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SC Court of Appeals

In the Court of Appeals
For the State of South Carolina

Civil Case Nos. 2025-DR-26-2774 and 2026-DR-26-1083
Appellate Case No.: 2026-001137

Appeal from the Family Court
Horry County, SC

STUART M. AXELROD
Petitioner,
v.
CARLA ERICSON
Respondent.

Respondent Carla Ericson's Response to Petitioner Stuart Axelrod's Motion to Suppress and Supplemental Motion to Suppress Electronic/Oral Communications

Comes now Carla Ericson, Respondent, who makes and files this, her Response to Petitioner Stuart Axelrod's Motion to Suppress and Supplemental Motion to Suppress Electronic/Oral Communications in the above-referenced cases, and in support thereof will respectfully show unto the Honorable Court as follows:

I.
Background

The parties are involved in a divorce suit in the Horry County family court. The subject of this motion is the admissibility of oral and electronic communications. Petitioner complains that private and privileged communications were obtained by Respondent in violation of the law. Supp. Motion to Suppress, 2-5; Exhibit 1. This claim is not properly before this Court. Further, the claim is belied by the evidence, and the request for suppression ought to be denied.

II.
Motion to Suppress

Petitioner has filed a motion to suppress, as well as a supplemental motion to suppress, pursuant to the South Carolina Wiretap Act. *See* S.C. Code § 17-3-110. Although this Court has jurisdiction to hear these types of matters as the "reviewing authority" outlined in the South Carolina Code § 17-30-15(9), this is a civil case. ("reviewing authority" means a panel of three judges of the South Carolina Court of Appeals designated by the Chief Judge of the South Carolina Court of Appeals). The SC Wiretap Act (also known as the Homeland Security Act) was meant to be limited to criminal cases.

The South Carolina Wiretap Act was patterned after the federal Omnibus Crime Control and Safe Streets Act of 1968, which was enacted primarily to combat organized crime. 18 U.S.C. §§ 2510–2523; *Baumrind v. Ewing*, 279 S.E.2d 359, 360 (1981), *citing* S.Rep.1097, reprinted in U.S. Code Cong. & Admin. News, 1968, 90th Cong., 2d Sess., at 2157 (the drive behind this legislation was the desire to combat organized crime); *see also State v. Whitner*, 732 S.E.2d 861, 863 (2012); *State v. Guerrero–Flores*, 741 S.E.2d 577, 580 (Ct. App. 2013). South Carolina courts have recognized that when adopting legislation from another jurisdiction, the state imports the judicial interpretations of that legislation. *Guerrero-Flores*, 741 S.E.2d at 580; *Whitner*, 732 S.E.2d at 864 (explaining "we look to the federal courts' interpretations" of the Federal Act when interpreting comparable provisions of the Homeland Security Act).

Further, the statute was placed in Title 17 of the S.C. Code, which is titled "Criminal Procedures," which reveals the legislative intent. *See* S.C. Code § 17-3-110. The statute is titled—"Pretrial motion to suppress; grounds; appeals by State; exclusive remedy." *Id.* It was purposely placed with the criminal procedure concepts, such as the State being a party and their right to appeal a suppression order. S.C. Code §§ 17-3-110(B), (C).

Other statutory language in Title 17 is instructive; as Section 17-30-70 involves wiretap authorizations, investigations by the Attorney General, and notates provisions for specific felony offenses, such as murder and kidnapping. S.C. Code § 17-30-70. These are not referring to civil actions. It is the specific procedure for suppressing evidence in a criminal investigation. S.C. Code § 17-30-70. This motion is not properly before the Court.

However, assuming this motion is properly filed under the authority of § 17-3-110(A), the wiretap statute provides:

> Prior to any trial, hearing, or proceeding in or before any court, department, officer, agency, regulatory body, or other authority, any aggrieved person may move to suppress the contents of any intercepted wire, oral, or electronic communication, or evidence derived therefrom, on the grounds that the:
>
> (1) communication was unlawfully intercepted;

(2) order of authorization or approval under which it was intercepted is insufficient on its face; or
(3) interception was not made in conformity with the order of authorization or approval.

S.C. Code § 17-3-110(A). Petitioner's objection to the evidence appears to implicate § 17-3-110(A)(1) as he complains that Respondent accessed emails on his computer and recordings made in their house. But Petitioner cannot prevail, as the law does not support suppression on the facts of this case.

III.
Legal Analysis

A. Petitioner has not shown suppression is warranted.

The Wiretap Act is violated when a person intercepts oral communications that are not otherwise exempt from or subject to an exception contained in S.C. Code § 17–30–30. Subsection (C) provides: It is lawful under this chapter for a person not acting under color of law to intercept a wire, oral, or electronic communication where the person is a party to the communication or where one of the parties to the communication has given prior consent to the interception. S.C. Code § 17-30-30(C); *Whitner*, 732 S.E.2d at 865 (noting that the law recognizes consent in this context).

As set forth in the accompanying affidavit, Respondent regularly used Petitioner's computer throughout their marriage for her various art projects. *See* Affidavit of Respondent Carla Ericson. It was known to Petitioner that Respondent emailed photos and art images to his email, then opened and printed them from his email for use in

Respondent's art studio. *Id.* It was as Respondent was using this email account with Petitioner's knowledge and permission that Respondent stumbled across the correspondence regarding his affair that he complains of in this motion. *Id.*

Petitioner's prior consent of the email account defeats his suppression claim to this Court. *See* S.C. Code § 17-30-30(C); *State v. Andrews*, 479 S.E.2d 808, 811 (Ct. App. 1996) ("no one has a constitutionally protected expectation that the person to whom he voluntarily reveals incriminating information will keep it secret"), *citing United States v. Quintana*, 508 F.2d 867, 872 n. 3 (7th Cir. 1975); *Cf. Teeter v. Teeter*, 408 S.C. 485, 493 (Ct. App. 2014) (affirming the trial court's exclusion of wife's emails where husband claimed he had seen the wife's password written on a piece of paper and accessed her account through that means; court held this does not constitute consent under the statute).

With regard to the recordings made in the house, South Carolina has implied that a marital relationship and the shared home may reduce privacy expectations in ways that bear on the consent analysis. *See Baumrind,* 279 S.E.2d at 360 (the expectations of privacy of both husband and wife should reasonably be more restricted in conversations which could easily be overheard within the marital home). And any recordings where Respondent was a party would be protected by the one-party consent framework. S.C. Code § 17-30-30(C); *Whitner*,732 S.E.2d at 866.

Moreover, Respondent does not possess any of the recordings from the house. *See* Affidavit of Respondent Carla Ericson; S.C. Code § 17–30–30; *Sanders v. Robert Bosch*

Corp., 38 F.3d 736, 742 (4th Cir. 1994) (definition of "interception" requires acquisition of the contents of oral communications). Thus, the suppression motions should be denied.

B. This issue is essentially moot.

Respondent has re-filed this case without the basis for adultery included; thus, the evidence Petitioner complains of will not be used by Respondent in this case.

IV.
Conclusion

Wherefore, premises considered, Respondent Carla Ericson prays that Petitioner Stuart M. Axelrod's motions to suppress, and all the relief sought therein, be in all respects DENIED, for the reasons set forth herein.

Respondent prays for such other and further relief, general or special, at law or in equity, to which she may show herself to be justly entitled.

Respectfully submitted,

Heather von Herrmann, Esq.
von Herrmann Law Firm
212 Elm Street
Conway, SC 29526
(843) 488-1030
hvh@vhlf.pro

By: /s/ Heather von Herrmann

ATTORNEY FOR RESPONDENT
CARLA ERICSON

Alexandra D. Varner, Esq.
Varner Family Law
814 Johnnie Dodds Blvd., Suite A
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alex@varnerfamilylaw.com

By: /s/ Alexandra D. Varner

ATTORNEY FOR RESPONDENT
CARLA ERICSON

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing Response has been sent to the following counsel of record through the Court's efiling system on this the 6th day of July 2026:

Attorneys:

James T. McLaren, Esquire
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Debra Cooper

Debra Cooper

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Family Court

Civil Action Court Case No. 2026-DR-26-1083

Appellate Case No.: 2026-001137

Stuart M. Axelrod, Petitioner,

v.

Carla Ericson, Respondent.

AFFIDAVIT OF RESPONDENT CARLA ERICSON

PERSONALLY APPEARED BEFORE ME, **Carla Ericson**, who, after being duly sworn, deposes and states, under penalty of perjury:

1. My name is Carla Ericson, and I am the wife of Petitioner, Stuart M. Axelrod. Stuart has made claims that I engaged in illegal, unethical, and immoral conduct prior to the filing of my Complaint for Divorce based on the ground of adultery on December 8, 2025 (Docket #2025-DR-26-2774). Nothing could be further from the truth. I have never violated any state or federal laws. This is simply another one of Stuart's tactics to harass me and try to break me financially. He has left me without any income. He has taken my vehicle and left me with another vehicle

that the taxes have not been paid on, and it does not have insurance on it. After bringing this fact to him and telling him that he was forcing me to drive the car illegally, he eventually paid the taxes and sent proof of insurance. He fired me from my job at Axelrod and Associates where I have worked our entire marriage and has contested my unemployment benefits.

2. He has filed this matter in the Court of Appeals solely to keep me from receiving any temporary relief. It is his position that I cannot appear in the family court to receive any temporary relief while this matter is pending. This prevents me from receiving any spousal support or other way to support myself or pay for my attorneys and experts. Stuart even had my beloved dog euthanized on my birthday, May 30, 2026, and didn't tell me. In addition, he has refused to make necessary repairs to our home, including the backed-up toilets. This is all part of his scorched-earth approach because I would not agree to settling our divorce on his terms. While the first Complaint alleged the ground of adultery (which was dismissed), the new Complaint requests an Order of Separate Support and Maintenance. Thus, there is no evidence that would require suppression.

3. After Respondent filed his *Motion to Suppress Electronic/Oral Communications* on May 14, 2026, I dismissed my case under docket number 2025-DR-26-2774 and filed a new action for separate support and maintenance (Docket #2026-DR-26-1083). In doing so, I have eliminated the use of any information which Petitioner seeks to have suppressed. I have done so even though I had full information and

knowledge regarding his infidelity prior to any of the alleged acts Petitioner sets forth.

4. On August 22, 2025, I discovered that Stuart was having a relationship when I heard him on the phone with his paramour. He was drunk and was talking loudly out on our porch and having phone sex with this person who he was calling Marylynne. I learned it was Marylynne Bishop because I found a Post-it note on Stuart's desk with her email address and name. I put two and two together and that is how I learned he was cheating on me after 21 years.
5. In Petitioner's *Motion to Suppress Electronic/Oral Communications*, he claimed that I have invaded his privacy by illegally accessing his email account. The computer on which I saw the emails is in our home office and was never password protected. The email account is also not password protected. I have regularly used this home computer and email account throughout our marriage for various art projects and for other purposes. I would send photos and art images to **legalbeagle@gmail.com** and open and print them from home for use in my art studio. There were never any issues with me using this email in the past.
6. While going through emails to print images for my studio, I saw open emails which contained love letters that Stuart was sending to and from his lover, Marylynn Bishop. I also saw our financial records and home receipts from this email account. I did not ever open an email myself. These were emails which had already been opened, presumably by Stuart.

7. In Petitioner's *Motion to Suppress Electronic/Oral Communications*, he also claims that I have illegally accessed and reviewed multiple emails between him and his attorneys. I am assuming he is referring to his "Client Novel" which he wrote in September of 2025. This glorified rags to riches story with him in the starring role, was shared, by him, with many people. My information is that he seemed quite proud of it. The instructions for that "Client Novel" even contains an admonition in all capital letters and bold type:

   DO NOT LET YOUR SPOUSE SEE THIS PAPER OR YOUR "CLIENT NOVEL". CONFIDENTIALITY IS ESSENTIAL TO OUR EFFECTIVELY REPRESENTING YOUR INTERESTS. IF YOU BREACH THIS CONFIDENTIALITY, YOU ARE JEOPARDIZING OUR ABILITY TO PROPERLY RESPRESENT YOUR INTERESTS. MORE IMPORTANTLY, YOU ARE JEOPARDIZING OUR ABILITY TO OBTAIN A FAVORABLE RESULT FOR YOU. **Exhibit 1**

   This document and client novel were left open on the computer as were his retainer agreements with his attorneys, and other documents which he refers to in his motion.

8. Petitioner alleges that I placed a recording device which he identifies as AFFETUNE 128GB in our bedroom and that it contains "hundreds of audio recordings made in Axelrod's private bedroom between June 19, 2025, and October 10, 2025." The recording device that I put in our room was not purchased until September 13, 2025, and was not placed in our bedroom until I believe the beginning of October. **Exhibit 2** The recording device was located on my bureau in my personal belongings in our shared bedroom. I never retrieved the device

and have never heard any of the recordings on it. The housekeeper picked it up when cleaning and gave it to Stuart very shortly after I put it in our bedroom.

9. The court should note that the device was only placed there after I could hear Stuart having loud masturbation sessions in OUR bedroom with his mistress over the phone. I was fearful for my life during the beginning of this action as I overheard Stuart telling his mistress that he wished I was dead and that it would be so much easier if I died. I was terrified that he may attempt to kill me and I did place a recording device in the room out of pure caution for my own safety. Stuart found the device soon thereafter; no recordings were transmitted to me from the device. I placed the device near the end of September to intercept any plots that he may have been forming against me. It is false to assume that I used any of that information against him. I knew about Stuart's infidelity long before the recording device was placed.

10. At this time, I am requesting the Court require Petitioner to pay my attorney fees, private investigator fees, expert fees, suit money, and costs incurred in connection with this Motion and investigation into these matters.

By: Carla Ericson
Carla Ericson, Respondent

Sworn to before me this
6th day of July, 2026.

Notary Public of South Carolina
My Commission Expires: 9-3-34

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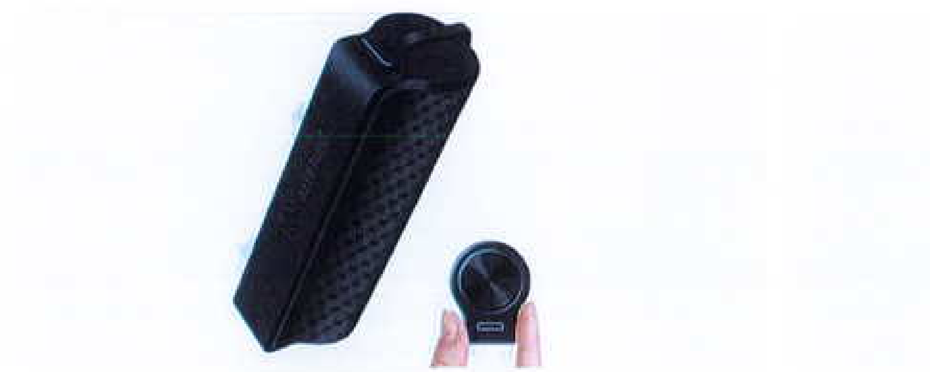

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CLIENT NOVEL INSTRUCTIONS

McLaren & Lee
1508 LAUREL STREET
POST OFFICE BOX 11809
COLUMBIA, SOUTH CAROLINA 29211-1809
TELEPHONE (803)799-3074
FAX (803)252-3548

If you are represented by McLaren & Lee, it will be necessary for you to supply us with a legible (neatly hand-written or typed) "Client Novel" providing us with the history of your marriage highlighting important details. This information is vital to our properly understanding your situation and to our properly representing your interests. Details are important. Please provide as much detail as possible. Your "Client Novel" should include, at a minimum, the following:

1. **Briefly cover**: You and your spouse's **age, health, education**; and, you and your spouse's **current employment** and **income.**

2. A **detailed chronology of the important events in your marriage** including the time you and your spouse dated before marriage; the date and place of marriage; what you and your spouse were doing immediately prior to your marriage (school, employment, where you lived, what you owned, and what you owed); the purchase and sale of any real estate or other significant investments or assets including the source and disposition of monies; the birth and care of children; moves; job changes; job promotions; inheritances; significant financial transactions; and other events which you consider to be important during your marriage.

3. A **detailed history of your financial contributions** to the marriage (money, property, or otherwise).

4. A **detailed history of your spouse's financial contributions** to the marriage (money, property, or otherwise which you brought into the marriage).

5. A **detailed history of your indirect contributions** to the marriage (as a mother, father, husband, wife, homemaker, assistance in your spouse's career development, etc.).

6. A **detailed history of your spouse's indirect contributions** to the marriage (as a mother, father, husband, wife, homemaker, assistance in your career development, etc.).

7. A **detailed explanation of all of the "foregone opportunities" that you (or your spouse)** have lost as a result of your marriage or decisions made during your marriage. This would include both economic and career opportunities. Examples would be seniority, retirement benefits,

employment, businesses, etc. In other words, things you gave up to help your spouse or family.

8. **If custody or visitation is an issue, be detailed about the child(ren).** Talk about their growth and development; their health; their education and educational needs; your expectations; the relationship they have with both you and your spouse; and, the role and contributions you and your spouse have had in their upbringing.

9. A **detailed history of all separations** by dates (beginning and end), who left and why, and any other circumstances or specifics that are important.

10. A **detailed history of the "bad" things your spouse has done to you** during your marriage (what, when and where – be specific) (e.g. saying he/she "abused" or "mistreated" you is not sufficient).

11. A **detailed history of all the "bad" things you have done to your spouse** during the marriage. (Be specific).

12. An **explanation of your "short term" and "long term" objectives in order of importance** dealing with such issues as divorce, separation, custody of children, visitation with children, obtaining particular property (real and personal) use or ownership of an automobile, restraining orders, alimony, child support and any other special results which you would desire to obtain through litigation or settlement.

13. Any **other matters or events** which you consider important.

14. **Please bring to our office the following documents**:

- ☐ Personal and business tax returns, state and federal, for all years of the marriage, especially for the last five (5) years.
- ☐ Loan applications and bank filed financial statements.
- ☐ The most recent statements for all bank accounts, investment and stock accounts and retirement accounts.
- ☐ Life insurance policies and statements of cash value;
- ☐ Closing statements, deeds, notes, mortgages and recent statements reflecting mortgage balances for all real estate.
- ☐ Documents reflecting the year, make, model, mileage and loan balance and payments for all vehicles, boats, and recreational vehicles.

- ☐ List of all bank, investment and/or stock accounts, and retirement accounts that you have or you believe your spouse has (if you actual statements are not available to you).

- ☐ Evidence of misconduct, such as:

    - ☐ Photographs of bruises or other injuries;
    - ☐ Police reports;
    - ☐ Private investigation reports;
    - ☐ Tapes of conversations between you and your spouse (which do not violate wiretap laws);
    - ☐ Computer records;
    - ☐ Cards, notes and letters;
    - ☐ Journals & diaries;
    - ☐ Receipts for motels, travel and the like.

- ☐ If custody is an issue, gather all:

    - ☐ Report cards and other school records;
    - ☐ Pediatrician records;
    - ☐ Dental records;
    - ☐ Orthodontic records;
    - ☐ Cancelled checks and charge card receipts for purchases relating to the children, such as for medical care, dental care, orthodontic care, clothes, extracurricular activities, school expenses, lessons, tutoring, etc.

- ☐ A list of people who will give you supporting Affidavits by name, address, telephone number, how he or she knows you, your spouse or your children, and the substance of what each witness is expected to say.

DO NOT LET YOUR SPOUSE SEE THIS PAPER OR YOUR "CLIENT NOVEL". CONFIDENTIALITY IS ESSENTIAL TO OUR EFFECTIVELY REPRESENTING YOUR INTERESTS. IF YOU BREACH THIS CONFIDENTIALITY, YOU ARE JEOPARDIZING OUR ABILITY TO PROPERLY REPRESENT YOUR INTERESTS. MORE IMPORTANTLY, YOU ARE JEOPARDIZING OUR ABILITY TO OBTAIN A FAVORABLE RESULT FOR YOU.

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Family Court

Civil Action Court Case No. 2026-DR-26-1083

Appellate Case No. 26-1137

Stuart M. Axelrod, Petitioner,

v.

Carla Ericson, Respondent.

AFFIDAVIT OF RESPONDENT LESTER J. JOHNSON JR.

PERSONALLY APPEARED BEFORE ME, **Lester J. Johnson Jr.**, who, after being duly sworn, deposes and states, under penalty of perjury:

Personally appeared before me Lester J. Johnson Jr., who being duly sworn, deposes and states as follows:

1. Affiant is a licensed Private Investigator in the State of South Carolina, License #2875, doing business as The Johnson Group LLC. Post Office Box 1200 Lexington, South Carolina, 29071.
2. Affiant is a retired law enforcement officer with forty-five years (45) of experience in law enforcement and security, of which twenty-nine (29) years included the investigation and/or management of cases related to technology crimes, which included electronic evidence and the lawful collection of

intercepted communications and violations of unlawful use. Affiant was the Special Agent in Charge of the South Carolina Computer Crime Center from its inception in 2001 until his retirement in 2007. Affiant investigated or managed over One Thousand (1000) cases during this time.

3. Since becoming a Private Investigator in 2011, Affiant has investigated and conducted analysis of electronic evidence in numerous cases and has been consulted by others in cases involving surreptitious recording issues.
4. Affiant has received more than seven hundred (700) hours of training in the handling and analysis of electronic evidence from the following institutions: SEARCH, National White Collar Crime Center, Access Data, Cellebrite, Black Bag Technologies, Encase, Federal Bureau of Investigations, United States Secret Service, Paraben Corporation and Carnegie Mellon University. Affiant has received in excess of two hundred (200) hours of training related to audio and video Investigations from the National Intelligence Academy, eighty hours (80) of interception of secure communications from the Multijurisdictional Counterdrug Task Force Training, approximately one hundred (100) hours of vendor specific training on the interception of communications and forty (40) hours of network intrusion investigations for EDS.
5. Affiant participated as a subject matter expert in the drafting of the "South Carolina Homeland Security Act", SC Code 17-30-10, regarding the interception of wire, electronic, or oral communications, and provided testimony to the South Carolina Legislature on this topic.
6. For the purposes of this affidavit, Affiant was provided a copy of the Motion to Strike and Other Relief, dated February 10, 2026, a document from the Petitioner addressing some issues in the Motion to Strike and Other Relief, and direct conversations with the Respondent in this matter.
7. Petitioner sets forth that the Respondent accessed his personal email account and a privileged client novel, in violation of the Federal Wiretap Act, (18 U.S.C.A. 2510), the Federal Stored Communications Act (18 U.S.C.A. 2701), the

Federal Computer Fraud, and Abuse act (U.S.C.A 1030), and the South Carolina Wiretap Act (S.C. Code Ann 17-30-10).

Based upon the information provided to the Affiant by the Respondent, the Petitioner's computer, located in the marital home, has always been accessible to the Respondent in this case, and did not contain a password to access the computer, nor did any of the files located on the computer have any password or encryption activated. The emails accessed by the Respondent had previously been opened and were left in folder where the Petitioner had made a conscious decision on his part, to take no intentional effort to protect them in any way and no unopened emails were accessed by the Respondent. Based upon this, the Petitioner failed to protect any communications or information that was readily accessible to the Respondent in this case, thereby providing implicit access to both the computer, and the data contained their own to the Respondent. These facts would support that the Petitioner has no expectation to any right of privacy due to his own actions and failure to take any effort, implied or not, to protect, not only access to the computer, but also all the files contained they're in. Based upon this, is my opinion that the Respondent has violated none of the stated statutes listed above.

8. Petitioner set forth that the Respondent placed a surreptitious recording device in the Petitioner's bedroom to clandestinely record his conversations. Affiant was provided an affidavit, prepared by the Respondent, which states, "hundreds of audio recordings made in Axelrod's private bedroom between June 19, 2025, and October 10, 2025." The recording device that I put in our room was not purchased until September 13, 2025, and was not placed in our bedroom until I believe the beginning of October". Respondent has requested the alleged audio recording evidence, which according to Petitioner is in his possession, be provided to allow independent examination in an effort to support the allegations and address the obvious challenge in existence concerning the conflicting information of the alleged dates of the recordings. Based upon the

information provided and known at this time, there has been no evidence provided of any recording supporting the allegation of the Petitioner. Absent any, I see no violation of any criminal codes alleged by the Petitioner, stating that he was surreptitiously recorded.

Lester J. Johnson Jr.
The Johnson Group LLC.

SWORN to before me this
6 day of July 2026

Notary Public for South Carolina

My Commission Expires: 9-3-34

The Johnson Group LLC.
PO Box 1200
Lexington, South Carolina 29071
(803) 331-9036

CURRICULUM VITAE

Lester J. Johnson Jr.

EMPLOYMENT:

The Johnson Group LLC.
Lexington, South Carolina

2011 – Present President

Offering professional services in Security Consulting in the areas of: Physical Security Assessments and Planning, Cyber Security Assessments and Planning, Risk Management, Crisis Management Assessment and Planning, Threat Assessments, Investigations and Digital Forensic Examinations and Expert Witness in matters related to Law Enforcement.

SCANA Corporation,
Cayce, South Carolina

2007– 2011 Manager – Corporate Security

Manager for Corporate Investigations, Crisis Management and Protective Services. Responsible for the coordination of the operational and administrative function of these areas. Managed a staff of professional investigators and support staff with a multi-million dollar annual budget and a three state area of responsibility. Provides specialized support to numerous company entities, such as Information Technology and Crisis Management, to ensure the protection of critical company assets. Reviews, analyzes, and revises investigative reports and makes recommendations to management concerning their use and disposition.Provides advice and counsel to all departments concerning security issues, internal controls, investigations, theft of services, and the protection of company assets and personnel.Maintains liaison with representatives of all levels of law enforcement and counterparts in the private sector to facilitate investigations, increase proficiency in investigative techniques, and maintain information gathering on a variety of topics.Interacts with a number of governmental agencies at all levels regulations, and legislation that affects the company. Assumes management responsibility for business contingency planning efforts to ensure the adequacy of business unit contingency plans for critical business areas, functions and applications; maintains continued operations, asset protection, and loss mitigation in the event of a disruption; works with business unit management to enhance contingency plans, mitigating the effect of a technology system or application failure or problem. Provides direct communications to the Senior Management; participates in appropriate business unit and development planning meetings and activities; facilitates timely identification, escalation, and follow-up for all out-standing issues. Assists the department in enhancing, formalizing, and standardizing the business planning process, including forecasting and tracking mechanisms, across all business units to facilitate timely accommodation of future company recovery requirements and opportunities. Assumes leadership role in developing, coordinating, and maintaining comprehensive business contingency plans and validation methodology to ensure the company's ability to recover in the event of an unforeseen disruption to facilities, technology systems, or applications. Manages the duties, activities and employee development of Crisis Management staff. Served on Corporate Incident Management Team, providing leadership, operational and logistical oversight during significant issues or crisis incidents, which impacted the corporation. Performs departmental administrative activities, including staff meeting attendance, monthly status reporting, budgeting, strategic planning, expense processing, documentation, and other activities in a timely manner. Assists business units with assessment of potential business impact; definition of critical, time-sensitive function and design; and development and documentation of business continuity plans. Recommends recovery strategies and options, and assists with the implementation of recovery solutions

2006 -2007 Deputy to the Assistant Director for Investigations
Served as the Deputy to Assitant Director for Investigations, corrdinating the operational and administrative activities for four Region Investigative Offices, Computer Crimes, Alcohol Enforcement, Arson and Bomb, Narcotics, Tactical, Executive Protection, Statewide Grand Jury, Corruption, Insurance Fraud, Vulenrable Adult and Child Fatalities. Provide support, direction and strategic planning for the approximately Three Hundred and Thirty personnel assigned to various units. Leadership in the Operational components of Homeland Security Counter Terrorism initiatives to include the Joint Terrorism Task Force, All Source Fusion Intelligence Center and Operation SEAHAWK; a port security project.

2004 – 2006 Captain – Criminal Justice Information Services
Supervise the_operation of the State Bureau of Identification, Uniform Crime Reporting, Information Technology and the South Carolina Computer Crime Center. Provide support, direction and strategic planning for the approximately One Hundred Thirty personnel assigned to various units. Serve as Executive Level Project Management for large or significant Information Technology projects. Responsible for the development, deployment and operation of the South Carolina Information Exchange System, a real time incident report data sharing system for all law enforcement agencies in South Carolina. Responsible for the network security and operational aspects of the various criminal justice information systems in use in South Carolina. Coordinated efforts regarding incident management through the operation of Command-and-Control Centers, both

static and mobile, which provided the management of operational, logistical and multi-jurisdictional oversight of large scale operations and critical incidents. Management of the operation of the South Carolina Computer Crime Center.

2000 - 2004 <u>Lieutenant – South Carolina Computer Crimes Center</u>
Established and supervised a partnership of Federal and State Agencies with responsibility of investigating computer related crimes and the operation of a full service digital evidence examination laboratory. Provided management and oversight of $12.1 million in Federal and State grants. Managed investigations related to crimes involving the use of high technology, to included computer intrusion, fraud, identity theft, cyber terrorism, and Online Sexual Exploitation of Children. Managed a statewide taskforce, one of the thirteen-chartered states, dedicated to Internet Crimes Against Children. Managed the planning, evaluation, and operations of communications interception on behalf of the Agency.

1998 - 2000 <u>Lieutenant – Technical Services</u>
Supervised the operation of covert electronic surveillance activities, communications, Audio and Video Enhancement operations and Forensic Computer Examinations. Maintained an inventory in excess of $750,000 of equipment related to these activities.

1997 - 1998 <u>Lieutenant – Narcotics</u>
Supervised Federal Task Force Officers assigned to the Drug Enforcement Administration, Federal Bureau of Investigations Violent Crime Task Force and Organized Crime Drug Task Forces. Supervised Narcotics Canine Operations and Technical Services.

1993 – 1997 <u>Special Agent – Technical Services</u>
Conducted covert surveillance operations

1992 - 1993 <u>Special Agent – Statewide Grand Jury</u>
Conducted Conspiracy, Public Corruption and Historical Narcotics Investigations.

1987 – 1992 <u>Lieutenant – Irmo Police Department</u>
Supervised the uniform patrol and traffic services for the department. Served in the position as Assistant Chief for the Department. Conducted Firearms, Driving and Defensive Tactics Instruction.

1986 – 1987 <u>Lieutenant – Cayce Department of Public Safety</u>
Supervised the law enforcement and fire suppression activities of the department. Served as the primary Firearms Instructor. Responsible for the pre-planning of law enforcement and fire suppression response plans.

1985 - 1986 <u>Sergeant – Cayce Department of Public Safety</u>
First Line Supervisor of law enforcement and fire suppression activities of the Department. Served as the primary Firearms Instructor.

1983 – 1986 <u>Public Safety Officer – Cayce Department of Public Safety</u>
Provided law enforcement and fire suppression services for the department.

SPECIALIZED TRAINING:

South Carolina Criminal Justice Academy:

Basic Law Enforcement
Breathalyzer Operator
Officer Survival
First Line Supervision
Firearms Instructor I
Firearms Instructor II
Defensive Tactics Instructor
PR-24 Baton Instructor
Mid Level Management
Narcotics I
Narcotics II
Driving Instructor
Technical Surveillance
Arson Investigation

South Carolina Fire Academy:

Basic Firefighting
Interior Structure Firefighting
Certified Fire Marshal
Arson Investigation
Fire Ground Command
Incident Command System
Hazardous Materials

FBI Academy:

Homicide Investigations
FBI National Academy 216th Session

United States Secret Service

Dignitary Protection Seminar

Institute of Police Technology and Management:

Traffic Management (4 Week Course)
Interview and Interrogation
Advanced Interview and Interrogation
Traffic Accident Reconstruction
Major Case Management
Criminal Patrol Techniques

Defensive Tactics

National Intelligence Academy:

Basic Covert Audio Investigations
Advanced Covert Audio Investigations
Basic Covert Video Investigations
Advanced Covert Video Investigations
Managing a Technical Unit

Digital Audio Corporation:

Audio Enhancement

Search Inc:

Computer Forensics
Computer Investigations
Internet Investigations

Encase Inc.

Basic Computer Forensics
Intermediate Computer Forensics

National White Collar Crime Center:

Basic Data Recovery and Analysis

Multijurisdictional Counterdrug Task Force Training:

Intercept of Secure Communications

National Center for Missing and Exploited Children:

Internet Crimes Against Children
Internet Crimes Against Children Unit Commanders Course

EDS:

Network Intrusion Investigation
Managing Network Intrusion Incidents
Managing Incident Response Teams

Carnegie Mellon University – Computer Emergency Response Team:

Establishing a Computer Security Incident Response Team

Basic Incident Handling

Advance Incident Handling

Advanced Incident Handling for the Technical Staff

Naval Post Graduate School – Center for Defense and Security

Executive Leadership Program for Homeland Security

FARR and Associates

Mastering Leadership Dynamics

Federal Emergency Management Administration

Incident Command System
National Incident Management System 100, 200, 300, 400, 700 & 800.

Access Data

Certified Computer Forensics Examiner
Windows Registry Hands-on Lab 2011
Email and Live Triage Hands-on Lab 2011
iPhone and Mobile Forensics Hands on Lab 2011
Browser Forensics

Paraben

Mobile Device Seizure and Examination

Magnet Forensics

Axiom Examinations

ADDITIONAL PROFESSIONAL ASSIGNMENTS:

Testified as an expert witness in cases involving electronic surveillance, video enhancement and computer crimes investigations.

Lectures to law enforcement professionals in the U.S. on the topics of computer crime investigations, electronic crime scene procedures, homeland security and interview and interrogation.

Instructor at the South Carolina Criminal Justice Academy in Basic Detectives Class, Technical Surveillance, Firearms Instruction and Driving Instruction.

Adjunct Instructor and class developer for the University of Tennessee National Forensic Class in The Electronic Crime Scene

Adjunct Instructor and class developer for the University of Tennessee Law Enforcement Technology Class in Basic Computer Crime Investigations and Internet Crimes Investigation

Adjunct Instructor and class developer for the University of Tennessee Homeland Security for First Responders and Intelligence Fusion Cell Operations

Former Adjunct Instructor for Midlands Technical College

Former Adjunct Instructor for the University of North Florida Institute of Police Technology and Management

Former Adjunct Instructor for the National College of District Attorneys

Staff member for Moscow Police Command College

Instructor for the South Carolina Police Corps Training Program

Featured on National White Collar Crime Center training video "Cyber Crime Fighting"

Developed and provided project management on the creation of the South Carolina Computer Crime Center

Since September 11, 2001, has participated in the FBI's Joint Terrorism Task Force

Serving as a member of the National Institute of Justice Technical Working Group for the development of five publications related to computer crime investigations and the examination of digital evidence.

Serving as a member of the National Institute of Justice Scientific Working Group for Digital Evidence in the development of standards for the collection and examination of digital evidence.

Serving on the Major Chief's Committee of the International Association of Chief's of Police on the protocols for the investigation of Identity Theft

Developed and provided project management to the Office of Juvenile Justice and Delinquency Prevention for the creation of the Internet Crimes Against Children project.

Testified before a Joint Congressional Committee on protecting children on the internet.

Testified before a Congressional Hearing on Homeland Security Information Sharing.

Served as President of the Southeast Chapter of the National Technical Investigators Association.

Presently serving on the Lexington Richland Drug and Alcohol Abuse Commission Board of Directors.

Presently serving on the Lexington Medical Center Foundation Board of Directors.