

Criminal Practice in the Post-Covid World: New Challenges and Old Problems

SPEAKER BIOGRAPHIES

by order of presentation

Judah Vansyckel

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Lexington, SC

(Course Planner)

Admitted to the South Carolina Bar in 2010, Mr. VanSyckel's practice areas include Federal False Claims Act, Qui Tam, and whistleblower actions; and criminal defense matters, including white collar crime, financial crime, and fraud, as well as general criminal defense matters.

Mr. VanSyckel graduated in 2006 from the Honors College at the University of South Carolina, where he received a B.A with a double major in History and Political Science. He matriculated in the fall of 2007 at the Charleston School of Law, where he received his J.D. in 2010.

Prior to entering private practice, Mr. VanSyckel had the great fortune to work in government service and learn from more experienced attorneys. From August 2011 to April 2015, Mr. VanSyckel had the pleasure of working for the York County Public Defender's Office as an Assistant Public Defender. While there, Mr. VanSyckel handled a variety of matters in the various courts in York County, including the Circuit Court level General Sessions Court and the Magistrate and Municipal Courts in the county. He defended matters including exotic white-collar cases like insurance and securities fraud cases and 1st Amendment matters, and more general DUI, larceny, drug, and violent crime matters. While an Assistant Public Defender, Mr. VanSyckel tried over twenty cases to a jury verdict. Mr. VanSyckel is thankful for this start to his criminal law career.

In April 2015, Mr. VanSyckel joined the South Carolina Attorney General's office as an Assistant Attorney General. For most of his time, he worked in the Medicaid Fraud Control Unit where he investigated and prosecuted fraud committed by healthcare providers. As part of that position, Mr. VanSyckel also worked with the local U.S. Attorney's Office, the Columbia office of the Federal Bureau of Investigation, the local office of the Inspector General for the Department of Health and Human Services, and the local office of the Internal Revenue Service in the investigation of Federal criminal level prosecutions and Federal False Claims Act cases. Additionally, Mr. VanSyckel briefly spent time defending the State on Post-Conviction Relief claims. Subsequent to that he went into private practice.

Mr. VanSyckel is admitted in all the state courts of South Carolina and is also admitted to the Federal District Court for the District of South Carolina, the United States Court of Appeals for the Fourth Circuit, and the United States Supreme Court. Mr. VanSyckel is proud to be a criminal defense lawyer and to represent whistleblowers.

The Honorable William McKinnon

Circuit Court Judge

York, SC

Judge William A. “Bill” McKinnon was born in Raleigh, North Carolina and is the son of Halbert H. and Gail T. McKinnon. His father is a dentist and a retired U.S. Army Reserve colonel, and his mother is a retired teacher. He is married to the former Ellen Whitley, a native of Rock Hill, and has two daughters, Bristol and Elspeth. His wife, Ellen, is a registered nurse.

Following his graduation from law school at South Carolina, Judge McKinnon clerked for then Chief Judge Joseph F. Anderson, Jr., in the District of South Carolina. He then moved to the Fairbanks, Alaska area for one year to clerk for the Hon. Andrew J. Kleinfeld on the United States Court of Appeals for the Ninth Circuit.

Judge McKinnon began his private practice of law with Covington & Burling in Washington, DC. He missed South Carolina, and came back in 2004 to join Lewis, Babcock & Hawkins in Columbia. At Lewis, Babcock, Judge McKinnon handled plaintiff’s cases and defended civil cases. He subsequently moved to Rock Hill in 2007 to join McGowan, Hood & Felder, where he spent the majority of his career handling medical malpractice and other plaintiff’s cases. He also occasionally represented other attorneys on ODC matters.

In 2015, Judge McKinnon began work as a part-time assistant solicitor in the Sixteenth Circuit Solicitor’s Office while maintaining his private practice, and in 2016, went to work for the Solicitor’s Office full-time.

Judge McKinnon was elected as a resident circuit judge in the Sixteenth Judicial Circuit in February 2018 and has served continuously since then.

Representative Micajah P. “Micah” Caskey, IV

SC House of Representatives/Caskey Law Firm, P.A.

West Columbia, SC

Micah Caskey was born and raised in the small town of Springdale, South Carolina. He attended local public schools in Lexington 2 School District, grew up in McGregor Presbyterian Church, played sports all over town, and completed his Eagle Scout project at Harbison State Forest. The son of a small business owner, Micah started working long before he had a driver's license. Working in his father's locksmith shop taught Micah that nothing in life is free — everything worth having has to be earned. Hard work matters. That work ethic helped him earn a full scholarship to college.

After college, Micah spent the next several years on active duty in the Marine Corps — rising to the rank of Captain. Micah commanded both company- and platoon-sized units during his two combat tours of duty in Al Anbar Province, including Fallujah and Ramadi, Iraq. Later, in 2009, Micah left law school for a year to continue his service to the country; it was during that year that he commanded a small team of specialized Marines in Helmand Province, Afghanistan. Micah returned from Afghanistan and completed his law degree at the University of South Carolina. He also earned a master's degree in International Business Administration in the #1-ranked

international M.B.A. program at the University of South Carolina's Darla Moore School of Business. While in graduate school, Micah studied abroad in Europe and in Latin America, where he learned to speak Spanish. After graduating, Micah worked in an international firm as a management consultant in Alaska. In that capacity, he worked with Fortune 100 clients in the Oil & Gas industry to increase profitability and improve safety culture. Seeking a return home, he left Anchorage and Prudhoe Bay, Alaska, and returned to South Carolina to serve as a criminal prosecutor in South Carolina's 11th Judicial Circuit, based in Lexington County. In addition to his role there, Micah served statewide as a Special Assistant Attorney General, *pro bono*, to prosecute domestic violence cases. As a prosecutor, Micah prosecuted hundreds of cases, including several high-profile trials, as he handled all kinds of felony crimes — from drug trafficking to murder. In November 2016, Micah was elected to the South Carolina House of Representatives and was elected by his peers to lead the Freshman Caucus as its chairman. He was re-elected to the House in 2018, and again in 2020, where he continues to serve. He is currently assigned to the House Judiciary Committee and the House Ethics Committee. Micah also owns and operates a statewide private law practice, Caskey Law Firm, P.A., based in West Columbia. He is admitted to practice in the United States Supreme Court, the U.S. 4th Circuit Court of Appeals, the District Court for the District of South Carolina, and all South Carolina state courts. Micah has been honored to be able to represent District 89 in the state legislature, and he looks forward to the opportunity to continue to better the State of South Carolina.

Senator Gerald Malloy
SC Senate/Malloy Law Firm
Hartsville, SC

Senator Gerald Malloy was born on October 26, 1961 and reared in Chesterfield County. After graduating from the University of South Carolina in 1984, he received his law degree from the University School of Law in 1988, and was admitted to practice law in the South Carolina Courts and the Federal Court. He moved to Hartsville to practice law, eventually establishing his own successful firm. In 2002, Malloy was elected to the South Carolina Senate, serving on the Senate Judiciary, Banking and Insurance, Education, Invitations, Rules, Transportation and Legislative Oversight Committees. He has served as the Chairman of the Sentencing Reform Oversight Study Committee since 2010 and is the co-chairman of the NCSL Law, Criminal Justice and Public Safety Committee.

He quickly established a reputation as a hard-working legislator who was willing to work across party lines to benefit his district and his state. He helped to establish the Butler Heritage Foundation, and received awards for his work in establishing and funding rural libraries. He is a past President of the South Carolina Trial Lawyers Association, past Chairman of the South Carolina Bar Association, and serves on the Board of Trustees for the Governor's School for Science and Mathematics. He is a life member of the University of South Carolina Letterman Association and also on the University of South Carolina Alumni Board. The South Carolina Commission on Indigent Defense presented him with the Distinguished Service Award in 2008 and has since renamed the honor the "Gerald Malloy Distinguished Service Award." His vocal support of law enforcement led to him being honored by the Fraternal Order of Police with the Legislator of the Year Award in 2010.

In 2016, Senator Malloy was the first legislator to receive the NACDL's Champion of State Criminal Justice Reform Award, recognizing individuals whose efforts have led to progressive reform of a state criminal justice system. The SC firefighters' Association inducted Senator Gerald Malloy into the Maltese Cross, a world-wide fellowship organization representing courage and loyalty to duty.

He is married to Davita McFarland Malloy and they have four children: Donovan, Jonathan, Jordan and Morgan. The Malloy Family attends Jerusalem Baptist Church in Hartsville, South Carolina. Senator Malloy serves on the Board of Trustees and is chairman of the Finance Committee.

Jimmy A. Richardson, II
Fifteenth Circuit Solicitor's Office
Conway, SC

Jimmy Arthur Richardson, II was born and raised in Aynor, South Carolina. He is the son of Elise Gasque Richardson and the late Jimmy Arthur Richardson.

Jimmy received his Bachelor of Arts Degree in 1992 from the University of South Carolina – Coastal Campus. He graduated in 1997 from Regent University School of Law in Virginia.

After graduating from law school, he worked as the Judicial Law Clerk for the Honorable Circuit Court Judge Sidney T. Floyd, and in 1998 began work with the Fifteenth Circuit Solicitor's Office. As an Assistant Solicitor, he prosecuted criminal cases in all divisions of this office - Family Court, Magistrate Court, and General Sessions Court. While assigned to the General Sessions Division, he prosecuted a variety of serious felony cases, including murder, rape, burglary, armed robbery and drug trafficking. He also assisted in the successful prosecution of a murder case in which the defendant received the death penalty.

In January, 2010, Jimmy was promoted to Chief Deputy Solicitor of the Fifteenth Circuit, and in December, 2012, he was appointed by Governor Nikki Haley as Solicitor.

Jimmy, his wife Sheila, and their two children, Joshua and Paizleigh, live in Conway, South Carolina.

Daniel Goldberg
Fifteenth Circuit Solicitor's Office
Columbia, SC

Mr. Goldberg is the Deputy Solicitor and Violent Crimes Team Leader for the Fifth Judicial Circuit, which covers Richland and Kershaw Counties. He is a graduate of the University of Florida, receiving a Bachelor of Arts degree in 2000. He received his Juris Doctor from the University of South Carolina School Of Law in 2004. Since joining the Fifth Circuit in 2003, he has served as a Law Clerk, Assistant Solicitor and Team Leader tasked with prosecuting a variety of Violent Crimes to include Murder, Armed Robbery, Sexual Assault, and Burglary.

Mr. Goldberg has previously lectured at various law enforcement, educational and community outreach programs, as well as participated in numerous Bar activities.

Mr. Goldberg's honors include Ernest F. Hollings Award for Excellence in State Prosecution for General Sessions Court (2021); Leadership Academy, Class IV, South Carolina Bar (2012 – 2013); Outstanding Pro Bono Service Award, University of South Carolina School of Law (April 2004).

Mr. Goldberg is a Member, Committee on Character and Fitness, South Carolina Supreme Court; Council Member, Criminal Law Section Council, South Carolina Bar; Member, John Belton O'Neal Inn of Court; Chairman, Board of Directors, Domestic Abuse Center; Member, Resolution of Fee Disputes Board, South Carolina Bar.

Dayne C. Phillips

Price Benowitz LLP

Columbia, SC

Dayne Phillips is a graduate of the University of South Carolina School of Law, the National Criminal Defense College, and the NACDL Forensic College. Dayne has successfully defended the accused in felony jury trials and has successfully argued before both appellate courts in South Carolina. He is a past President and former Board Member of the South Carolina Association of Criminal Defense Lawyers, former Eleventh Circuit Representative in the SC Bar's House of Delegates, and current State Delegate for the National College for DUI Defense. He has also been recognized as a Rising Star by Super Lawyers, Legal Elite (criminal law) by Columbia Business Monthly, and an AV Preeminent Peer Rating by Martindale-Hubbe. Notably, his cases and quotes on legal matters have been featured in the SC Lawyers Weekly Newspaper and is a co-host on the Direct Examination Podcast.

John Lafitte Warren, III

Bill Nettles, Attorney at Law

Columbia, SC

John L. Warren III is an attorney with the Law Office of Bill Nettles. John graduated from the University of South Carolina – Honors College in 2009 and Elon University School of Law in 2013. John has clerked for three judges—Justice John W. Kittredge of the Supreme Court of South Carolina, Judge Donald C. Coggins, Jr. of the United States District Court, and Judge A. Marvin Quattlebaum, Jr. of the United States Court of Appeals for the Fourth Circuit. John's practice now focuses on whistleblower litigation, criminal defense, capital litigation, and appellate litigation. John is also a member of the Committee on Character and Fitness and is the Co-Director of the University of South Carolina School of Law's Moot Court Program.

The Honorable Frank R. Addy Jr.

Circuit Court Judge

Greenwood, SC

A life-long Greenwood native, Judge Frank R. Addy, Jr. was born in Greenwood, South Carolina in 1967 to the late F. Robert Addy, Sr., and Mary Katherine Addy, a retired English teacher. Judge Addy is married and they have two children.

Judge Addy attended the public schools of Greenwood County, and upon graduating from high school, he enrolled in the Honors College at the University of South Carolina. While in college, he was nominated for Phi Beta Kappa. He graduated from USC cum laude in 1990 with a degree in International Studies and a minor in business. While attending USC law school, he served as Articles Editor for the Student Editorial Board of the Real Property, Probate and Trust Journal, was president of the International Law Society, served on the International Moot Court Team, and

was a member of the Palmetto Law Society. Judge Addy graduated from law school in 1993 and was admitted to the SC Bar on November 15, 1993.

Judge Addy began his legal career as Assistant Solicitor for the Eighth Circuit and was promoted to Deputy Solicitor in 1995. Upon the passing of his father in early 1997, Judge Addy entered the private practice of law while also assisting his grandparents in the family business. From 1998 to 1999, he served as Chief Public Defender for Greenwood and Abbeville Counties. He was appointed Greenwood County Probate Judge on June 3, 1999 and was subsequently reelected without opposition. From 2006 to 2007 he served periodically as Special Circuit Judge during the convalescence of the late Judge Wyatt Saunders. In 2008, Judge Addy assisted in establishing the Eighth Circuit Drug Court.

Judge Addy has been active in many civic, community, and professional organizations, including serving as a youth mentor for Greenwood District 50, coaching the Greenwood High and Ware Shoals High mock trial teams, and den leader for Cub Scout Pack 222. From 2005 to 2006 he served as President of the South Carolina Association of Probate Judges, chaired several committees of that organization, and chaired the Probate Judge's Advisory Committee to the Chief Justice from 2001 to 2003. Judge Addy received the Executive of the Year award from the Emerald Chapter of IAAP in 2003. He currently serves as treasurer for the South Carolina Circuit Judges Association, he is the Judicial Branch liaison to the Department of Mental Health, and in 2021 he was appointed as the Circuit Court representative to the Access to Justice Commission.

Judge and Mrs. Addy are active members of St. Mark United Methodist Church. He is a member of Greenwood Masonic Lodge #91, Greenwood Cotillion, and the Rotary Club of Greenwood. In their spare time, the Addys enjoy travel and anything to do with boats, the water, or Gamecock Football.

Matthew Wade Downtin

*Eight Circuit Public Defender
Greenwood, SC*

Wade Downtin, a native of Greenwood, South Carolina, graduated from Clemson University with a Bachelor of Arts in History and a minor in Secondary Education. He then received his law degree from the University of South Carolina. He began his career working for a private criminal defense firm. After that he worked at the Eighth Circuit Solicitor's Office for seven years; reaching the position of Senior Assistant Solicitor. Over the last two years, he has served as the Chief Public Defender for the Eighth Circuit Public Defender's Office. He is a member of the National Association of Criminal Defense Lawyers, the South Carolina Association of Criminal Defense Lawyers, and is a graduate of the National Criminal Defense College. He also volunteers as a coach for the Greenwood High School Mock Trial Team. He lives in Greenwood, South Carolina with his wife and two sons.

Seth Rose

*Seth Rose, Attorney at Law
Columbia, SC*

Seth Rose is a graduate of the University of South Carolina School of Law and a former assistant solicitor for Richland County (Columbia, SC).

Prior to embarking on his law career, Mr. Rose earned a bachelor's degree from the University of South Carolina where he was a First Team All-American singles tennis player for the Gamecocks. In September 2014, he was elected to the University of South Carolina Athletics Hall of Fame for his accomplishments on the tennis court.

In November 2018, Mr. Rose was elected to the **State House of Representatives** for South Carolina House District 72. In the legislature, he was appointed to the Judiciary committee in his first year. He currently serves on the Judiciary Sub Committee for Criminal Laws and is also on the joint committee for College Board Screening panel.

Prior to serving in the S.C. State Legislature, Mr. Rose served his community on Richland County Council representing District 5. Both State House District 72 and County Council District 5 include Five Points, the Vista, the USC campus, and the surrounding areas and neighborhoods.

Because of the efforts of Representative Rose, jail mugshots in Richland County are no longer posted in magazines and online websites that extort money from accused citizens. Mr. Rose has also been named one of the Top 50 Most Powerful and Influential people by a leading state publication for the past 5 years.

Beth Padgett

SC Bar

Columbia, SC

Beth Padgett was named Director of Lawyers Helping Lawyers at the SC Bar in August of 2022, after having served as Co-Director and Assistant Director since coming to LHL in December of 2010. Beth received a Bachelor of Arts Degree from the University of South Carolina, a Master of Education from the University of South Carolina and a Master of Arts in Human Behavior and Conflict Management from Columbia College. She has completed numerous graduate hours in counseling and addiction studies at USC and holds a certification in drug and alcohol counseling through the South Carolina Association of Alcoholism and Drug Abuse Counselors. She recently completed certification as a Grief Specialist through University of Wisconsin at Madison Continuing Education Program. Mindfulness and other contemplative practices have been the foundation of her life and work for over twenty years. She completed the Mindfulness for Professionals Program at Duke Integrative Medicine Center in 2011, Phase 1 of Koru Mindfulness Teacher Certification, a mindfulness program for emerging adults developed at Duke University; a 200-hour yoga teacher training course in 2014, teacher training in Y12SR (Yoga for 12-Step Recovery) in 2015, and numerous continuing education hours in yoga, including laughter yoga and yoga for grief recovery, and mindfulness, including Mindfulness Based Addiction Recovery.