



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

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

1. Name: Mr. Marcelo Torricos
Mrs.
Ms.

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: Greenville County, SC

Business Address: 24 Cleveland St. (Suite 100) Greenville, SC 29601

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): 864-298-0084
(cell): [Redacted]

2. Date of Birth: [Redacted] 1988
Place of Birth: Sucre, Bolivia, South America
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.

RESPONSE: No, I have never served in the military.

6. Family Status:

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

RESPONSE: I am married. I was married on 5/13/2013 to Joyce Carol Torricos. My Wife works in finance at Raymond James in Greenville, SC. I am not widowed, and I have never been divorced. I have two children: [Redacted]

- 7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.

RESPONSE:

- (a) Clemson University, Aug. 2006-Dec. 2009 (B.A. Psychology)
- (b) John Marshall Law School (Atlanta), Aug. 2010- May 2013 (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.

RESPONSE: During law school, I was an active member of the Latino Law Students Association. I was nominated as Vice-President of LALSA my 3L year. I was also nominated Vice-Chairman of the Board for the John Marshall Mock Trial team my 3L year. During my time on the mock-trial team, I competed in two national mock-trial competitions. I received the 2012 CALI Excellence Award in Criminal Procedure. Lastly, during my time in law school, I clerked for the United States District Attorney's Office in Greenville, SC during the summer of my 2L year and then as a law clerk to the Honorable J. Michelle Child of the District Court for the District of S.C. the summer of my 3L year.

- 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.

RESPONSE: I was admitted to practice law in South Carolina on November 18, 2013. I took the S.C. Bar Exam once and passed. This is the only bar exam I have taken.

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.

RESPONSE:

(a). August 2013-August 2014: After graduating from law school, I began my legal career as a full-time law clerk to the Hon. Robin B. Stilwell in the Thirteenth Judicial Circuit. During my time as his law clerk, I helped manage his schedule, drafted orders, drafted responses to attorney correspondence, reviewed and summarized cases on either the motions docket or the trial docket, performed legal research and drafted memorandums, etc. During trials, I researched evidentiary questions and drafted necessary trial documents such as jury charges, verdict forms, etc.

(b) December 2014-Present- Upon the conclusion of my clerkship with Judge Stilwell, I was hired at Bannister, Wyatt, and Stalvey, LLC. Immediately upon my hire, I began working in the areas of criminal defense and Family Court litigation. As for my criminal practice, I have represented criminal defendants in both State and Federal Court. I have tried numerous criminal matters to verdict ranging from murder to driving under the influence. I estimate that on average, I managed or carried between 70 and 80 criminal cases on my personal docket at any given time since 2014. As for my domestic litigation practice, I have tried numerous domestic matters to verdict. I estimate that on average, I have managed or carried 30 domestic cases on my personal docket at any time since 2014. As a domestic attorney, I estimate that I have attended and participated in over 100 mediations. In both areas of practice, I've handled hundreds of pre-trial matters, motions, hearings, and trials. There was also a point in my career where there was substantial cross-over in my practice areas, criminal defense and domestic litigation, as I have represented clients in order of protection proceedings as well as a few clients in DJJ and DSS matters. I was named partner at the law firm in 2023. Soon after, I began to become heavily involved in the administrative management of the law firm, specifically in the areas of marketing and staff management. I have never been in charge of or deeply involved with the administration of the trust accounts at the law firm.

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.

RESPONSE:

Over the past ten years, I have had the distinct pleasure of representing clients in essentially every area of Family Court practice. I have represented hundreds of individuals in the areas of divorce, separate maintenance and support, equitable division, child custody, child support, abuse and neglect, as well as juvenile justice. Over the past five years, I have appeared before numerous Family Courts in the State (mainly Greenville, Spartanburg, Anderson, and Oconee) on a weekly basis.

As to the area of divorce, I have handled numerous matters concerning the area of divorce, both as the sole issue/ cause of action in a case or in conjunction with the other issues listed below. To the best of my knowledge, I have handled cases involving divorces based on all statutory grounds, minus the statutory ground of desertion. I also handled one annulment in 2018.

As to the area of equitable division, while in private practice I have dealt with the identification, valuation, and division of many different types of marital property, including real estate, automobiles, retirement accounts, investment accounts, stocks, stock options, restricted stock, insurance policies, capital loss carryovers, closely held businesses, professional practices, and personal property. In conjunction with property issues, I have also dealt with the identification and allocation of debt, including secured debts and unsecured debts, tax debts, and credit card debt. During my career, I have helped clients navigate the division of marital estates worth tens of millions of dollars to estates that were “underwater” and negatively consumed by debt. I’ve represented doctors, lawyers, executives of hospital systems, executives of international companies, as well as mechanics, schoolteachers, and stay at home parents.

As to adoptions, I have handled a few adoptions during my career. I handled a few in and around 2015-2016 and did not handle another adoption until 2023. In the 2023 case, I represented a client for the second time. The first time I represented him was in his divorce. After the divorce, his ex-wife died suddenly and left behind two children she shared with another man, not my client. My client had such a close relationship with his ex-stepchildren that upon their mother’s death he adopted them and they’re one happy family today. The final adoption hearing was one of the best moments of my time in private practice.

As to the area of abuse and neglect, essentially for the entirety of my career, I have practiced both family law and criminal defense. On numerous occasions, those two worlds came together when I would be hired to represent a criminal defendant on a domestic violence charge and, simultaneously, to defend that individual at an order of protection hearing or their divorce. Furthermore, there were dozens and dozens of occasions where allegations of abuse and neglect crept into divorce matters, some of which were fabricated by litigants to gain an advantage and some of which were legitimate claims of abuse. I believe that differentiating between the

two is one of the hardest parts of my job. I have represented multiple adults who have been accused of abuse and neglect against children as well as parents who believed their child was being abused by the other party. The allegations in those cases ranged from sexual abuse to exposure to drugs to physical abuse and excessive corporal punishment. My involvement in these cases has lasted as little as one hearing and as long as a year, ending at a final merits hearing.

As to the area of custody, I have represented hundreds of clients in custody actions. I have represented parents, relatives, and non-related third parties in custody actions. I have represented clients in interstate custody matters. I've dealt with custody matters as the sole or primary cause of action, as well as custody as an underlying cause of action in divorces. I have represented clients with children as young as two months and as old as 17 years old and on the verge of emancipation. Within custody matters, I have worked with many different individuals, including physicians, therapists, psychologists, custody evaluators, and other similar professionals.

In the area of juvenile justice, I would estimate that I have represented five (5) minors in criminal matters before the Family Court. I've represented minors in matters related to truancy, underaged alcohol possession, possession of a weapon on school grounds, and criminal sexual conduct on another minor.

- (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.
- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.
- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?
- (a) federal: Less than 10 appearances, cumulatively over the past five years.
 - (b) state: 1-3 times per week.
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%
 - (b) criminal: 40%
 - (c) domestic: 50%
 - (d) other:

14. During the past five years:

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

RESPONSE: 95%.

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

RESPONSE: To the best of my memory, 23.

(c) 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.)

RESPONSE: To the best of my memory, 3.

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

RESPONSE: I do not recall any.

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

RESPONSE: Mostly sole counsel.

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

15. List five of the most significant litigated matters you have personally handled in either trial or appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

RESPONSE:

(a) State v. Mello- This was a criminal case that had significant crossover into family law. My client (the Father) was charged with felony Custodial Interference after taking his child to Italy. Father's basis for the child's removal to Italy was that he believed that the child was being sexually abused by her Mother and another individual related to Mother. The State believed he left the United States to violate Mother's custodial rights. Father went to law enforcement, DSS, and the Family Court on a number of occasions to get help prior to resorting to leaving the United States, but it appeared that he could never gather enough evidence to substantiate his claim. Law enforcement investigated, as did DSS, but no charges or proceedings were ever initiated. Believing what he knew to be the truth (i.e. that his daughter was being repeatedly sexually abused), he left the United States for Italy to save his daughter. Once the child and client arrived in Italy, Mother, in the United States, instigated a federal Hague action for the repatriation of the minor child back to the United States. Mother succeeded in her initial claim (note: the repatriation order was later vacated by the Italian Supreme Court) via the Hague Convention of International Child Abduction Treaty and the child was returned to the United States. In and around this same time, Father was charged with Custodial Interference by the Greenville County Sheriff's Office.

Six months after the child is back living in the United States, Mother is brutally murdered in her home in Greer, SC. The child was at school at the time of the murder and Father was in Italy. Once Father learns about the murder, Father returns to the United States to reunite with daughter, but he is arrested upon arrival in Charlotte, NC on the Custodial Interference charge.

Naturally, after the murder of Mother, the Greenville County Sheriff's Office opened a homicide investigation. During the investigation, the Sheriff's Office discovered thousands of homemade pictures and videos showing deceased Mother and another person sexually abusing the minor child. Despite this revelation, the State continued to prosecute Father for Custodial Interference.

Two and a half years later, the case proceeded to trial in General Sessions. The Custodial Interference statute has a few elements that the State must prove beyond a reasonable doubt. One of those elements is that the criminal defendant took the minor child from "the legal custodian" in violation of a Family Court order. The issue for the State at trial was that at the time Father removed the child from the United States, he was her sole legal custodian per his parties' last Family Court order. During the pendency of the case, there seemed to be a massive gap in the understanding of the implications of Father's Family Court order and its impact on the criminal prosecution between myself and the prosecution. It was my argument for years that the statute did not apply to my client and that he could not be criminally liable pursuant to the Custodial Interference statute because he

was the child's only legal custodian, and you cannot interfere with your own custody. The State believed otherwise.

This case ended by way of a two-day jury trial in General Sessions wherein my client and I were granted a directed verdict. The Court agreed with me that the Custodial Interference statute did not apply to Father as he was the child's sole legal custodian at the time he departed the United States with the minor child. This case, and the companion murder case, received national media attention.

This matter is significant to me because (1) I successfully litigated the matter against a very experienced prosecutor, (2) it required months of preparation which is always healthy for a trial lawyer to stay sharp and (3) it allowed me to tap into my Family Court knowledge significantly. I feel like this case is the one case that most accurately embodies my career thus far...a mix of criminal and family law all wrapped up in one.

(b) Nichols v. Nichols- This was a divorce case wherein I represented the Husband, who was a highly successful physician. This case involved a complex division of marital assets as my client had a thriving medical practice with numerous locations in both South Carolina and North Carolina. The parties had multiple residences, an abundance of financial/investment accounts, and other significant assets which made this division very complex and difficult. There were issues related to enterprise goodwill versus personal goodwill, which required extensive research and reliance on highly trained forensic accountants. Alimony was also a major issue. Ultimately this matter was settled after roughly 10 hours of mediation. Because the parties' children were emancipated, this case allowed me to solely sharpen my skills in the area of equitable division. The reason that I decided to include this case in my response to this question was because this case really fine-tuned my skills and knowledge in the area of equitable division. I felt like, and still do feel like, if you can successfully divide an estate like this, then you can handle almost anything.

(c) Applegate v. Applegate- This was an interstate modification of custody case wherein I represented Father. Father and Mother were parents to one, twelve-year-old son. The parties had been in and out of Family Court numerous times from 2015-2020. As a result of these cases, Father was granted, and maintained, sole custody of the minor child essentially for the entirety of the child's life. Several years prior to my representation, Father moved to New Jersey (and then later to Virginia) with the minor child. In 2022, Father is arrested for assault and battery on a minor child in Virginia. Mother filed an action to modify custody of the minor child based on Father's arrest and sought to have the child brought back to South Carolina and for custody to be awarded to her. We argued that his arrest was not a substantial change in circumstances despite the fact that the assault occurred on another minor due to what I believe were compelling surrounding circumstances.

This case ended after a two-day trial in Family Court, wherein my client was stripped of sole custody and the parties were awarded joint custody. The

Court did grant Mother's request to allow the son to live in South Carolina primarily and granted Father extensive summer and holiday visitation.

Ultimately, I was not successful in maintaining my client's sole custody status and having the child returned to him in Virginia, but at the end of the day, I look back positively at this case for the challenges it presented to me and for the challenges I was able to overcome. I've handled several interstate custody cases, and they are never easy. They present challenges from a jurisdictional standpoint, they present challenges from a trial standpoint in terms of logistics, and they present challenges from an access to the client standpoint. Lastly, this case caused me to re-frame what a "win" is at times. My client, admittedly, assaulted another minor child, yet he maintained joint custody of his child. At first, I felt like I "lost" this case, but now I view it differently and believe that I performed meaningful, high quality legal work to preserve my client's relationship with his child the best I could under the circumstances.

(d) Jridi v. Bahhur- This was another interstate custody action wherein I represented Mother who had relocated herself and her two daughters to Oklahoma, from South Carolina. Upon learning that my client had left South Carolina, Father filed an action seeking custody of the children and their return to South Carolina. We counterclaimed for custody and for an order allowing Mother to relocate the children to Oklahoma.

Interestingly, the parties reached an agreement as to custody at mediation, which was the basis for the case in the first place. However, the issues of child support, uncovered medical expenses, and attorney's fees were left open. This case ultimately went to trial in Greenville County and my client was awarded more than favorable results.

The reason why I decided to include this case in my response is because this case allowed me to dive deep into child support. Many times, child support is a necessary, yet overlooked issue in divorces. By this I mean, most attorneys understand how to determine when child support is appropriate, how to calculate child support, and when it should terminate. However, many attorneys do not understand the "why" or the "how" of child support calculations. Yes, we use a uniform child support calculator, but why does the calculator function the way it does? What happens, mathematically, when we shift from Schedule A to Schedule C in the child support calculator? Why are healthcare premiums and work-related childcare costs credited to a parent at the percentage they are in the calculator? Those are all questions that I was able to do a deep dive on. This matter gave me a much better understanding of child support.

(d) Drew v. Drew- The parties were divorced in North Carolina in 2015. According to my client (Mother/Wife) and several orders from North Carolina, Father/Husband appeared to be abusive and volatile. After the divorce, Mother was given primary custody of their two daughters and eventually moved to South Carolina. For many years, Father chose not to visit the children and then all of the sudden in 2019, he began asking for visitations. My client began presenting the children for visitation, but the visitations were a disaster. Father spent more time

berating and threatening Mother than spending time with the children. Wisely, my client caught most of these interactions on video. The sound of the two little girls crying and begging their Father to stop slamming his hands on the car window and threatening their Mom will never leave my mind. Mother ultimately filed an action to suspend Father's visitation. The matter went to trial in Greenville and Father's visitation rights were indefinitely suspended, on a final basis, until he could complete services such as anger management and psychological treatment.

The reason I include this case in my response is because recently, I attended a high school graduation in downtown Greenville. I estimate that there were 3,000 people there. After graduation, I was waiting outside for some family members to exit the venue, when out of nowhere, my former client taps me on the shoulder, says hello, and gives me a hug. She found me in this huge crowd of people. She told me that her oldest daughter had just graduated and that she was doing great. Her daughter was thirteen years old when I represented Mother and it was wild to me that much time had passed. Before parting ways, my client looked me straight in the eyes, thanked me for my representation, and told me that I saved her daughters' lives and that her daughter would not be doing all of the amazing things she is doing if she were exposed to her father the way Father wanted. She stated that Father never even attempted to complete the services as ordered by the Court and abandoned the girls after the trial. Should I be elected, I'll miss getting that response from clients.

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) Marcelo Torricos, as Trustee for the John W. Beeson Trust FBO James H. Beeson Trust v. Greenville County Planning Commission (Case No.: 2022-CP-23-04704) (Appellate Case No.: 2023-000699). Originally appealed from the Planning Commission to Circuit Court and then later, to the South Carolina Court of Appeals. Prior to oral argument and a ruling from the Court of Appeals, the Parties reached a settlement agreement, and the appeal was dismissed and remanded back to Circuit Court.
 - (b) Terrence "Terry" Carroll v. Debra Mowery, et al. (Appellate Case No. 2020-000396). This was an appeal from the Master in Equity to the South Carolina Court of Appeals. The date of decision was July 16, 2023, and it was not published. The Unpublished Opinion No. is 2023-UP-274.
 - (c) Brandon Hood v. Hannah Newton (Case No.: 2022-CP-42-01715). This was an appeal from the Spartanburg County Magistrate to the Circuit Court. Judge Mark Hayes ruled on the Appeal on 1/5/2023 by way of a Form 4 order. There is no citation.
 - (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) The State of South Carolina v. John J. Mello (Appellate Case No.:2022-GS-23-02160). This was a criminal appeal initiated by the State, from the Circuit Court to the South Carolina Court of Appeals. I worked this appeal in conjunction with the Appellate

Defenders Office. There was no decision or citation as the State withdrew its appeal roughly eight (8) months into the appeal.

- (b) The State of South Carolina v. Elizabeth C. Edwards (Case No. 2023-CP-23-02686). This was an appeal of a DUI dismissal initiated by the State from the Magistrate to the Circuit Court. Judge Perry Gravely ruled on the appeal on 9/5/2023 by way of a Form 4 order. There is no citation.

- (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.

RESPONSE: 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)
- (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.

RESPONSE:

- (a) South Carolina, 2013
- (b) U.S. District Court for the District of S.C., 2015.
- (c) U.S. Fourth Circuit Court of Appeals, 2024

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.

RESPONSE: Yes, to the best of my recollection, I have spoken at the following events:

- (a) 2022- The Greenville Bar Year End CLE- the topic of my presentation was a year-end update on criminal law. I updated the Greenville County Bar on all significant appellate court decisions from the calendar year 2021.
- (b) 2023- The Greenville Bar Year End CLE- the topic of my presentation was a year-end update on family law. I updated the Greenville County Bar on all significant appellate court decisions from the calendar year 2022.

(c) 2023- Greenville Technical College “Law School for Non-Lawyers”- I taught the class the Family Law section of their curriculum.

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

RESPONSE: Please see Exhibit A.

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

RESPONSE: None.

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.)

RESPONSE: Please see Exhibit B.

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.

RESPONSE:

Greenville Business Magazine Legal Elite

- i. Family Law 2022- 2024
- ii. General Criminal 2018-2024
- i. DUI Defense 2022- 2023

Super Lawyers

- i. Rising Star 2020-2024

National Academy of Criminal Defense Attorneys

- i. Top 10 SC Attorneys under 40 2021-2023

National Trial Lawyers

- i. Top 100 2024
- ii. Top 40 under 40 2024

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.

RESPONSE:

- (a) Greenville Bar Association
- (b) Greenville Area Criminal Defense Lawyers Association
- (c) South Carolina Association of Justice
- (d) National Association of Criminal Defense Lawyers
- (e) South Carolina Bar Association

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.

RESPONSE: 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.

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

RESPONSE: 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.

RESPONSE: In addition to practicing law, I currently own and maintain MT3, LLC. I started MT3, LLC in September of 2020 and have operated this LLC through the date of this response. MT3, LLC invests in real estate and currently owns three (3) rental properties (two in Spartanburg County and one in Greenville County) that provide my family and me with passive income. The rental properties are all managed by a third-party property management group. MT3, LLC also owns and manages several brokerage accounts as listed in my "Confidential Financial Statement" that I have provided the Commission.

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.

RESPONSE: In addition to practicing law, I currently own and maintain MT3, LLC. I started MT3, LLC in September of 2020 and have operated this LLC through the date of this response. MT3, LLC invests in real estate and currently owns three (3) rental properties (two

in Spartanburg County and one in Greenville County) that provide my family and me with passive income. The rental properties are all managed by a third-party property management group. MT3, LLC also owns and manages several brokerage accounts as listed in my “Confidential Financial Statement” that I have provided the Commission.

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.

RESPONSE: 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.

RESPONSE: A complete, current financial net worth statement has been provided to the Commission

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.

REPOSNE: 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?

RESPONSE: The following expenses were reported to the House and Senate Ethics Committee.

(a) May 27, 2024	Badge	\$9.32
(b) June 15-June 30, 2024	Postage	Est. \$120.00
(c) August 9, 2024	Stationary & Palm Cards	\$111.06
(d) August 13, 2024	Replacement Badge	\$9.32

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.

RESPONSE: Please see Exhibit C.

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.

RESPONSE: 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.

RESPONSE: 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.

RESPONSE: None.

- 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.

RESPONSE: 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.
- 43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.
- 44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
- 45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

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

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

RESPONSE: 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.

RESPONSE:

1. I was sued by a criminal defense client (Case No.: 2022-CP-23-05268) in 2022. In his suit, my former client argued that I was negligent for failing to request credit towards his sentence for time that he had done on home incarceration during his pre-trial release. However, this client was never on home incarceration and therefore, was not entitled to any credit. He wore an ankle monitor while out on bond, but the monitor was simply a GPS device and did not constitute home incarceration. The lawsuit was also brought outside the statute of limitations. Ultimately, Judge Perry Gravely granted my motion for summary judgment on July 20, 2023.

2. I am the trustee of my younger half-brother's trust. On behalf of the trust, I filed suit against Greenville County and the Greenville County Planning Commission. That case number of that suit was 2023-CP-23-03785 and was a companion case to an appeal from the Planning Commission to the Circuit Court (2022-CP-23-04704). Both the suit and the appeal were settled in June of 2024.

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.

RESPONSE: Yes, I am currently covered by malpractice insurance and have been covered by malpractice insurance, through my law firm, since I was hired in December of 2014. There has not been a tail policy activated because coverage has remained in place. The law firm currently carries a \$2MM limit for each claim (\$2,000,000 policy aggregate) and the deductible is \$25K per claim.

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.

RESPONSE: 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.

RESPONSE: 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.

RESPONSE: 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?

RESPONSE: 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.

RESPONSE: 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) John "Hobart" Lewis
Greenville County Sheriff's Office
[Redacted]

(b) David Wilson, Esq.
Wilson & Englehardt, LLC
[Redacted]

- (c) Evan Bramhall, Esq.
Law Firm of Duggan and Hughes
[Redacted]
- (d) Megan Burke, Esq.
Law Office of Megan G. Burke
[Redacted]
- (e) Elizabeth Gary
Thirteenth Circuit Solicitor's Office
[Redacted]

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

RESPONSE: Yes, I have a Facebook account ([Redacted]) and a Twitter account ([Redacted]). I believe I registered for LinkedIn in college, but I do not have access to the account and never used the account. I also believe that my law firm started a professional Twitter account for me ([Redacted]) however, the account is essentially dormant because our former marketing team lost the password as well as control of the email that is necessary to recover the password.

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

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

RESPONSE: I barely use the accounts. I am not a social media enthusiast; my comments and interactions are extremely limited. I am considering either deleting all social media accounts if I were to win this election. If I decided to keep my accounts, I would continue to be extremely careful with my online interactions and consciously limit my communications via social media. It is not lost upon me that social media and other public forums lay down landmines for sitting judges.

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.

RESPONSE:

- (a) Advent United Methodist Church, Member and Member of the Finance Board
- (b) Upstate Mediation Center, Board Member
- (c) Fall for Greenville, Board Member

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.

RESPONSE: Over the past decade I have been very intentional about the practice areas I decided to practice in, the cases that I took, and the strategies that I employed, all in preparation to one day be in a position to run for a seat on the bench. I believe that in my ten (10) years of practice, I have handled a large scope and volume of cases, both on the Family Court side and the criminal defense side, that have put me in a position where I believe I will be comfortable on the Family Court bench, with any subject matter, day one. That is not to say, that I do not have a lot to learn, because I do, all new judges do. However, I simply believe that I am built for this. The way I reason, the way I think, the way I make decisions, has all been molded by some of the best mentors a young lawyer could have asked for, from a sitting Supreme Court Justice, to board certified trial lawyers, I've learned from the best.

I also believe that my language skills and fluency in Spanish would highly benefit citizens beyond the Thirteenth Judicial Circuit. I was born in one of the poorest countries in Latin America and the United States, and more specifically, the State of South Carolina, have given me opportunities other people dream of. I owe it to this State and its people. Service on the bench is an attempt to pay it back. I earnestly believe that we live in the greatest country in the history of mankind, and we have created a judicial system, unparalleled to any other ever seen, and I want to play a bigger part in that. I am ready.

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 25th day of August, 2024.

J. Elizabeth McCool
Notary Public for South Carolina
My Commission Expires: _____