. There had been some turnover in the Aiken office, and I was asked to assume responsibilities in all three counties. I had successfully prosecuted a number of child sexual abuse cases in the satellite counties, and I was asked to be the sex crime prosecutor for the circuit in addition to my violent crime caseload. At that time, I was promoted to Deputy Solicitor.

During the 1990s our Circuit had a string of death penalty crimes. I assisted our elected Solicitor as co-counsel on seven capital cases. As more and more of my responsibilities moved to Aiken, I decided to relocate my family. However, I continued to run the satellite office and carry caseloads in all three counties.

Another opportunity presented itself during this time. A horrific murder and robbery occurred in Denmark, South Carolina. Investigation revealed that the persons responsible had ties to a drug ring the federal government was pursuing. I was designated as a Special Assistant United States attorney. I was co-counsel in the federal murder trial of the four defendants involved in the murder. This gave me a chance to experience how different the federal court system is regarding resources and caseloads.

In 2007 the Circuit Public Defender legislation was enacted. I was approached by local bar members about applying for this position. I enjoyed my job as a prosecutor, and I enjoyed working with everyone in the system. After much contemplation and many prayers, I decided to apply for Circuit Public Defender.

I felt that the existing system was severely broken and that I could organize the office and bring a higher sense of professionalism to the operation. Some of the accomplishments that I have made in my current position are:

- (a) I created teams within the office so most conflict cases could stay in the office, rather than being assigned to private attorneys;
- (b) I designated an attorney to work solely in the juvenile court, alleviating the conflict of being required to be in two courts at once;
- (c) I worked closely with county officials to bring public defender salaries more in line with solicitor salaries;
- (d) I was eventually able to convert our case management system to a nearly paperless operation;
- (e) My office has one of the lowest attorney turnover rates in the state;
- (f) My office has one of the best county funding ratios in the state.

Work has always been a very important part of my life. My parents encouraged me to work in many different fields starting at a very young age. I learned how to work hard and how to work with people from all walks of life. These jobs included the following:

- (a) Surveyor's Assistant for a Mining Engineer - We surveyed property borders for uranium mining claims.
- (b) Lab Assistant at a Medical Clinic - Developed X-rays, prepared specimens for testing, and assembled and sterilized medical instruments.
- (c) Laborer for a Fence Building Company - Prepared sites and built residential fences.
- (d) Rig Worker for a Commercial Drilling Company - We drilled test holes to map uranium deposits for miners.
- (e) Explosives Crew Member for Uranium Processing Mill - I set explosive charges used to excavate a 10-acre retaining reservoir for liquid waste.

Integrity:

There are also things that I have not experienced. I think they are important considerations regarding my career.

- (a) I have never been sued in state or federal court by either a defendant I was prosecuting or a client.
- (b) I have never had a case overturned on Post Conviction Relief.
- (c) I had cases overturned on appeal due to evolving legal issues, but never for inappropriate actions, words, or conduct on my part.
- (d) I have never been censured or admonished by any court. My conduct has never been questioned.
- (e) My conduct has never been questioned by any legal watchdog groups such as the ACLU or NAACP.

Demeanor:

As Deputy Solicitor and as Circuit Public Defender, I worked with many past and present judges. I quickly learned that they all do things a little differently. I gained a unique perspective on their different policies and personalities. I learned by observation what techniques worked best and what practices created problems.

I have observed judges who were respectful yet firm, and judges who did what needed to be done, even when it was not easy. I have also witnessed judges who were fair and courteous to everyone in the system and yet upheld the decorum and respect their courtroom deserved while meting out justice accordingly. Unfortunately, I have experienced opposite behaviors as well.

I believe that my work history, my life experience, and my personal demeanor would make me an effective, efficient, and productive jurist.

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: _____