



# G-Bar News

A Publication of the Greenville County Bar

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I Have a Dream  
by Debra J. Gammons

Dr. John Prentice said to his Daddy, “You think of yourself as a colored man; I think of myself as a man.” That line is from one of my favorite movies, *Guess Who’s Coming to Dinner*, starring Sidney Poitier as Dr. John Prentice, Katharine Hepburn, and Spencer Tracy. Poitier’s character made that statement to his Daddy because his Daddy was furious that his son was going to marry a Caucasian female. The movie was made in 1967.

I am reminded of this superb movie with these magnificent actors as we celebrate Black History Month. When *Guess Who’s Coming to Dinner* was made, *Loving v. Virginia*, 388 U.S. 1 (1967) was also decided. An interracial couple – the wife who was black; the husband who was white – were arrested; they pled Guilty for being married and breaking a Virginia law \* that prohibited marriage between any color person with a Caucasian. This law banning interracial marriage was similar to the law and constitutional provisions of South Carolina. The United States Supreme Court ruled in *Loving* (what a great name for the husband) that Virginia’s law violated the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. Many would find it unconscionable that a government would seek to prohibit two loving adults from getting married because they had different skin colors. Marriage is considered a fundamental right which requires strict scrutiny. What is the compelling governmental interest that Virginia, South Carolina, and other States were trying to impose?

A few weeks ago, I had the good fortune to speak with Dr. Grady Butler. He told me that while he was a student in Atlanta, he was part of a student organization that sought to integrate restaurants. He and his colleagues invited Dr. Martin Luther King, Jr. to a “sit-in” at Rich’s in Atlanta. Dr. Butler said that usually when a Black person went to a lunch counter or in the front door of a restaurant, an employee of the establishment would switch off the lights and tell the Black person that the restaurant was closed. White people are sitting around eating at the tables and counter, then suddenly, the restaurant is closed. So, Dr. Butler, his fellow students, and Dr. King sat at the lunch counter in Rich’s with the lights off. The group was arrested and the students and Dr. King stayed in jail for one week. They were finally released without any charges or convictions. Black History Month brings these events to mind. Real people enduring real tragedy. Real people standing firm in the face of injustice.

Our country has undergone turbulent times because of racial strife. Some of us want to forget the tragedy, the pain, the injustice. But if we forget, what keeps us from repeating the wrong that was undone? At every juncture where rights were restored or acknowledged, attorneys were at the forefront. Fighting the good fight. And as attorneys, that meant and still means, representing the oppressed as well as the oppressor.

197th edition

February 2007

### UPCOMING EVENTS

- **SC Bar High School Mock Trial: Feb 24**
- **Law Day: May 1**

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Everyone deserves legal counsel even if the offense committed was egregious. The just and the unjust have the right to an attorney in our country. Despite the actions of strong, fearless attorneys and others with them, we still have racism and discrimination in the United States of America. The landmark cases may not have changed the hearts of some Americans but the law from these cases changed behavior. People of all colors can go through the front door of a restaurant and eat; they can even sit at the same table. People of all colors work together; they even marry and have bi-racial children. My husband (Brian McQueen) and I cannot imagine going through the valleys traveled by Mr. Loving and his wife; walking among the vociferous taunting encountered by the little Brown sisters of *Brown v. Board of Education*, 347 U.S. 483 (1954), on their way to school; sitting in jail like Dr. Butler and Dr. King. All because our skin colors are different.

Black History Month brings these memories to the forefront. That is what history is all about – studying the past. Attorneys have the unique role of being able to change history; to make our country better for all Americans; to encourage people to see a person as a person and not as a color as Dr. Prentice does in *Guess Who's Coming to Dinner*. We can accomplish these goals among ourselves and with non-lawyers. We can accomplish these goals in our law firms, in our organizations, in our worship places, and in our personal lives. I share the dream of Dr. King that we – all of us – will be judged by the content of our character and not by the color of our skin. Let our quest for a more unified Greenville and a more unified South Carolina extend beyond Black History Month to the years ahead until the dream becomes reality.

\*If any white person and colored person shall go out of this State, for the purpose of being married, and with the intention of returning, and be married out of it, and afterwards return to and reside in it, cohabiting as man and wife, they shall be punished as provided in 20-59, and the marriage shall be governed by the same law as if it had been solemnized in this State. The fact of their cohabitation here as man and wife shall be evidence of their marriage.  
§ 20-58, State of Virginia Code of Laws.

If any white person intermarry with a colored person, or any colored person intermarry with a white person, he shall be guilty of a felony and shall be punished by confinement in the penitentiary for not less than one nor more than five years. § 20-59, State of Virginia Code of Laws.

It shall hereafter be unlawful for any white person in this State to marry any save a white person, or a person with no other admixture of blood than white and American Indian. For the purpose of this chapter, the term "white person" shall apply only to such person as has no trace whatever of any blood other than Caucasian; but all persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasic blood shall be deemed to be white persons. § 20-54, State of Virginia Code of Laws.

**We have several new features this year.  
Please submit your favorite quotes and memories to  
gbarnews@charter.net**

## OPPORTUNITIES FOR ATTORNEYS

The Greenville County Bar Association offers opportunities for attorneys to expand their volunteer activities and give back to the community. Check out the Committees on which you may serve:

Programs - Responsible for organizing educational and/or fun programs for the Bar and the community



Law Week - Responsible for organizing events to celebrate this national recognition of our Constitution and laws, Law Day (May 1)

Social - Responsible for organizing relaxed events for networking and pleasure

Continuing Legal Education - Responsible for organizing and implementing seminars for convenient and inexpensive ways to fulfill our continuing legal education obligations

Public Relations - Responsible for publicizing our events for greater attorney and community involvement and enlightenment

Memorial - Responsible for organizing the Memorial Service that celebrates the lives of those who have died

Judicial Relations/Liaison - Responsible for ensuring open lines of communication between the Bench and the Greenville Bar

Caring - Responsible for contacting members who are ill or who have experienced a tragedy

Please contact Melinda Davidson at [GBARNEWS@charter.net](mailto:GBARNEWS@charter.net) or Debra J. Gammons at [gammond@greatergreenville.com](mailto:gammond@greatergreenville.com) or 467-5758 for more information or the name of the Committee on which you would like to serve in 2007.

## QUOTATIONS THAT INSPIRE

You must be the change you want to see in the world.

- Mahatma Gandhi

Submitted by Debra J. Gammons, Assistant City Attorney, City of Greenville

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## Job Opportunities

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McAngus Goudelock & Courie, LLC, a regional law firm with five locations across the Carolinas, seeks full-time Workers' Compensation Associates with 3-5 years of experience for our Greenville, SC office. Generous relocation assistance is available. Our firm offers competitive compensation, excellent benefits, and a positive work environment. All inquiries will be kept confidential. Submit resumes to Jay Courie, Managing Partner, at PO Box 12519, Columbia, SC 29211 or email [jcourie@mgclaw.com](mailto:jcourie@mgclaw.com).

McAngus Goudelock & Courie, LLC, a regional law firm with five locations across the Carolinas, seeks full-time Litigation Associates with 3-5 years of ex-

perience for our Greenville, SC office. Generous relocation assistance is available. Trial experience is required. Our firm offers competitive compensation, excellent benefits, and a positive work environment. All inquiries will be kept confidential. Submit resumes to Jay Courie, Managing Partner, at PO Box 12519, Columbia, SC 29211 or email [jcourie@mgclaw.com](mailto:jcourie@mgclaw.com).

Clarkson, Walsh, Rheney & Terrell, P.A. in Greenville, SC is seeking an attorney with three to five years experience in litigation. Send resume to Managing Partner, CWR&T, P.O. Box 6728, Greenville, SC 29606.

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## LIFE IN THE COURTROOM

**While completing my Rule 5 (for members of the young lawyers division it is now Rule 403) trial experiences I had the pleasure of observing a wreck case in circuit court presided over by Judge Traxler. The plaintiff excitedly described how she was driving down Wade Hampton Boulevard in the left lane when the defendant, an elderly gentleman wearing an oxygen mask, pulled into her lane and collided with her car. Her attorney asked her "What happened next?" to which she responded, "He knocked me into the Mediterranean." Obviously stunned by her answer, the attorney said, "Do you mean the median?" "No" she said, "he knocked me right into the Mediterranean." Realizing that perhaps it was best to leave it alone and assume that the jury understood what she meant, her attorney asked whether she had suffered any physical injuries. She colorfully described that the impact was so violent (remember, it knocked her all the way into the Mediterranean) that it had "jacked her out of alignment" and that when she put her**

**pants on "one leg was longer than the other." When questioned by the defense, she admitted that with her pants off, her legs were the same length, but with her pants on, one leg was longer than the other. Like some commercials that are so funny you can remember the lines, but not the product, I cannot remember the verdict. However, I will never forget the plaintiff's testimony or the look on Judge Traxler's face as he tried to keep his composure. When we returned to court the following day, Judge Traxler presented each of us with copies of those portions of the transcript.**

**Submitted by N. Satterfield, Jr., Attorney at Law, Nelson Mullins**

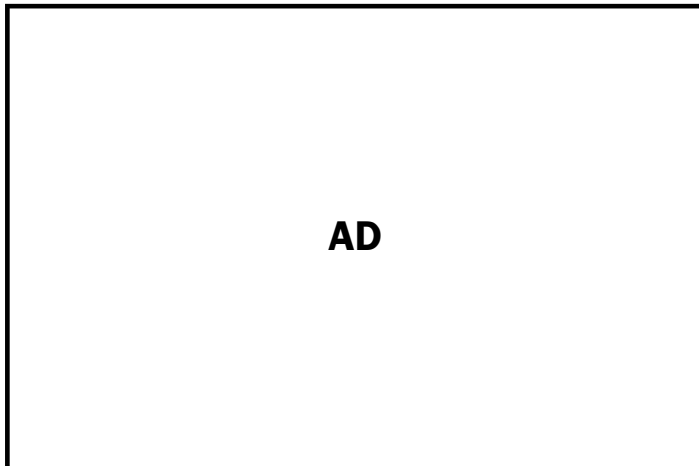
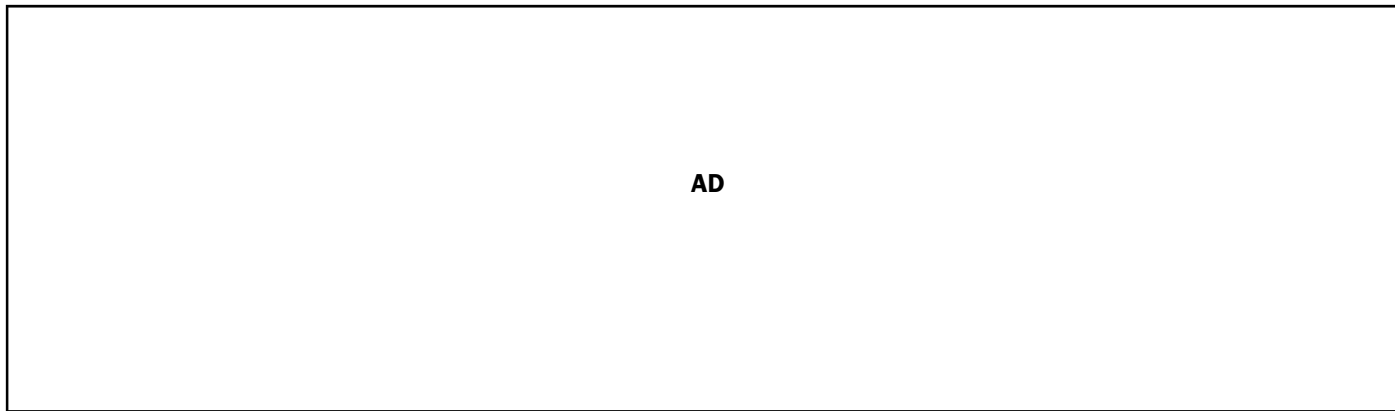
## Available Office Space

**Office space for rent, 638 E. Washington Street.** Share common reception area, conference room, and kitchen (all fully furnished) with one attorney. Separate large office (with private bath) and separate staff office for individual use. Security system, telephone, computer networking, and internet lines installed. Good visibility. Ample parking. Rent and utilities split. Contact 271-1389.

**Office space available for rent. 406 Pettigru Steet.** Good location. Off street parking available. Basement file storage. Utilities included. Good spot for sole practitioner. Call 232-9700 for more information.

**Newly remodeled three room office suite** with private entrance and onsite parking in downtown Greenville. 101 W. Park Avenue. Call Leah at 864-232-5800.

**Office condominium space for rent** at intersection of Faris and Cleveland Street. Five minutes from Greenville Courts. Convenient parking, reception area, conference room, internet, phone with all utilities included. All offices cleaned biweekly. Eight hundred dollars/month. Call Jane at 233-3100.



**Retirement Reception for  
Police Chief Willie Johnson**

March 20, 2007  
6:00pm  
Carolina First Center  
(formerly Palmetto Expo Center)  
\$50 per ticket

For more information, please contact Sylvia Fowler  
at 467-5223 or via email at  
fowlers@greatergreenville.com.

In July 2000, Willie L. Johnson was appointed Chief of Police in Greenville, South Carolina making him the 23rd Chief for the agency and the first African-American to be appointed to this position. Following three years of military service, Chief Johnson began his law enforcement career with the Greenville Police Department in 1970 as a Patrol Officer and worked his way through the ranks.

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**FAMILY COURT LIAISON COMMITTEE REPORT****January 12, 2007**

Present: Judge Timothy L. Brown, Paul Wickensimer, Saralyn Evans, Bobbie Hill, Terry Reid and Linda Roberts, Christine Howard, Jim Sarratt, David Rutledge and Chase Campbell

**Attention Attorneys: The Greenville Family Court Clerk of Court and the Greenville Bar are attempting to compile a Family Court e-mail list for all family court practitioners. Please make sure that the Greenville Bar has your updated e-mail information if you wish to be included on this list.**

The Family Court Clerk of Court wants all attorneys who have 30 or more years of service to contact the SC Bar Association and have their names removed from the 608 Appointment list. This will avoid a lot of confusion, delay and frustration during 608 appointments. Thank You.

**The next Family Court Liaison meeting will be March 9, 2007 at 1:00 p.m. in the Conference Room in the Judge's Hallway. Anyone who is unable to attend these meetings but has issues to address may contact: Christine M. Howard (282-8575).**

**AD****Law Week 2007****Liberty Under Law:  
Empowering Youth,  
Assuring Democracy**

# RUMINATIONS

by Debra J. Gammons

## C. VICTOR PYLE, JR. Circuit Court Judge, Retired



**Judge Pyle, rumor has it that you are the longest serving Judge in Greenville.**

I don't know about that. I think Frank Eppes served longer than I did\*. I started in 1976 as a County Court Judge.

### **Circuit Court Judge?**

No, County Court Judge. I succeeded Jim Price who was elected a Circuit Court Judge. During that time, South Carolina had a Circuit Court and some counties, like Greenville, had a County Court. They were inferior to Circuit Courts, having limited jurisdiction in both civil and criminal matters.

### **How did South Carolina get to the Circuit Court only system?**

I was in the Legislature and served on the Judicial Reform Committee with Dick Riley. We reviewed Court systems throughout the United States to see what would be best for South Carolina. In 1979, all County Courts were abolished and additional Circuit Court Judges were added. In 1979, I was one of six at-large Judges elected.

### **When did you begin service in the Legislature?**

I was elected in 1969 and served three terms. My father (Charles Victor Pyle) and great uncle, Joe Bryson, practiced law together and were involved in politics. My uncle was a member of Congress and my father was Chairman of the County Democratic Party.

### **Anything significant happened while serving in the House?**

I served as First Vice Chair of the Judiciary Committee. You know who else was on that Committee? Ralph King Anderson (Court of Appeals Judge), Lee Chandler (former Chief Justice), Ernest Finney (former Chief Justice), Henry Floyd (United States District Court Judge), Sidney Floyd (former Circuit Court Judge), Jim Moore (Supreme Court Justice), John Waller (Supreme Court

Justice).

### **What led to your running for political office?**

I grew up in politics. I would go to stump meetings with my father who presided over them as Chairman of the Party. Those were great times. I started at the University of South Carolina in 1953 and worked at the State House for Sol Blatt; he was the Speaker. I worked there through undergraduate school and through law school - five years. I enjoyed working there.

### **What is one thing you consider to be a significant event while you were in the House?**

I was a member of the Young Turks. I also was one of five sponsors of the mini-bottle legislation in 1971. Being from Greenville, it was tough supporting that kind of legislation, but I was re-elected for another term. Before that legislation, people would "brown bag" and bring their liquor into a restaurant and drink the whole thing, if they chose. We argued the mini-bottle was a temperance measure and would reduce the consumption of liquor because of the cost. I don't believe pouring from a large bottle is going to reduce the number of DUI cases.

### **How many people were in your law school graduating class?**

50. Dewey Oxner was in that class; Dick Riley, Ralph King Anderson, Ed Mullins (founder of Nelson Mullins), Travis Medlock (former Attorney General), Knox Haynsworth, Dean Rainey. We had a great class.

### **How was law school for you?**

I had always planned to go to law school because I had grown up with the law and politics. I must admit, however, that I was not the best of students. I got married after my first year in law school and I realized I needed to get serious. When our first child was born my senior year, I really knew I had to get serious, graduate, and make a living.

### **Did you hang out with your Daddy and go with him to Court while you were growing up?**

Yes. I went to Court. I watched Trials. I recall watching part of the Willie Earl Trial but did not realize the significance of the case. The old Courthouse was next to the Poinsett Hotel.

(Continued on page 9)

**A reporter recently contacted the City Attorney's Office about that case.**

It involved the lynching of a Black man in Greenville.

**Where did you practice before you became a Judge?**

I practiced with my father. Our office was in the Lawyers Building. It was located where the new wing of the Courthouse is now. Then we moved to an office at 300 East Coffee Street.

**What type of cases did you handle?**

My father was County Solicitor. That was a part-time office; but I could not practice criminal law there. So, my criminal practice was limited to General Sessions in the Circuit Court. Otherwise, we had a general civil practice, including Domestic cases.

**What did your Mom do?**

She was my father's secretary until I began practicing with him in 1959. Then she retired.

**Do you have any siblings?**

Yes, I have a sister, Haley. I'm the oldest.

**Did she practice law?**

No. She dabbles in antiques and sells costume jewelry.

**Judge Pyle, attorneys are supposed to keep cool under pressure and not let anything get to them in Court. Did you ever experience a circumstance in which you were shocked or unnerved in Court?**

In 1984, I was holding General Sessions Court in Anderson. I sentenced three Defendants for the rape and it was one of the worst set of facts in my entire time on the Bench. The victim was the ex-wife of one of the Defendants. He got her to meet him at a local motel to talk about child support. When she arrived, he and his two buddies brutally raped and tortured her with cigarettes and other things. Blood soaked through the mattress and springs onto the carpet. She lost two-thirds of her supply of blood and except for being anemic, she would have died. I sentenced each Defendant to the maximum sentence of 30 years in prison and suspended it to probation upon their volunteering to surgical castration. The Supreme Court reversed, saying my sentence constituted cruel and unusual punishment. I received over 5,000 letters from every State and many foreign countries from people agreeing with my sentence. Many of them were rape victims who said they would have come forward had they known that type of sentence was available. This entire event was shocking and unnerving, to say the least.

**What has been your guiding light in sentencing?**

Trying to be fair. It is tough to be fair to the Defendant and the Victim. Sentencing young Defendants is especially difficult for me.

**Do you think young people are committing more crimes today than 30 years ago?**

Yes. I think drugs and television violence are contributing to the crimes. When I was little, we would go home and listen to the radio. We didn't have a television until I was in high school. We listened to the *Lone Ranger* and the *Green Hornet* on the radio.

**What do you think we can do to change young people?**

Change can happen through education; strengthening families; better teaching of what is right and wrong.

**Have you seen any movies lately?**

I just saw *The Queen*. I thought it was good. I don't usually go to see movies. My all-time favorite is *To Kill a Mockingbird*. That was a wonderful, wonderful movie. Before *The Queen*, I saw the Johnny Cash movie.

**Who are your favorite singers?**

Johnny Cash and Hank Williams. You know Hank Williams? He sang, "Your Cheatin' Heart."

**Is Hank Williams still living?**

No, he died in 1953 on his way to a concert. A friend of mine and I wore black armbands to school to commemorate his death.

**What are your hobbies, Judge Pyle?**

Cooking, traveling, and crossword puzzles; not necessarily in that order.

**Where has been your favorite place to travel?**

Italy. The people are wonderful. The food is good. The place is beautiful. Ireland is also a beautiful place.

**What are your favorite types of dishes to cook?**

Veal marsala. I also do pork and fish dishes.

**Do you follow a recipe or do you make your own dishes?**

No, no. I've got to have a recipe.

\* Judge Pyle is right. Judge Eppes served about 38 years on the Bench. Judge Eppes began work as Judge in 1962 and served through 2000 (he left the Bench for a few months when he ran for Governor).

## One Day in Law School ...

My recent judging of the Mock Trial Competition at Furman knocked away some cobwebs from my own mock trial memories of law school days of the last century. My teammate and I were fortunate enough to win the ABA Mock Trial competition at the USC School of Law and represented USC at the Southeastern Regional Competition in that garden oasis - Little Rock, Arkansas. Our competition coincided with a nationwide convention of Wal-Mart employees at the hotel across the street. The cab driver and amateur philosopher who transported us to the competition site had been driving Wal-Mart conventioners for a couple of days. This cab driver shared with me and my teammate how Sam Walton, who wore hundred-dollar suits and forty-dollar shoes, did not appreciate what could be accomplished with all that money Walton had and how Walton could learn a lesson or two on prudent acquisition from Elvis Presley. "Now there," he crowed, "was a man who knew how to spend his money!"

Our venerable trial coach, Professor Walter Reiser, must have slipped some Ben Franklins to the judging members of the Little Rock Bar because we survived the competition and won by one point over a team like the Arkansas School for the Non-Verbals. At the awards ceremony and reception, I was congratulated by a female member of the University of Tennessee team whom we had faced early in the competition. This fellow competitor was very attractive and possessed impressive attributes unrelated to her courtroom acumen.

Emboldened by having just won the big belt buckle at the Arkansas Law Rodeo and having managed to get myself wrapped around two or three large bourbons (courtesy of the Little Rock Legal Auxiliary), I said to my winsome colleague, "I can't believe we beat y'all. You were the *breast* team in the whole event." A face full of Chardonnay and a "Good night and thank you, Dr. Freud" later, I watched Ms. Knoxville retreat through the crowd, lost forever.

"Maybe," said my loyal teammate, "you should ask our taxi driver if Elvis ever wrote anything on how to talk to women."

Submitted by L. Lee Plumblee, Attorney at Law, Eppes & Plumblee, PA

## **DID YOU KNOW??**

**The South Carolina Constitution provided that "the marriage of a white person with a negro or mulatto, or person who shall have one-eighth or more of negro blood, shall be unlawful and void." Article III, § 33. A 1968 - 1969 Attorney General's Opinion stated that "prohibiting interracial marriages is unconstitutional" as a result of *Loving v. Virginia*, 388 U.S. 1 (1967) and South Carolina's "antimiscegenation Statutes and this provision of the Constitution are invalid." This constitutional provision was repealed by the South Carolina Legislature in 1999.**

## Announcements

**Edwin G. Foulke, Jr.** has taken a new position as the **Assistant Secretary of Labor for Occupational Safety & Health**. Prior to this appointment, Foulke was a partner with Jackson Lewis LLP.

**Kenison, Dudley & Crawford, LLC** is pleased to announce that **Joel F. Geer** has become a partner of the firm.

**Leatherwood Walker Todd & Mann, P.C.** is pleased to announce that **Margaret McGee** has rejoined the firm as an associate attorney. Ms. McGee was an associate with Leatherwood from 1998 to 2000 and returns to the firm to practice in the areas of Taxation and Corporate & Business Transactions. A graduate of Davidson College and the University of South Carolina School of Law, Ms. McGee received her Master of Laws in Taxation from the New York University School of Law.

**Wyche Burgess Freeman & Parham, P.A.** law firm an-

nounces that **William M. Wilson III** and **Matthew T. Richardson** have been invited to membership in the firm and **John S. Harvey** and **David H. Koyska** have joined the firm as associates.

The law firm of **Haynsworth Sinkler Boyd, P.A.** is pleased to welcome **Brad Love** and **Jay Matthews** as shareholders of the Firm. **Bradford L. (Brad) Love** is a Public Finance attorney whose practice concentrates primarily on governmental matters for cities, counties and special purpose districts. **J.W. (Jay) Matthews III** joined the Firm's Greenville office in 2000, offering legal services to clients in a multitude of technology and business sectors. In addition to his extensive constructive law practice, Matthews has a wealth of experience in complex business, commercial, and technology-related disputes, where he represents clients in litigations involving business torts, products liability, intellectual property, and fiduciary law.

### 2007 Executive Committee

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