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JUDGE EPPES, A LITIGATOR WITH A PERSONAL TOUCH

JOHN MONK, News Columnist

When people turn out Sunday for Judge Frank Eppes' funeral, they'll tell a million stories.

Eppes - who died Thursday in Greenville at 79 - would want it that way. He himself was a storyteller, one of the last of a breed of warm-hearted South Carolina politicians who went through life entertaining - and sometimes outraging - people. Always, he lived true to his cheerful, homespun self.

When someone asked him what he was scribbling on the bench during a trial, Eppes said it was a note to himself: "Keep your mouth shut."

I met Eppes in 1986. He was running for governor. He told me right off, "Call me anything, but don't call me late for dinner."

I had two quick impressions:

- 1) He would lose. There was no way this 6-foot-4-inch, gangly, bald-headed man could beat top contenders - Carroll Campbell and Phil Lader - machine candidates with blow-dried looks who spoke in sound bites and were surrounded by slick handlers.
- 2) Eppes, who ran a shoestring campaign, lacked those assets. What he had in abundance was character. In fact, he was a character, full of South Carolina's wit and wisdom and some of its foolishness, too. No way he was going to surrender his true self- even if that meant he'd lose the election.

"Our strategy is to let Eppes be Eppes," his campaign manager told me.

Eppes was Eppes. He lost.

But Eppes won the grander game of life, to which he brought an old-timey personal touch - especially during his 35-plus years as circuit court judge.

"He knew more about life than he did about law. He cared for people more than property. And that made him the best judge of us all," said Alex Sanders, former chief judge of the S.C. Court of Appeals.

On the bench, Eppes could shock as well as enlighten.

After a boy confessed in court that he stole a Shetland pony because he loved it and was lonely for a pet, Eppes sentenced him, gave him a tongue-lashing - then bought him a Shetland pony.

Columbia attorney **Jack Swerling** said Eppes "defused situations." Once, after two men in a knife fight appeared before him, Eppes got them talking.

"Before you know it, the two had forgotten what started the argument. One guy agreed to pay the other's medical bills, and they walked out the courtroom together," **Swerling** said.

Eppes created an international uproar when he ordered the father of six children born out of wedlock not to have anymore babies outside of marriage while on probation.

For that, comedian Arsenio Hall called him "some crazy judge down in South Carolina."

Eppes said, "If I've got the right to put a body in jail for 10 years, I've got the right to tell a body how to behave if I let it stay out of jail."

Another time, Eppes sprung Godfather of Soul James Brown from prison briefly - just so the judge could get his autograph.

The people-loving Eppes attended more funerals, weddings, fish fries and barbecues than most politicians.

"If Eppes took a urinalysis, it would test barbecue," joked Republican former state party chairman Henry McMaster.

In his flypaper brain, Eppes stored facts about thousands of South Carolinians. Ask him, say, about York County's John Hayes, and Eppes would reply: "John Hayes, of course, was Judge Moss' law clerk. A lot of people think he's (the late) Judge Hayes' kin, but they ain't no kin at all."

Some criticized him for being too lenient to criminals. He said, "Every case is different. You have to sort of judge the person and not the crime. You have to see what was around him. There's always an exception to every rule."

After Mothers Against Drunk Driving criticized him for being lax with drunken drivers, he became one of the state's toughest judges on that issue.

Eppes liked to shag and eat peanuts and hang out with cops. In his youth, he milked cows and cut hair for 50 cents a head at the University of South Carolina. He never was graduated from law school.

For years, when in the Columbia area, he stayed at State Law Enforcement Division barracks, sometimes answering the phone and petting the bloodhounds. As judge, he would eat in jails and sometimes lunched with prisoners - including mass murderer Pee Wee Gaskins.

Supreme Court Associate Justice Costa Pleicones recalled that whenever Eppes used another judge's office, he left a basket of fresh peaches or vegetables.

"You could always tell Frank had been there," Pleicones said.

Amen.

1. Judge Frank Eppes. FILE PHOTOGRAPH/THE STATE

2. Frank Eppes was a Demcratic guberantorial candidate in 1986. FILE PHOTOGRAPH/THE COLUMBIA RECORD



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