

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name:** State full name (include any former names used).

Cheryl ("Sherri") Allen Lydon
Cheryl Darlene Allen

2. **Position:** State the position for which you have been nominated.

United States District Judge for the District of South Carolina

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

United States Attorney's Office for the District of South Carolina
1441 Main Street, Suite 500
Columbia, South Carolina 29201

4. **Birthplace:** State year and place of birth.

1962; Myrtle Beach Air Force Base, South Carolina

5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1984 – 1987, University of South Carolina School of Law; J.D., 1987

1980 – 1983, Clemson University; B.A., Political Science, 1983

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2018 – present
United States Attorney's Office for the District of South Carolina
1441 Main Street, Suite 500
Columbia, South Carolina 29201

United States Attorney

2005 – 2018

Law Office of Sherri A. Lydon
1529 Laurel Street
Columbia, South Carolina 29201
Attorney

2003 – 2004

Office of the South Carolina Attorney General
100 Assembly Street
Columbia, South Carolina 29201
Chief, State Grand Jury

1995 – 2003

Law Office of Sherri A. Lydon
2530 Canterbury Road
Columbia, South Carolina 29204
Attorney

1993 – 1995

Daniel, Lydon & Schools, P.A.
7 State Street
Charleston, South Carolina 29401
Attorney

1990 – 1993

United States Attorney's Office for the District of South Carolina
1441 Main Street, Suite 500
Columbia, South Carolina 29201
Assistant United States Attorney

1987 – 1990

Nexsen, Pruet, Jacobs & Pollard
1230 Main Street
Columbia, South Carolina 29201
Attorney

1986

Leatherwood, Walker, Todd & Mann
2 West Washington Street
Greenville, South Carolina 29601
Law Clerk

1985

Nexsen, Pruet, Jacobs & Pollard

1230 Main Street
Columbia, South Carolina 29201
Law Clerk

1984
Huntington Beach State Park
16148 Ocean Highway
Murrells Inlet, South Carolina 29576
Campground Employee

Other Affiliations

2014 – 2017
South Carolina Ethics Commission
201 Executive Center Drive, Suite 150
Columbia, South Carolina 29210
Vice-Chair (uncompensated)

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. military. I was not required to register for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

The National Top 100 Trial Lawyers, 2016

Recipient of the University of South Carolina School of Law's 2013 Compleat Lawyer Award (Gold Recipient)

Fellow of Riley Institute; Graduate of Diversity Leadership Institute, Furman University, 2010

Strom Thurmond Scholarship, University of South Carolina School of Law, 1986 – 1987

International Moot Court Team, University of South Carolina School of Law, 1986 – 1987

Moot Court Bar, University of South Carolina School of Law, 1985 – 1987

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the

titles and dates of any offices which you have held in such groups.

American Bar Association, 1987 – 1990; 2008 – 2009; 2017 – 2018

Richland County Bar Association, 1987 – 1993; 1996 – present

John Belton O’Neill Inn of Court, 2003 – present

National Association of Criminal Defense Lawyers, 2014; 2016

Federal Bar Association, 2012 – 2013; 2015 – 2018

10. Bar and Court Admission:

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

South Carolina, 1987

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Supreme Court, 2012

United States Court of Appeals for the Fourth Circuit, 1988

United States District Court for the District of South Carolina, 1988

South Carolina State Courts, 1987

There have been no lapses in membership.

11. Memberships:

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Big Brothers/Big Sisters (1987 – 1989; 2012 – 2014)

City Year (non-profit organization dedicated to helping students succeed) (1997 – 1998)

EdVenture Children's Museum (1998 – 2002)

Development Committee (1998 – 2002)

Haiti Orphan Foundation (2011 – present)

Trident Literacy Association (1994)

Although I am not considered to be a member myself, my husband is a member of the Forest Lake Club ("FLC") in Columbia, South Carolina. He joined FLC in 2002. Through my husband's membership, I have full privileges at FLC.

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

FLC, where I have privileges through my husband's membership, is a private country club. Although I am not and never have been aware of any discriminatory membership requirements or policies, FLC regrettably lacked racial diversity for many years. Over the past several years, FLC has improved the diversity of its membership. To my knowledge, none of the other organizations listed above discriminates or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

"Let Prisons Jam Cell Phones," *Wall Street Journal*, April 3, 2019. Copy supplied.

South Carolina Jurisprudence, Contribution, March 2018 Update. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association,

committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

August 5, 2019: Welcoming Remarks, South Carolina Narcotics Commanders School, South Carolina Law Enforcement Officers' Association, Columbia, South Carolina. Copy supplied.

June 11, 2019: Speaker, Welcoming remarks, 2019 National Threat Assessment Program, United States Secret Service, Columbia, South Carolina. Copy supplied.

May 24, 2019: Graduation speaker, Ben Lippen School, Columbia, South Carolina. Copy supplied.

May 2, 2019: Remarks, Bill Day retirement event, United States Attorney's Office, Columbia, South Carolina. Copy supplied.

March 26, 2019: Speaker, Welcoming Remarks, Annual Safe Schools seminar, South Carolina Law Enforcement Officers' Association and South Carolina Department of Education, Greer, South Carolina. Copy supplied.

March 6, 2019: Speaker, Opening Remarks on China's Threat to National Security, United States Attorney's Office, Columbia, South Carolina. Copy supplied.

November 28, 2018: Speaker, Welcoming Remarks for Law Enforcement

Officers training program, South Carolina Law Enforcement Officers' Association, Columbia, South Carolina. Copy supplied.

November 20, 2018: Guest speaker, Presentation to Pre-Law Honors Class, University of South Carolina, Columbia, South Carolina. Copy supplied.

November 1, 2018: Welcoming speaker, Threat Assessment presentation at Kahn Jewish Community Center, Federal Bureau of Investigation and Columbia Jewish Center, Columbia, South Carolina. Copy supplied.

October 31, 2018: Interview, Q&A for video for South Carolina Criminal Justice Academy, South Carolina Criminal Justice Academy, Columbia, South Carolina. Copy and video supplied

October 26, 2018: Welcoming remarks and presenter: Strom Thurmond Awards, United States Attorney's Office, Columbia, South Carolina. Copy supplied.

October 15, 2018: Speaker, Comments at Swearing in Ceremony for Katie Stoughton and Elliot Daniels, United States Attorney's Office, Columbia, South Carolina. Copy supplied.

October 2, 2018: Speaker, Comments at Swearing in Ceremony for Derek Shoemaker and Justin Holloway, United States Attorney's Office, Florence, South Carolina. Copy supplied.

October 1, 2018: Speaker, Comments at Swearing in Ceremony for Tina Cundari, United States Attorney's Office, Columbia, South Carolina. Copy supplied.

August 10, 2018: Graduation speaker, Commander's School Graduation Remarks, United States Attorney's Office, Columbia, South Carolina. Copy supplied.

July 24, 2018: Guest speaker, Presentation to summer law clerks, Robinson Gray Law Firm, Columbia, South Carolina. Copy supplied.

June 14, 2018: Speaker, Investiture of Sherri A. Lydon, United States Attorney's Office, Columbia, South Carolina. Copy supplied.

May 4, 2018: Speaker and Moderator, South Carolina Bankruptcy Law Association, Isle of Palms, South Carolina. Copy of notes supplied.

October 20, 2016: Panelist, Federal Criminal Practice, Professionalism in Federal Court. I participated in a panel discussion on professionalism and civility. I have no notes, transcript, or recording. The address for the Office of the Federal Public Defender is 1901 Assembly Street, Suite 200, Columbia, South Carolina 29201.

September 30, 2016: Moderator, Federal Criminal Practice in South Carolina, Navigating Magistrate's Court, South Carolina Bar Association, Columbia, South Carolina. Copy of agenda supplied.

September 27, 2016: Panelist on Prosecuting Healthcare Professionals, South Carolina Solicitor's Association, Myrtle Beach, South Carolina. Copy of materials supplied.

September 22, 2016: Panelist, University of South Carolina, Law School for the Media. I participated in a panel discussion to educate members of the media on criminal procedure. I have no notes, transcript or recording. The address for the University of South Carolina School of Journalism is 800 Sumter Street, Columbia, South Carolina 29201.

October 1, 2015: Panelist, University of South Carolina, Law School for the Media. I participated in a panel discussion to educate members of the media on criminal procedure. I have no notes, transcript or recording. The address for the University of South Carolina School of Journalism is 800 Sumter Street, Columbia, South Carolina 29201.

November 2012: University of South Carolina School of Law. I was a guest lecturer for Professor Greg Adams' class on Ethics in Criminal Law. The topic was ABA Model Rule of Ethics 3.8. I have no notes, transcript or recording. The address for the University of South Carolina School of Law is 1525 Senate Street, Columbia, South Carolina 29201.

May 14, 2012: Speaker, E.L Wright Middle School. I spoke to middle school students in connection with a program called iCivics, which was started by retired United States Supreme Court Justice Sandra Day O'Connor. I have no notes, transcript, or recording. The address for E.L. Wright Middle School is 2740 Alpine Road, Columbia, South Carolina 29223.

March 16, 2012: Moderator and Panelist, Symposium on Prosecutorial Duties and Ethics, University of South Carolina School of Law, Columbia, South Carolina. Copy of agenda and notes supplied.

December 10, 2010: Moderator and Organizer, Powerful Advocacy in the Most Difficult Cases: Secrets They Never Taught You in Law School, South Carolina Bar Association, Columbia, South Carolina. Copy of agenda supplied.

June 8, 2010: Speaker, Fundamentals of Criminal Litigation for Legal Assistants, National Advocacy Center/Department of Justice, Columbia, South Carolina. Copy of materials supplied.

November 20, 2009: Moderator and Organizer, A Look Back: Lessons and Legacies from the Trenches, South Carolina Bar Association, Columbia, South Carolina. Copy of materials supplied.

May 16, 2008: Speaker, South Carolina State Judge Annual Conference. I spoke on judicial temperament and courtesy to lawyers and litigants. I have no notes, transcript or recording. The conference was held at the Madren Conference Center, 230 Madren Center Drive, Clemson, South Carolina 29631. The organizer of the program was Judge Doyet A. Early, III, 358 Cooper River Drive, Mount Pleasant, South Carolina 29464.

February 9, 2008: Speaker, 2008 American Bar Association Midyear Meeting, Rule of Law workshop, Beverly Hilton Hotel, 9876 Wilshire Boulevard, Los Angeles, California 90210. I spoke about organizing Rule of Law multidisciplinary seminars to advance the World Justice Initiative of the American Bar Association. I have no notes, transcript, or recording. The address for the American Bar Association is 341 North Clark Street, Chicago, Illinois 60654.

I also recall speaking at Law Enforcement Coordinating Committee programs as an Assistant U.S. Attorney in the early 1990s. Likewise, as an Assistant Attorney General in 2003 and 2004, I organized and spoke at programs for law enforcement. I have no notes, transcripts, or recordings from these events. I recall at least one program on the topic of methamphetamine cases and the collateral issues that arise with these particular drug prosecutions.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Project Safe Neighborhoods Press Conference, United States Attorney's Office, Columbia Police Department, and Richland County Sheriff's Department, July 25, 2019. Copy of remarks and press report supplied.

Drug and Violent Crime Takedown in Lowcountry Press Conference, United States Attorney's Office, Federal Bureau of Investigation, Charleston, North Charleston, and Mount Pleasant police departments, and Charleston and Berkeley counties sheriff's offices, July 10, 2019. Copy of remarks and press report supplied.

Operation Brace Yourself Press Conference, United States Attorney's Office, Federal Bureau of Investigation, U.S. Department of Health and Human Services, and Internal Revenue Service, April 9, 2019. Copy of remarks and press report supplied. Video of portions of the press conference is available at <https://www.wistv.com/2019/04/09/feds-us-attorney-uncovers-nearly-billion-medicare-fraud-scheme-dubbed-operation-brace-yourself/>

Operation Iceberg Press Conference, United States Attorney's Office, March 30, 2019. Copy of remarks and press report supplied. Video of portions of the press conference is available at https://www.youtube.com/watch?v=_jhxKIG_grw.

Summit on China's Threat to National Security, United States Attorney's Office, Federal Bureau of Investigation, and National Counterintelligence and Security Center, March 6, 2019. Press report supplied.

Statement to Press Following Sentencing in Kidnapping Case, United States Attorney's Office, March 5, 2019. Press report supplied.

Public Corruption Press Conference, United States Attorney's Office, February 26, 2019. Press report supplied.

Violent Crime/Gang Takedown Press Conference, United States Attorney's Office, Myrtle Beach and Horry County police departments, and Horry County Sheriff's Office, December 13, 2019. Press report supplied.

Prison Sextortion Scam Press Conference, United States Attorney's Office, U.S. Department of Defense, U.S. Department of Treasury, South Carolina Department of Corrections, and South Carolina Law Enforcement Division, November 28, 2018. Copy of remarks and press report supplied.

Emma Dumain, *Working Behind the Scenes, South Carolina Native Scott Schools is Helping Justice Department Navigate Challenging Times*, Charleston Post and Courier, July 15, 2017. Copy supplied.

Crandall Sims, *Lost Trust – 25 Years Later*, WOLO-TV, Columbia, South Carolina, November 21, 2014, available at <https://www.youtube.com/watch?v=m2ZHFipmMU>.

David Dykes, *Prosecutor Says Carolina Investors Cases Moving "Efficiently"*, The Greenville News, January 2, 2005. Copy supplied.

As the United States Attorney for the District of South Carolina, my office regularly issues press releases in connection with many of its cases. Generally, I am quoted in those the press releases. The following are the press releases that contain quotations attributed to me:

Mother and Uncle Sentenced to Federal Prison for Drug Conspiracy Tied to 17 Year Old's Death, September 10, 2019, available at <https://www.justice.gov/usao-sc/pr/mother-and-uncle-sentenced-federal-prison-drug-conspiracy-tied-17-year-olds-death>.

U.S. Attorney's Office Sponsors 20th Annual Southern States Victim Assistance Conference, August 30, 2019, available at <https://www.justice.gov/usao-sc/pr/us>

attorney-s-office-sponsors-20th-annual-southern-states-victim-assistance-conference.

SCDC Inmate and Four Others Convicted on Federal Drug Trafficking Charges After Eight-Day Jury Trial, August 23, 2019, available at <https://www.justice.gov/usao-sc/pr/scdc-inmate-and-four-others-convicted-federal-drug-trafficking-charges-after-eight-day>.

Thirty-Three G-Shine Gang Members and Drug Trafficking Associates Plead Guilty in Federal Court, August 15, 2019, available at <https://www.justice.gov/usao-sc/pr/thirty-three-g-shine-gang-members-and-drug-trafficking-associates-plead-guilty-federal>.

Myrtle Beach Man Sentenced to 20 Years in Federal Prison for Selling “Speedball” That Caused Overdose Death, August 9, 2019, available at <https://www.justice.gov/usao-sc/pr/myrtle-beach-man-sentenced-20-years-federal-prison-selling-speedball-caused-overdose>.

Two Sentenced to Federal Prison for U-Visa Fraud, August 1, 2019, available at <https://www.justice.gov/usao-sc/pr/two-sentenced-federal-prison-u-visa-fraud>.

United States Attorney’s Office, Columbia Police Department, and Richland County Sheriff’s Department Announce Public Service Campaign to Reduce Gun Violence, July 26, 2019, available at <https://www.justice.gov/usao-sc/pr/us-attorney-s-office-columbia-police-department-and-richland-county-sheriff-s-department>.

Myrtle Beach Drug Boss Sentenced to Over 9 Years in Federal Prison on Oxycodone Conspiracy Charge, July 22, 2019, available at <https://www.justice.gov/usao-sc/pr/myrtle-beach-drug-boss-sentenced-over-9-years-federal-prison-oxycodone-conspiracy-charge>.

Mount Pleasant Doctor Found Guilty in Federal Court of Opioid Trafficking After Columbia Pharmacy Visit, July 22, 2019, available at <https://www.justice.gov/usao-sc/pr/mt-pleasant-doctor-found-guilty-federal-court-opioid-trafficking-after-columbia-pharmacy>.

Mount Pleasant Man Sentenced to 20 Years in Federal Prison for Distributing Fentanyl that Caused Death and Fraud Charges, July 12, 2019, available at <https://www.justice.gov/usao-sc/pr/mount-pleasant-man-sentenced-20-years-federal-prison-distributing-fentanyl-caused-death>.

Ten Defendants from South Carolina Lowcountry Face Federal Charges for Drug Distribution Conspiracies, July 11, 2019, available at <https://www.justice.gov/usao-sc/pr/10-defendants-south-carolina-lowcountry-face-federal-charges-drug-distribution>.

Sumter Women Sentenced to Federal Prison in Healthcare Fraud Scheme, July 2, 2019, available at <https://www.justice.gov/usao-sc/pr/sumter-women-sentenced-federal-prison-healthcare-fraud-scheme>.

Long-Time Ridgeland Drug Dealer and Associates Sentenced to Federal Prison, July 2, 2019, available at <https://www.justice.gov/usao-sc/pr/long-time-ridgeland-drug-dealer-and-associates-sentenced-federal-prison>.

Gaffney Man Accused of Shooting S.C. Highway Patrolman Indicted on Federal Firearm Charge, June 26, 2019, available at <https://www.justice.gov/usao-sc/pr/gaffney-man-accused-shooting-sc-highway-patrolman-indicted-federal-firearm-charge>.

Parkway Discount Pharmacy Agrees to Pay Fine and Relinquish DEA License to Resolve Allegations of Controlled Substances Act Violations, June 24, 2019, available at <https://www.justice.gov/usao-sc/pr/parkway-discount-pharmacy-agrees-pay-fine-and-relinquish-dea-license-resolve-allegations>.

Florence Assistant U.S. Attorney Receives DOJ Office of the Inspector General Award, June 24, 2019, available at <https://www.justice.gov/usao-sc/pr/florence-assistant-us-attorney-receives-doj-office-inspector-general-award>.

Portuguese Shipping Company Pleads Guilty to Falsifying Oil Record Book and Obstruction, June 21, 2019, available at <https://www.justice.gov/usao-sc/pr/portuguese-shipping-company-pleads-guilty-falsifying-oil-record-book-and-obstruction>.

U.S. Attorney's Office Presents "Fraud - Bingo" Game to Assist Seniors to Avoid Scams, June 14, 2019, available at <https://www.justice.gov/usao-sc/pr/us-attorneys-office-presents-fraud-bingo-game-assist-seniors-avoid-scams>.

South Carolina Man Sentenced For Attempting To Provide Material Support To Isis, June 11, 2019, available at <https://www.justice.gov/usao-sc/pr/south-carolina-man-sentenced-attempting-provide-material-support-isis>.

Savannah River Nuclear Site Contractor Settles False Claims Act Allegations for \$1.6 million, June 11, 2019, available at <https://www.justice.gov/usao-sc/pr/savannah-river-nuclear-site-contractor-settles-false-claims-act-allegations-16-million>.

Former Fifth Circuit Solicitor Sentenced to Federal Prison, June 6, 2019, available at <https://www.justice.gov/usao-sc/pr/former-fifth-circuit-solicitor-sentenced-federal-prison>.

United States Files False Claims Act Complaint Against South Carolina Chiropractor, Pain Management Clinics, Urine Drug Testing Laboratories, and Substance Abuse Counseling Center, June 4, 2019, available at <https://www.justice.gov/usao-sc/pr/united-states-files-false-claims-act-complaint-against-south-carolina-chiropractor-pain>.

“Sovereign Citizen” Sentenced to 10 Years in Federal Prison for Fraud Scheme, May 16, 2019, available at <https://www.justice.gov/usao-sc/pr/sovereign-citizen-sentenced-10-years-federal-prison-fraud-scheme>.

U.S. Attorney Lydon Recognizes Police Week, May 15, 2019, available at <https://www.justice.gov/usao-sc/pr/us-attorney-lydon-recognizes-police-week>.

Carolina Physical Therapy and Sports Medicine, Inc. To Pay \$790,000 to Resolve False Billing Allegations, May 9, 2019, available at <https://www.justice.gov/usao-sc/pr/carolina-physical-therapy-and-sports-medicine-inc-pay-790000-resolve-false-billing>.

Chester County Sheriff, Lieutenant, and Chief Deputy Indicted on Federal Charges, May 7, 2019, available at <https://www.justice.gov/usao-sc/pr/chester-county-sheriff-lieutenant-and-chief-deputy-indicted-federal-charges>.

Charleston Bank Robber Sentenced to 8 Years in Federal Prison, May 3, 2019, available at <https://www.justice.gov/usao-sc/pr/charleston-bank-robber-sentenced-8-years-federal-prison>.

U.S. Attorney Encourages Public Participation in DEA’s 17th National Prescription Drug Take Back Day, April 25, 2019, available at <https://www.justice.gov/usao-sc/pr/us-attorney-encourages-public-participation-dea-s-17th-national-prescription-drug-take>.

Man Pleads Guilty to Illegal Distribution of Oxycodone Resulting in the Death of Former University of South Carolina Student, April 23, 2019, available at <https://www.justice.gov/usao-sc/pr/man-pleads-guilty-illegal-distribution-oxycodone-resulting-death-former-university-south>.

Former Company Executive Sentenced to Over Four Years in Federal Prison for Construction Fraud Scheme, April 23, 2019, available at <https://www.justice.gov/usao-sc/pr/former-company-executive-sentenced-over-four-years-federal-prison-construction-fraud>.

Former SCDC Corrections Officer Sentenced to Federal Prison for Smuggling Contraband into Corrections Facility, April 19, 2019, available at <https://www.justice.gov/usao-sc/pr/former-scdc-corrections-officer-sentenced-federal-prison-smuggling-contraband-corrections>.

U.S. Attorney Attends Pilot Test of Micro-Jamming Technology in South Carolina Prison, April 12, 2019, available at <https://www.justice.gov/usao-sc/pr/us-attorney-attends-pilot-test-micro-jamming-technology-south-carolina-prison>.

U.S. Attorney's Office Observes National Crime Victims' Rights Week, April 12, 2019, available at <https://www.justice.gov/usao-sc/pr/us-attorney-s-office-observes-national-crime-victims-rights-week>.

South Carolina U.S. Attorney Announces Operation Dismantling One of the Largest Medicare Fraud Schemes in History, April 10, 2019, available at <https://www.justice.gov/usao-sc/pr/south-carolina-us-attorney-announces-operation-dismantling-one-largest-medicare-fraud>.

"Let States Jam Prison Cellphones," says U.S. Attorney Sherri Lydon, April 4, 2019, available at <https://www.justice.gov/usao-sc/pr/let-states-jam-prison-cellphones-says-us-attorney-sherri-lydon>.

Law Enforcement Officers Charged in Federal Court With Taking Bribes to Falsify Immigration Documents and Protect Drug Trafficking Proceeds, March 29, 2019, available at <https://www.justice.gov/usao-sc/pr/law-enforcement-officers-charged-federal-court-taking-bribes-falsify-immigration>.

Federal Grand Jury Returns Indictment in \$300 Million Nationwide Investment Fraud and Ponzi Scheme, March 27, 2019, available at <https://www.justice.gov/usao-sc/pr/federal-grand-jury-returns-indictment-300-million-nationwide-investment-fraud-and-ponzi>.

26 Charged in Series of Federal Indictments in South Carolina and Georgia for Drugs, Illegal Firearms, March 12, 2019, available at <https://www.justice.gov/usao-sc/pr/26-charged-series-federal-indictments-south-carolina-and-georgia-drugs-illegal-firearms>.

District of South Carolina Takes Part in Largest-Ever Nationwide Elder Fraud Sweep, March 11, 2019, available at <https://www.justice.gov/usao-sc/pr/district-south-carolina-takes-part-largest-ever-nationwide-elder-fraud-sweep>.

United States Attorney Lydon Hosts Discussion on China's Threat to America's National Security, March 11, 2019, available at <https://www.justice.gov/usao-sc/pr/united-states-attorney-lydon-hosts-discussion-china-s-threat-america-s-national-security>.

Thomas Lawton Evans Jr. Sentenced to Three Consecutive Life Terms in Federal Prison, March 6, 2019, available at <https://www.justice.gov/usao-sc/pr/thomas-lawton-evans-jr-sentenced-three-consecutive-life-terms-federal-prison>.

Eleven Charged in Federal Court in Heroin, Cocaine, and Fentanyl Trafficking Indictment, February 27, 2019, available at <https://www.justice.gov/usao-sc/pr/eleven-charged-federal-court-heroin-cocaine-and-fentanyl-trafficking-indictment>.

Former Fifth Circuit Solicitor Pleads Guilty in Federal Court to Fraud, February 26, 2019, available at <https://www.justice.gov/usao-sc/pr/former-fifth-circuit-solicitor-pleads-guilty-federal-court-fraud>.

Project Safe Neighborhoods Grant Program Now Accepting Applications, February 19, 2019, available at <https://www.justice.gov/usao-sc/pr/project-safe-neighborhoods-grant-program-now-accepting-applications>.

Ridgeland Man Pleads Guilty To Federal Narcotics Charges, February 8, 2019, available at <https://www.justice.gov/usao-sc/pr/ridgeland-man-pleads-guilty-federal-narcotics-charges>.

Sumter Women Convicted of Healthcare Fraud for Over-Charging Government by Millions of Dollars, February 8, 2019, available at <https://www.justice.gov/usao-sc/pr/sumter-women-convicted-healthcare-fraud-over-charging-government-millions-dollars>.

U.S. Attorney's Office Continues to Prioritize Reducing Violent Crime During Lapse in Government Funding, February 4, 2019, available at <https://www.justice.gov/usao-sc/pr/us-attorney-s-office-continues-prioritize-reducing-violent-crime-during-lapse-government>.

24 Arrested on Federal Drug Conspiracy Charges in Myrtle Beach and Horry County – FBI Seeks Information on 3 Remaining Fugitives, December 18, 2018, available at <https://www.justice.gov/usao-sc/pr/24-arrested-federal-drug-conspiracy-charges-myrtle-beach-and-horry-county-fbi-seeks>.

U.S. Attorney's Office Provides Human Trafficking Training to Local Law Enforcement, December 17, 2018, available at <https://www.justice.gov/usao-sc/pr/us-attorney-s-office-provides-human-trafficking-training-local-law-enforcement>.

Three Convicted in Federal Court Following Armed Bank Robbery and Car Chase in North Myrtle Beach, December 3, 2018, available at <https://www.justice.gov/usao-sc/pr/three-convicted-federal-court-following-armed-bank-robbery-and-car-chase-north-myrtle>.

5 Inmates Among 15 Defendants Indicted for Wire Fraud, Extortion, and Money Laundering Scheme at SCDC, November 29, 2018, available at <https://www.justice.gov/usao-sc/pr/5-inmates-among-15-defendants-indicted-wire-fraud-extortion-and-money-laundering-scheme>.

Mount Pleasant Speech Therapist Sentenced to Over 9 Years in Federal Prison for Health Care Fraud and Aggravated Identity Theft, November 28, 2018, available at <https://www.justice.gov/usao-sc/pr/mount-pleasant-speech-therapist-sentenced-over-9-years-federal-prison-health-care-fraud>.

Lexington Therapy Practice Agrees to Pay \$200,000 to Resolve Allegations That It Submitted False Claims to Medicare and Medicaid, November 26, 2018, available at <https://www.justice.gov/usao-sc/pr/lexington-therapy-practice-agrees-pay-200000-resolve-allegations-it-submitted-false>.

Man Who Lied About Combat Service for Second Time Sentenced to Federal Prison, November 21, 2018, available at <https://www.justice.gov/usao-sc/pr/man-who-lied-about-combat-service-second-time-sentenced-federal-prison>.

United States Attorney Announces Settlement with Anderson County Board of Voter Registration and Elections to Ensure Compliance with Americans with Disabilities Act, November 16, 2018, available at <https://www.justice.gov/usao-sc/pr/united-states-attorney-announces-settlement-anderson-county-board-voter-registration-and>.

2018 Strom Thurmond Awards for Excellence in Law Enforcement Announced, October 26, 2018, available at <https://www.justice.gov/usao-sc/pr/2018-strom-thurmond-awards-excellence-law-enforcement-announced>.

“Operation Real Time:” Spartanburg Felon Sentenced to 10 Years for Firearm Possession, October 19, 2018, available at <https://www.justice.gov/usao-sc/pr/operation-real-time-spartanburg-felon-sentenced-10-years-firearm-possession>.

Greenwood Investment Advisor Sentenced to Prison, October 3, 2018, available at <https://www.justice.gov/usao-sc/pr/greenwood-investment-advisor-sentenced-prison>.

U.S. Attorney Lydon Announces Progress in Making Our Communities Safer Through Project Safe Neighborhoods, October 3, 2018, available at <https://www.justice.gov/usao-sc/pr/us-attorney-lydon-announces-progress-making-our-communities-safer-through-project-safe>.

South Carolina U.S. Attorney Sherri Lydon Adds More Federal Prosecutors in Columbia, Greenville, and Florence, October 2, 2018, available at <https://www.justice.gov/usao-sc/pr/south-carolina-us-attorney-sherri-lydon-adds-more-federal-prosecutors-columbia-greenville>.

South Carolina’s 17th Annual National Day of Concern & Student Pledge Against Gun Violence, September 25, 2018, available at <https://www.justice.gov/usao->

sc/pr/south-carolina-s-17th-annual-national-day-concern-student-pledge-against-gun-violence.

Greenville Man Sentenced to 46 Months for \$700,000 Fraud Scheme, August 21, 2018, available at <https://www.justice.gov/usao-sc/pr/greenville-man-sentenced-46-months-700000-fraud-scheme>.

South Carolina Teen Convicted for Attempting to Join ISIS, August 8, 2018, available at <https://www.justice.gov/usao-sc/pr/south-carolina-teen-convicted-attempting-join-isis>.

Former Department of Juvenile Justice Lieutenant Sentenced on Civil Rights Charges, August 2, 2018, available at <https://www.justice.gov/usao-sc/pr/former-department-juvenile-justice-lieutenant-sentenced-civil-rights-charges>.

Mount Pleasant Speech Therapist Convicted of Health Care Fraud and Aggravated Identity Theft, August 1, 2018, available at <https://www.justice.gov/usao-sc/pr/mount-pleasant-speech-therapist-convicted-health-care-fraud-and-aggravated-identity-theft>.

3M Company Agrees to Pay \$9.1 Million to Resolve Allegations that It Supplied the United States with Defective Dual-Ended Combat Arms Earplugs, July 30, 2018, available at <https://www.justice.gov/usao-sc/pr/3m-company-agrees-pay-91-million-resolve-allegations-it-supplied-united-states-defective>.

Anderson County Man Sentenced for Making False Statements in a Federal Aviation Administration (FAA) Investigation, July 17, 2018, available at <https://www.justice.gov/usao-sc/pr/anderson-county-man-sentenced-making-false-statements-federal-aviation-administration-faa>.

Florence Resident Pleads Guilty in Federal Court to Manufacturing and Passing Counterfeit Money, July 13, 2018, available at <https://www.justice.gov/usao-sc/pr/florence-resident-pleads-guilty-federal-court-manufacturing-and-passing-counterfeit-money>.

VA Fraudster Pleads Guilty After Falsely Claiming Combat Service in Order to Get VA Benefits, June 27, 2018, available at <https://www.justice.gov/usao-sc/pr/va-fraudster-pleads-guilty-after-falsely-claiming-combat-service-order-get-va-benefits>.

Lexington Methamphetamine Conspiracy, June 26, 2018, available at <https://www.justice.gov/usao-sc/pr/lexington-methamphetamine-conspiracy>.

Sex Trafficker Sentenced to Federal Prison Time, June 22, 2018, available at <https://www.justice.gov/usao-sc/pr/sex-trafficker-sentenced-federal-prison-time>.

Federal Jury Finds Greenville Felon Guilty in Firearm Trial, June 14, 2018, available at <https://www.justice.gov/usao-sc/pr/federal-jury-finds-greenville-felon-guilty-firearm-trial>.

Local, State, and Federal Law Enforcement Agents Make Arrests in Multi-State Drug Ring, June 14, 2018, available at <https://www.justice.gov/usao-sc/pr/local-state-and-federal-law-enforcement-agents-make-arrests-multi-state-drug-ring>.

Texas Man Pleads Guilty to Inducing South Carolina Child to Travel for Illegal Sexual Activity, June 7, 2018, available at <https://www.justice.gov/usao-sc/pr/texas-man-pleads-guilty-inducing-south-carolina-child-travel-illegal-sexual-activity>.

South Carolina Man Pleads Guilty to Forced Labor for Compelling Man with Intellectual Disability to Work at Restaurant, June 6, 2018, available at <https://www.justice.gov/usao-sc/pr/south-carolina-man-pleads-guilty-forced-labor-compelling-man-intellectual-disability-work>.

On the 500th Day of the Trump Administration, Attorney General Sessions Announces 311 New Assistant United States Attorney Positions, June 4, 2018, available at <https://www.justice.gov/usao-sc/pr/500th-day-trump-administration-attorney-general-sessions-announces-311-new-assistant>.

United States Obtains \$114 Million Judgement Against Three Individuals for Paying Kickbacks for Laboratory Referrals and Causing Claims for Medically Unnecessary Tests, May 30, 2018, available at <https://www.justice.gov/usao-sc/pr/united-states-obtains-114-million-judgement-against-three-individuals-paying-kickbacks>.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? ____

- i. Of these, approximately what percent were:

jury trials: ____ %
bench trials: ____ % [total 100%]

civil proceedings: ____ %
criminal proceedings: ____ % [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and

dissents.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
 - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
 - e. Provide a list of all cases in which certiorari was requested or granted.
 - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
 - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an “automatic” recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

South Carolina Ethics Commission, Vice Chair, 2014 – 2017, appointed in 2014 by South Carolina Governor Nikki Haley.

United States Attorney for the District of South Carolina, 2018 – Present, appointed in 2018 by President Donald Trump.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

None.

16. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a judicial law clerk.

- ii. whether you practiced alone, and if so, the addresses and dates;

1995 – 2003
Law Office of Sherri A. Lydon
2530 Canterbury Road
Columbia, South Carolina 29204

2005 –2018
Law Office of Sherri A. Lydon
1529 Laurel Street
Columbia, South Carolina 29201

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1987 – 1990
Nexsen, Pruet, Jacobs & Pollard
1230 Main Street
Columbia, South Carolina 29201
Attorney

1990 – 1993
United States Attorney's Office
District of South Carolina
1441 Main Street, Suite 500
Columbia, South Carolina 29201
Assistant United States Attorney

1993 – 1995
Daniel, Lydon & Schools, P.A.
7 State Street
Charleston, South Carolina 29401
Attorney

1995 – 2003
Law Office of Sherri A. Lydon
2530 Canterbury Road
Columbia, South Carolina 29204
Attorney

2003 – 2004
Office of South Carolina Attorney General
100 Assembly Street
Columbia, South Carolina 29201
Chief, State Grand Jury

2005 – 2018
Law Office of Sherri A. Lydon
1529 Laurel Street
Columbia, South Carolina 29201
Attorney

2014 – 2017
South Carolina Ethics Commission
201 Executive Center Drive, Suite 150
Columbia, South Carolina 29210
Vice-Chair (uncompensated)

2018 - present
United States Attorney's Office for the District of South Carolina
1441 Main Street, Suite 500
Columbia, South Carolina 29201
United States Attorney

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

After law school, I practiced with Nexsen, Pruet Jacobs and Pollard. While there, I handled insurance defense litigation. I helped prepare cases for trial, including conducting legal research, taking depositions, and preparing legal motions and memoranda. I also tried one jury case before I left.

I left Nexsen Pruet in 1990 to join the United States Attorney's Office, where I presented cases to grand juries and worked with federal agents to prosecute a variety of crimes. I prosecuted cases primarily in the areas of public corruption and white collar crime, in addition to some drug and bank robbery cases. I was one the lead prosecutors in Operation Lost Trust, an FBI investigation which drew national attention and which resulted in 27 convictions of lawmakers and lobbyists for public corruption and drug offenses.

After leaving the United States Attorney's Office, I went into private practice with former U.S. Attorney E. Bart Daniel in Charleston, defending white collar criminal matters. While at this firm, I defended fraud cases and handled some civil litigation, involving business disputes and some personal injury.

In 2003, South Carolina Attorney General Henry McMaster asked me to be the Chief of the State Grand Jury. There, I led the prosecution of two securities fraud cases involving subprime mortgage lenders. I also managed a team of lawyers and oversaw the prosecution of a variety of cases, including drugs and public corruption. When I served as the Chief of the State of South Carolina Grand jury, I drafted and reviewed indictments and oversaw the issuance of grand jury subpoenas, administrative subpoenas, search warrants, wiretaps, proffers, and immunity.

In 2005, I returned to private practice where I practiced in the area of white collar criminal defense work. My practice also involved other criminal matters including all types of wire and mail fraud, bank fraud, health care fraud, securities fraud, criminal tax offenses, money laundering, corruption, bribery and kickbacks, environmental crimes, and false statements and breach of trust.

In 2018, I was appointed United States Attorney for the District of South Carolina. As United States Attorney, I supervise an office of fifty-five assistant U.S. attorneys who are responsible for prosecuting federal crimes affecting the district, including narcotics and firearm cases, gang violence, human trafficking, white collar crime, public corruption, terrorism, and civil rights violations. The office also defends the United States in civil cases and collects debts owed to the United States.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

While in private practice, I represented insurance companies, manufacturers, construction companies, hospitals, health care providers, financial institutions, businessmen, and public officials.

When I was an Assistant United States Attorney and as United States Attorney, I represent the United States of America and work with agents in various government agencies, including the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, and Firearms, the United States Secret Service, and Immigration and Customs Enforcement.

When I was at State Grand Jury, I represented the State of South Carolina and worked primarily with agents of the South Carolina Law Enforcement Division.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Since graduating from law school, my practice has been 100% litigation. Upon graduating from law school, I worked as an associate at Nexsen, Pruet, Jacobs, & Pollard. As a young associate, I was in court infrequently but did argue some motions and tried one case in the three years I was there.

When I was an Assistant United States Attorney, I was in court on a weekly basis handling initial appearances, arraignments, pretrial conferences, motion arguments, trials, plea hearings and sentencings.

Upon my return to private practice, I was in court on a regular basis handling bond hearings, arraignments, pretrial conferences, motion arguments, administrative hearings, plea hearings, and sentencings.

As United States Attorney, I am the chief federal prosecutor for the district and I am often in federal court, but the litigation is handled by assistant United States attorneys.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 80% |
| 2. state courts of record: | 10% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 10% |

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 25% |
| 2. criminal proceedings: | 75% |

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried approximately fifteen cases to a verdict. I was sole counsel in one case, I was chief counsel in five cases. In the other cases, I was co-counsel on equal footing with the other attorneys in the case.

i. What percentage of these trials were:

- | | |
|--------------|------|
| 1. jury: | 100% |
| 2. non-jury: | 0% |

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1) *United States v. James R. Metts*, Case No. 3:14-cr-00429-TLW (D.S.C.)

I defended Sheriff James Metts in a public corruption prosecution. I argued motions, prepared for trial, negotiated the plea, and handled sentencing. The case involved a ten-count indictment with charges for honest services fraud and conspiracy to harbor illegal aliens. The prosecution alleged that Metts conspired with a restaurant owner and city councilman to assist the restaurant's employees to avoid identification and processing by a federal immigration program housed at the Lexington County Detention Center in exchange for payments. We negotiated a plea for nine of the counts to be dismissed, and Metts pleaded guilty to one count of harboring illegal aliens.

Date of Representation: June 2014

Presiding Judge: Hon. Terry L. Wooten

Co-counsel: Scott N. Schools
Uber Technologies, Inc.
1000 Third Street, Unit 1207
San Francisco, California 9418
415-216-8110

Opposing Counsel: James H. May
Assistant United States Attorney
District of South Carolina
1441 Main Street
Columbia, South Carolina 29201
803-929-3000

Julius N. Richardson
Fourth Circuit Court of Appeals
1100 Laurel Street
Columbia, South Carolina 29201
803-250-4008

2) *United States v. Lancelot Wright*, Case No. 3:13-cr-00970 (D.S.C)

I represented Lance Wright after FBI agents approached him regarding alleged bank fraud. Ultimately, my client gave a proffer which led to a long period of active assistance by my client that included consensually monitored and recorded conversations with public corruption targets. Based on my client's cooperation, the government obtained convictions against numerous individuals for offenses including racketeering, bank fraud, wire fraud, public corruption, money laundering, theft of government property and obstruction. My client received a downward departure for his cooperation and was sentenced to two months in a halfway house.

Date of Representation: November 2013

Presiding Judge: Hon. David C. Norton

Co-Counsel: None

Opposing Counsel: Jane Taylor
J.D. Rowell
DeWayne Pearson
Nancy Wicker
Assistant United States Attorneys
District of South Carolina
1441 Main Street
Columbia, South Carolina 29201
803-929-3000

3) *United States of America v. Charlene Corley* Case No. 3:07-00929-MBS (D.S.C)

I represented the defendant, Charlene Corley, in this case. Ms. Corley was a defense contractor who was charged with receiving over \$21.5 million for fraudulent shipping costs by exploiting an automated payment system with the Department of Defense. I argued motions, prepared for trial, negotiated the plea, and handled sentencing. Ms. Corley pleaded guilty to conspiracy to commit wire fraud and conspiracy to commit money laundering.

Date of Representation: 2007

Presiding Judge: Hon. Margaret Seymour

Co-counsel: Gregory Harris
1529 Laurel Street
Columbia, South Carolina 29201
803-779-7080

Opposing counsel: Deborah B. Barbier
1811 Pickens Street
Columbia, South Carolina 29201
803-445-1032
Winston D. Holliday
Assistant U.S. Attorney
U.S. Attorney's Office
1441 Main Street, Suite 500
Columbia, South Carolina 29201
803-929-3079

- 4) *State of South Carolina v. Thomas Dorn*, Case No. 2005-GS-24-1219 (S.C. Cir. Ct.)

I represented the defendant, Thomas Dorn, in this case. He was accused of involuntary manslaughter and obstruction of justice after he reached to remove a gun from his intoxicated roommate. The roommate had placed the gun in his own mouth, as if to kill himself. My client was attempting to get his friend to stop acting so recklessly. The gun went off, killing my client's friend. I did the opening and closing arguments, conducted direct and cross-examinations, and argued motions. The defendant was granted a directed verdict on the manslaughter charge and was acquitted on the obstruction charge.

Date of Representation: 2007

Presiding Judge: Hon. J.C. Nicholson

Co-counsel: Gregory Harris
1529 Laurel Street
Columbia, South Carolina 29201
803-779-7080

Opposing Counsel: Curtis Pauling
Fifth Circuit Solicitor's Office
1121 Broad Street
Camden, South Carolina 29020
803-425-7672

DeWayne Pearson
Assistant United States Attorney

District of South Carolina
1441 Main Street
Columbia, South Carolina 29201
803-929-3000

- 5) *United States v. Michael Singer, et al.*, Case No. 9:05-cr-00928 (D.S.C)

I was local counsel for Charles Hutchinson, the controller at Medical Manager Health Services, which was acquired by WebMD. Nine other executives of Medical Manager/WebMD were also charged for allegedly reporting inflated earnings. Two of the executives were tried first and found guilty. The trial judge, however, set aside the convictions. The government did not appeal the district court's decision and, shortly thereafter, the charges against the other defendants, including my client, were dismissed.

Date of Representation: 2005

Presiding Judge: Hon. David C. Norton

Co-counsel: Kevin Napper
Kevin Napper Law
604 South Boulevard
Tampa, Florida 33606
813-443-8432

Adam Schwartz
Carlton Fields Jorden Burt, P.A.
4221 W. Boy Scout Boulevard
Tampa, Florida 33607
813-229-4336

Opposing Counsel: Eric Klumb
[Retired]

- 6) *State of South Carolina v. Earle Elias Morris, Jr.*, Case No. 2004-GS-47-01 (S.C. Cir. Ct.)

I was the prosecutor on this case. Earle Morris was the CFO of a company that ultimately failed, costing 8000 investors about \$275 million. The defendant lied to those investors about the security of those investments and was charged with violating state securities fraud laws. This was a companion case to *State v. Larry Owen* described below. This case generated a significant amount of media coverage because the defendant was the former Lieutenant Governor of the State of South Carolina. I did the opening and closing arguments at trial, numerous direct examinations, including an expert witness and cross-examination of the defendant. The trial resulted in a guilty verdict on all charges.

Date of Representation: 2004

Presiding Judge: Hon. James Johnson (deceased)

Co-counsel: Robert Hood
1701 Main Street
Columbia, South Carolina 29201
803-576-1770

Opposing counsel: Joel Collins
1330 Lady Street
Columbia, South Carolina 29201
803-256-2660

7) *State of South Carolina v. Larry Owen*, Case No. 2003-GS-47-14 (S.C. Cir. Ct.)

I was the prosecutor on this case. Larry Owen was the CEO of a company that ultimately failed, costing 8000 investors about \$275 million. The defendant lied to those investors about the security of those investments and was charged with violating state securities fraud laws. This case arose out of the \$260 million bankruptcy of a company in which hundreds of elderly citizens lost their life savings. I oversaw the investigation and indictment before the state grand jury, and I was lead counsel at trial. I opened and conducted direct and cross-examinations of most of the witnesses. A week into trial, the defendant pleaded guilty to all charges.

Date of Representation: 2004

Presiding Judge: Hon. James Johnson (deceased)

Co-counsel: Robert Hood
1701 Main Street
Columbia, South Carolina 29201
803-576-1770

Opposing counsel: William Bannister
James Bannister
401 Pettigru Street
Greenville, South Carolina 29601
864-298-0084

8) *United States of America v. Daniel A. Vogel, et al.*, Case No. 2:91-cr-0440-DCN (D.S.C.)

I was an AUSA on this case. Daniel Vogel owned a multimillion dollar house on the South Carolina coast. He hired members of the Hell's Angels to burn the house down for the insurance proceeds. The defendants were charged with conspiracy to commit arson and mail fraud. I handled direct and cross-examinations of several witnesses and did the closing argument. All defendants were convicted of mail fraud, arson, and conspiracy to commit mail fraud and arson.

Date of Representation: 1992

Presiding Judge: Hon. David C. Norton

Co-counsel: Alfred Bethea
[Retired]

Opposing counsel: Lionel S. Lofton
225 Seven Farms Drive
Suite 109
Charleston, South Carolina 29492
843-722-6319
Attorney for Daniel A. Vogel

Miller W. Shealy, Jr.
81 Mary Street
Charleston, South Carolina 29403
843-437-9925
Attorney for Philip A. McLamb

Jack Swerling
1720 Main Street
Columbia, South Carolina 29201
803-765-2627
Attorney for Larry Eugene Moore

John F. Martin
4 Town Park Lane, 4B
Charleston, South Carolina 29412
843-762-2121
Attorney for Alison D. Harbour

9) *United States of America v. Paul Wayne Derrick*, Case No. 3:91-cr-0091-CHH
(D.S.C.)

I was an AUSA on this case. This was a public corruption case resulting from an FBI investigation known as Operation Lost Trust. Operation Lost Trust was a sting operation involving lawmakers within the South Carolina Statehouse which received national attention. The probe began in 1989 as a drug investigation but evolved into an extensive look at vote buying and political corruption in the South Carolina state legislature. It eventually led to criminal charges against 28 defendants, including lawmakers and lobbyists. Of the 28 defendants, 27 were convicted and one was acquitted. The investigation used a bill that proposed the legalization of pari-mutuel betting, and the undercover informant arranged meetings with lawmakers willing to accept cash for helping to pass the bill. In addition to assisting in the preparation of all of the cases that went to trial and trying several of the cases, I specifically handled, in the Paul Derrick trial, some direct examinations and made the reply argument at the conclusion of the trial. The government obtained a conviction on all counts in this case.

Date of Representation: May 1991

Presiding Judge: Hon. Falcon Hawkins (deceased)

Co-counsel: E. Bart Daniel
151 Meeting Street
Charleston, South Carolina 29401
843-853-5200

Opposing counsel: Vinton Devane Lide
[Retired]

10) *Kathryn Meyers v. Food Lion, Inc.*, Case No. 87-CP-40-4944 (S.C. Cir. Ct.)

I was an associate at Nexsen, Pruet when I tried this case. This was a premises liability case in which I represented the defendant grocery store. The plaintiff in this case was a 75-year-old woman who fell in a grocery store. She claimed there was liquid on the floor. Her injuries resulted in a hip replacement. We defended the case on the basis that there was no liquid on the floor at the time of the fall. I was lead counsel and handled all of the jury arguments and most of the witnesses. We obtained a defense verdict in favor of the grocery store.

Date of Representation: 1988

Presiding Judge: Hon. Victor Pyle (deceased)

Co-counsel: Samuel Painter
[Retired]

Opposing counsel: Chris Isgett
1314 Lincoln Street

Columbia, South Carolina 29201
803-799-9811

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

In October of 2007, as part of the ABA's World Justice Initiative, I hosted a multi-disciplinary conference on the Rule of Law. The program was hosted in Columbia, South Carolina and featured distinguished speakers from across the United States and distinguished guests from fields including medicine, business, government, and law. The conference achieved its goal of increasing the understanding of the Rule of Law and its foundational importance. I went on to help many other states organize their own conferences.

In March of 2012, I organized a symposium on prosecutorial ethics, which featured prosecutors and defense attorneys from around the United States.

Since 2003, I have been a member of the John Belton O'Neill Inn of Court and have played a key role in organizing many of the Inn's programs, promoting the Rule of Law, professionalism, and excellence in the legal profession.

I have not performed lobbying activities for any client or organization.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I do not have any deferred income arrangements or other future benefits from previous business relationships, professional services, firm memberships, former employers, clients or customers.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See my SF-278 as provided by the Office of Government Ethics.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached statement of net worth.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

If confirmed, I will recuse myself in any litigation handled by the United States Attorney's Office while I was serving as United States Attorney. Additionally, there may be cases which I was involved with while in private practice which may require recusal. *See* 28 U.S.C. Section 455(b).

With respect to financial holdings, I anticipate transitioning to investments that minimize any potential conflict. However, I will actively screen cases for potential financial recusal questions, disqualifying myself anytime I, or anyone in my household, has a financial interest in the subject matter of the controversy, in a party to the proceeding, or in any other interest that could substantially be affected by the outcome of the proceeding. *See* 28 U.S.C. Section 455(b)(4).

My husband (Thomas E. Lydon) is a practicing attorney in South Carolina, and I will recuse myself when he is acting as a lawyer in the proceeding or has an interest that could be substantially affected by the outcome of the proceeding. *See* 28 U.S.C. Section 455(b)(5).

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If confirmed, I will carefully review and address any real or potential conflicts by reference to 28 U.S.C. Section 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other applicable laws, rules, practices, judicial decisions, or Judicial Conference opinions.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

Since being appointed United States Attorney for the District of South Carolina, I have not been permitted to engage in the practice of law outside of my government service.

Prior to becoming United States Attorney, while in private practice, I regularly took on indigent clients who needed my assistance in a variety of legal matters. I also assisted a team of lawyers who worked to correct an alleged wrongful conviction that was argued before the South Carolina Supreme Court. The case involved a father accused of sexually assaulting and killing his 12 year-old daughter in the middle of the night. During the initial investigation, a false confession was extracted after many hours of interrogation and repeated denials. Subsequently, DNA found on his daughter was linked to a convicted felon who had recently been released from prison. Despite the DNA evidence, the state went forward on the charges against the father, under the theory that the father had invited the convicted felon into his home. The South Carolina Supreme Court upheld the conviction in a 3-2 decision. *State v. Cope*, 405 S.C. 317, 748 S.E.2d 194 (2013), *cert. denied* 135 S.Ct. 400 (2014).

I regularly volunteer my time at my church by, among other things, teaching Sunday School, feeding the homeless through a monthly lunch program, and serving on various committees, including the building committee. Prior to my appointment as United States Attorney, I was involved with a wide variety of legal issues for both the church and its members, including personal injury, probate, and civil litigation.

Prior to becoming United States Attorney, I served as a mentor for the District Court's Drug Court Program.

I occasionally judge moot court, speech and debate, and trial advocacy competitions through events sponsored by the South Carolina Bar Association, the University of South Carolina School of Law, and other legal associations.

I regularly serve as a mentor to students at the University of South Carolina School of Law.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from

beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On June 18, 2019, I received a call from Sen. Tim Scott asking me if I would consider serving as a federal district court judge. On June 20, 2019, I informed Sen. Scott that I would be honored to be considered.

On July 1, 2019, I received a message from Sen. Scott that Sen. Lindsey Graham also supported me for the judicial position. On July 15, 2019, Sen. Graham's Chief Counsel informed me that the White House Counsel's Office would contact me to schedule an interview. I was interviewed by the White House Counsel's Office on July 18, 2019.

On July 22, 2019, I received a call from the White House Counsel's Office informing me that I had been recommended to the White House for the position. On the same day, I received forms and materials needed to initiate an FBI background investigation. Since then, I have been in periodic contact with the White House Counsel's Office and the Department of Justice.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		242	000	Notes payable to banks-secured (auto)		17	000
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule	1	615	510	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due		5	000
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable – see schedule		124	869
Real estate owned – see schedule		710	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		75	000				
Cash value-life insurance							
Other assets itemize:							
529 Plan		20	000				
				Total Liabilities		146	869
				Net Worth	2	515	641
Total Assets	2	662	510	Total Liabilities and Net Worth	2	662	510
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)			No
On leases or contracts				Are you defendant in any suits or legal actions?			No
Legal Claims				Have you ever taken bankruptcy?			No
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT
NET WORTH SCHEDULES

Listed Securities

APPLE INC	\$207,740.00
AMAZON.COM INC	\$58,291.00
UBS AG JERSEY EXCH TRADED ACCESS	\$5,919.00
BRIGHTHOUSE FINL INC	\$2,829.00
DISNEY CO	\$72,325.00
DUKE ENERGY CORP	\$43,455.00
DUPONT DE NEMOURS INC.	\$12,445.00
GENERAL ELECTRIC CO	\$11,561.00
LAS VEGAS SANDS CORP	\$25,264.00
METLIFE INC	\$40,552.00
NETFLIX COM INC COM	\$33,578.00
PROCTER AND GAMBLE CO	\$80,311.00
PROSPECT CAP CORP	\$53,600.00
AT&T INC	\$52,525.00
BERKSHIRE HATHAWAY INC CLASS B	\$11,754.00
CORTEVA INC	\$4,841.00
DOW INC	\$8,348.00
AMERICAN FUNDS CAP WORLD GROWTH & INCOME	\$291,775.00
AMERICAN FUNDS CAP INCOME BUILDER	\$240,352.00
FRANKLIN RISING DIVIDENDS A	\$226,640.00
AMERICAN FUNDS NEW WORLD	\$2,863.00
VANGUARD TOTAL INTL STOCK INDEX	\$2,830.00
AMERICAN FUNDS GROWTH FOR AMERICA	\$112,379.00
THRIFT SAVINGS PLAN (2020 LIFECYCLE FUND)	<u>\$13,333.00</u>
Total Listed Securities:	\$1,615,510.00

Real Estate Owned

Personal Residence	\$550,000.00
Second House	65,000.00
Undeveloped Property (20% Interest)	95,000.00
Total Real Estate Owned	<u>\$710,000.00</u>

Real Estate Mortgages Payable

Personal Residence – Mortgage	\$64,869.00
Home Equity Line of Credit	<u>\$58,000.00</u>
Total Real Estate Mortgages Payable	\$124,869.00

AFFIDAVIT

I, Cheryl A. Lydon, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

8/21/19
(DATE)

Cheryl A. Lydon
(NAME)

Brenda B. Bullard
(NOTARY)

Notary for S.C.
MCE - 2025