

STATE OF SOUTH CAROLINA )  
COUNTY OF YORK )  
) )  
JOE L. ADAMS, Jr., )  
) APPELLANT, )  
) )  
Vs. )  
) )  
BETTY OGBUNEKE, )  
) RESPONDENT )  
\_\_\_\_\_ )

**IN THE COURT OF APPEALS OF  
THE SIXTEENTH JUDICIAL  
CIRCUIT**

Appeal: 2022-000357

CASE: #21-CP-46-02764

**Amendment to Opposition to Motion to  
Dismiss**

To the Court of Appeals,

The Appellant would comes before the court to further present information on the To the Court and to the Respondent(s):

Since filing the original Complaint against the Respondent(s), I have become aware of certain facts that existed at the time of the original filing but which were not known to me. As a result I now wish to amend the original Complaint to include the following facts, allegations and issues as follows:

Additional Credit Card Fraudulent Activity with Descriptions and Locations. Appellant contends that the circuit Court and the Probate court were in Error in not allowing any testimony from the Respondent and not allowing the evidence to be properly presented and fact finding completed.. Appellant submits EXHIBIT I into evidence of the extent of violations against the estate by the Respondent.

Appellant believes that because of these violations of Title 62 - South Carolina Probate Code SECTION 62-3-611 that the Probate Court and the Circuit Court of Appeals Erred in their Discission not to allow Final Closing Arguments or Submission of Evidence to the case. Appellant submits these documents as proof of the violations against the statute as well as the estate.. Please see the breakdown of examples and Evidence submitted in EXHIBITS that will be submitted to the court as attachments.

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(File Number: 30320909\_14536)

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(File Number: 20210909\_143751)

**EXHIBIT IV – Power of Attorney Paperwork – Signed January 29, 2008**

**RECEIVED**

**Apr 03 2023**

**SC Court of Appeals**

Appellant complains to the Appeals court that the Circuit Court Erred in its decision to accept the ruling from the probate court as there was not submissions of evidence or allowance to the Appellant to testify on his on behalf. Appellant submits this further evidence of fraud that was discovered and contains more information on the exact purchases and locations for the purchases and dates.

Appellant brings this complaint to the court to show the mistake of the probate court in allowing the Respondent to become Executor of the estate. Appellant contends that the Respondent during the years of 2004 – 2006 the Respondent abused Mr. Joe L. Adams Sr. Credit Card as some of the fraudulent activity was already . Please see **EXHIBIT I**.

- a. Appellant contends there was a violation of Title 62 - South Carolina Probate Code SECTION 62-3-611. Petition for removal; cause; procedure.
- b. Appellant contends that Due to the misrepresentation of the estate regarding the huge amount of violations of the credit card account with the Discover Card and others, Mrs. Ogbuneke has violated the Probate code Title 62 - South Carolina Probate Code SECTION 62-3-611 and should not be allowed to be personal representative.
- c. Appellant also contends that if Mrs. Ogbuneke is allowed after all the violations to still be PR or Executor; Mr. Joe L. Adams Jr. should have Coexecutor Privileges and or Cosigning privileges.

**EXHIBIT I: Motion to Submit Newly Discovered Evidence – Additional Credit Card Fraud Statements**

**I.**

1. Appellant contends that in section 62-3-611a that it states that if an interested person petitions the court for removal at of a personal representative for cause at any time,.

- a. Appellant contends that the court was in violation of court procedure in allowing the case to be heard and not following the outlined procedures for evidence submissions and trials.

SECTION 62-3-611. Petition for removal; cause; procedure.

(a) A person interested in the estate may petition for removal of a personal representative for cause at any time. Upon filing of the petition, the court shall fix a time and place for hearing. Notice shall be given by the petitioner to the personal representative, and to other persons as the court may order. Except as otherwise ordered as provided in Section 62-3-607, after service of the summons and petition upon the personal representative and receipt of notice of removal proceedings, the personal representative shall not act except to account, to correct maladministration, or preserve the estate. If removal is ordered, the court also shall direct by order the disposition of the assets remaining in the name of, or under the control of, the personal representative being removed.

(b) Cause for removal exists when removal would be in the best interests of the estate, or if it is shown that a personal representative or the person seeking his appointment intentionally misrepresented material facts in the proceedings leading to his appointment, or that the personal representative has disregarded an order of the court, has become incapable of discharging the duties of his office, or has mismanaged the estate or failed to perform any duty pertaining to the office. Unless the decedent's will directs otherwise, a personal representative appointed at the decedent's domicile, incident to securing appointment of himself or his nominee as ancillary personal representative, may obtain removal of another who was appointed personal representative in this State to administer local assets.

I request the Court include these allegations and issues in my action against the Defendant(s) and to provide a copy of this Amended Complaint to the Defendant(s).

2. Appellant contends that because of the Credit Card Fraud that is evident in **EXHIBIT I** that the court also erred in its appointment as there was no allowed time during the trial for the evidence to be submitted to the court.
3. Appellant submits additional proof of fraudulent purchases that were all made in North Carolina by Mrs. Betty Ogbunke using the Discover Card that was issued to Mr. Joe L. Adams Sr. and administered by Betty Adams prior to her passing in 2004.
  - a. Mrs. Ogbunke used the cards to make elaborate purchases to fund the building and construction of her and her husbands night clubs The Jazz Café and Z Trucking both were located in Charlotte NC.
4. Appellant contends that in **EXHIBIT I** on Page 1 the Respondent made charges using the Discover Card at Home Depot in Charlotte in January according to the statement of 3094.00 at Home Depot and did not bring not one Nail to Mr. Joe L. Adams Sr. estate to help with the upkeep of the property but used the monies to her own needs disregarding the 2 houses and 4 cars and 4 acres of land that was left as the sole responsibility for Joe L. Adams Jr.
5. Appellant contends that the charges made in November 28 through December 11, 2004 were directly after the passing of Betty Louise Adams who left the credit cards through death and they were obtained by Betty Ogbunke who abused the accounts..
  - a. Appellant contends that these charges reflect the wanton abuse of the credit accounts and total ignoring of the needs of the estate.
6. Appellant contends that the Respondent is in violation of Title 62 - South Carolina Probate Code SECTION 62-3-611 and that the Circuit Court erred in its decision to accept the decision of the Probate court as the court failed to allow introduction of evidence prior to ruling from the Bench

## **II.**

- 1) Appellant contends that during the month of January 2005 the Respondent had purchased 953.00 where on Dec 23 right before Christmas at Toys Are Us Store 8821 Charlotte and 360.00 at Staples on January 20, 2023.
- 2) Appellant contends that Respondent took a Flight to Washington DC using the Mr. Adams Discover card on US Air for 186.00.

## **III.**

1. Appellant contends that During the month of March 18 2005 Mrs. Ogbunke used Mr. Joe L. Adams Sr. Credit card fraudulently to take a Trip to Virginia Beach and charged living

expenses and gas on the credit card and did not take Mr. Joe L. Adams Sr. on the vacation but used his credit card to fund it. Appellant contends that the Probate Court and Circuit Court erred in not allowing the submission of the evidence during the trial which included the original credit card fraud information prior to the finding of these additional charges. Please see EXHIBIT I.

2. Appellant contends that Mrs. Ogbuneke stayed at the Holiday INN in Virginia Beach and Charged more than 200.00 on Mr. Joe L. Adams Discover card and did not spend one dollar on anything for him.

**V.**

1. Appellant contends that on July 30 2005 Mrs. Ogbuneke went to the US Fair in Orlando Florida and paid 165.88 fraudulently against the Discover Card for Mr. Joe L. Adams Sr.

**VI.**

1. Appellant contends that in the month of August 2005 Mrs. Ogbuneke at at Dave and Busters in NY and made purchases at Flynn and Ohara Uniform and several other places on the Discover Card belonging to Mr. Joe L. Adams Sr..

**A.** Appellant contends that the Circuit Court and the probate court were in Error in not allowing the Appellant to present the evidence of the abuse to the estate and fraudulent activities of Mrs. Betty Ogbuneke that should disqualify her from becoming the executor of the estate.

**VI.**

1. Appellant contends that on August 4, 2005 Mrs. Ogbuneke again fraudulently used the discover card belonging to Mr. Joe L. Adams Sr for personal needs fraudulently without any permission getting cash advances.

**EXHIBIT II: Application for Group Home to City Rescinded**

**VII.**

1. Appellant contends that in EXHIBIT II the Respondent applied secretly to the City of Rock Hill to have Mr. Joe L. Adams Sr. primary residence converted to a Group Home.

**a.** Appellant contends that the Respondent is in Violation of Code Title 62 - South Carolina Probate Code SECTION 62-3-611 as this application would have left Mr. Joe L. Adams Sr. no home to live in..

**b.** Appellant contends that Mr. Joe L. Adams Sr. was crying when he came to the Appellant complaining that the city put signs in front of his home regarding a hearing and ask the Appellant to find out what happened. **(Please see EXHIBIT II)**

1. Appellant found that a hearing was scheduled for rezoning the property to have Mr. Joe L. Adams Sr. Primary residence converted to a group home and complained to the city that it was not Mr. Joe L. Adams Sr. wishes to have his home converted and I called to Columbia and explained that these application were made fraudulently.
2. Appellant obtained the copy of the letter Mrs. Ogbuneke wrote to the city at the time rescinding the letter with “tears” as she explained but no regard or mention that Mr. Joe L. Adam Sr. was living in the home and had no knowledge of the events occurring.

**EXHIBIT III: Pressure to Keep Up Property While Committing Credit Card Fraud**

**VII.**

1. Appellant submits EXHIBIT III as evidence of pressure from Mrs. Betty Ogbuneke on Mr. Joe L. Adams Jr. who had just lost his mom and relocated from NJ in November of 2004. Please see that during the time when these emails were being sent, in EXHIBIT I it is the same time as the credit card fraud in late 2004 after Betty Louise Adams death.
  - a. Appellant contends that in November of 2004 Mrs. Ogbuneke was pressuring the Appellant for money and work to keep up the property while taking money and buying supplies from Lowes and Home Depot on the Discover Card for her business’s internal construction and preparations.
  - b. Appellant contends that none of the money that was fraudulently used on the Discover Card to buy thousands of dollars in supplies was used to help repair any of the roof or flooring at the estate of Mr. Joe L. Adams Sr. While Mrs. Ogbuneke used his credit to jump start “the Jazz Café” and “Z Trucking” and “Carolina Home Care”.
2. Appellant contends that according to the email correspondence Mrs. Ogbuneke was asking Mr. Joe L. Adams Jr. to repair the floors and roof of the houses that belonged to Joe L. Adams Sr. but did not mention that she had the Discover Cards using them to complete repairs at her own business ventures.
  - a. Appellant contend that the Circuit Court and the Probate Court erred in not allowing testimony or closing arguments during the initial probate hearing.
  - b. Appellant contends that he had all the evidence prepared at the hearing but was not allowed to present it during the case nor was he allowed to present the evidence to the judge in the Circuit Court appeals hearing.

**EXHIBIT IV: Power of Attorney Paperwork Signed January 29, 2008**

**I.**

1. Appellant Motions to admit the Power of Attorney paperwork signed by Mr. Joe L. Adams Sr. on January 29, 2008.

2. Appellant contends that the reason why Mr. Joe L. Adams Sr. chose to make Dual power of attorney was due to the unpredictable and threatening way Mrs. Ogbuneke would act regarding secrecy of the business activities of the estate.

3. Appellant contends that during that time Mrs. Betty Ogbuneke had signed several documents in error not knowing how to determine the legal information in the documents.

4. Appellant contends that Bruce Poore Attorney of Rock Hill SC was hired to prepare the documentation where he was instructed to include Joe L. Adams Jr. and Betty Ogbuneke as his Power of Attorneys which was not changed during the duration of his life.

a. Appellant contends that because of the Dual Power attorney he was able to obtain the credit records and discover the fraudulent activities of Mrs. Betty Ogbuneke against the estate of Mr. Joe L. Adams Sr.

5. Appellant contends that Mr. Joe L. Adams Sr. could have easily decided to only have one power of attorney but at that time due to the existence of the allegations of Credit Card Fraud, the Lack of presence at the estate and threatening behavior toward Mr. Joe L. Adams Sr. from time to time he decided for the Dual Power of Attorney.

a. Appellant contends that this is a sign of the thoughts that Mr. Joe L. Adams Sr. had regarding the way his estate was to be managed and his health care using both Mr. Joe L. Adams Jr. and Mrs. Betty Ogbuneke as equal Power of Attorneys with the same power over the estate and would have elected to have it this way going forward in the opinion of his son Joe L. Adams Jr.

### Conclusion

Appellant for all the above reasons submits this amendment to support his motion to sustain and not dismiss the appeal. Appellant has tried to show where he Probate Court made Err and the Circuit Court of Appeals also Errd in hopes that the Appeals court will overturn the order and allow the Appellant Coexecutor or Co-Administrator and or Signing Privileges for all maters of the estate.. Appellant also feels that he should be intitled to majority share as his investment in the estate and sweat equity.

Thank You,

A handwritten signature in cursive script, appearing to read "Joe L. Adams Jr.", written in black ink.

Joe L. Adams Jr.

3/31/2023

# **EXHIBIT I**

## **Additional Credit Card Fraud and Abuse Statements from Discover**

## **EXHIBIT II**

**FOIA Request – Letter to City Rescinding Application for Group Home  
(File Number: 30320909\_14536)**

# **EXHIBIT III**

**Pressure to Keep up Property**  
**(File Number: 20210909\_143751)**

# **EXHIBIT IV**

*Power of Attorney Paperwork – Signed January 29, 2008*

# EXHIBIT I

Evidence Submission

## FOIA Request

*City of Rock Hill SC 29730*

*Provided by City Hall Records Department*

**Letter to City rescinding Application to Convert**

**721 Ogden Rd to Daycare**

*All Documentation and Exhibits are Considered Confidential and*

*Not for Public Viewing*

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FREEDOM OF INFORMATION ACT (FOIA) REQUEST FOR PUBLIC RECORDS

DATE OF REQUEST 12/2/2020

REQUESTOR Joe L. Adams Jr

STREET ADDRESS 721 Golden Rd

CITY/STATE/ZIP Rock Hill SC, 29730

EMAIL tj-malik@yahoo.com PHONE 704-469-3171 / 858-848-7311/cell

PLEASE INDICATE DEPARTMENT REQUEST SHOULD BE FORWARDED TO:

- LAW ENFORCEMENT
- FIRE DEPARTMENT (FIRE CODE VIOLATIONS, CURRENT INSPECTIONS, ETC.)
- BUILDING CODE (CERTIFICATES OF OCCUPANCY, BUILDING CODE VIOLATIONS, ETC.)
- ZONING CODE (ZONING DISTRICTS, ZONING CODE VIOLATIONS, ETC.)
- OTHER \_\_\_\_\_ (PLEASE SPECIFY)

DESCRIPTION OF RECORDS REQUESTED:

Need copy of original documentation for Request SE for Type A group home, Appeal: Z-2009-26 and any additional receipts of payment information. Please include all related docu

ARE THESE RECORDS FOR A COMMERCIAL USE/PURPOSE?  YES  NO

PURSUANT TO S.C. CODE ANN. § 30-2-50, A PERSON OR PRIVATE ENTITY SHALL NOT KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION OBTAINED FROM THE CITY FOR COMMERCIAL SOLICITATION DIRECTED TO ANY PERSON IN THIS STATE. ALL PERSONS MAKING FOIA REQUESTS TO THE CITY ARE HEREBY NOTIFIED THAT ALL PERSONS OBTAINING OR USING PUBLIC RECORDS FOR COMMERCIAL SOLICITATION DIRECTED TO ANY PERSON IN THIS STATE IS PROHIBITED. A PERSON KNOWINGLY VIOLATING THE PROVISIONS OF S.C. CODE ANN. § 30-2-50 IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A TERM NOT TO EXCEED ONE YEAR, OR BOTH.

PLEASE INDICATE HOW YOU WOULD LIKE TO RECEIVE THIS INFORMATION:

- INSPECTION AT CITY OFFICES
- HARD COPY FOR PICK UP
- FAX TO
- EMAIL TO tj-malik@yahoo.com
- OTHER Please send the fastest route @ tj-malik@yahoo.com and mail.
- HARD COPY BY MAIL (WILL BE SENT TO ADDRESS ABOVE)

IN ACCORDANCE WITH FOIA, THE CITY OF ROCK HILL MUST:

1. FOR RECORDS LESS THAN 24 MONTHS OLD, NOTIFY THE PERSON MAKING THE REQUEST OF THE CITY'S DETERMINATION AS TO THE PUBLIC AVAILABILITY OF THE REQUESTED PUBLIC RECORD<sup>1</sup> WITHIN 10 WORKING DAYS (EXCLUDES SATURDAYS, SUNDAYS AND LEGAL PUBLIC HOLIDAYS) AND PRODUCE THE REQUESTED INFORMATION WITHIN 30 CALENDAR DAYS OF THE LATER OF EITHER CITY'S NOTIFICATION AS TO THE AVAILABILITY OF THE REQUESTED PUBLIC RECORD OR THE DATE THE ADVANCE DEPOSIT IS MADE IF REQUIRED BY THE CITY.

<sup>1</sup> The determination is not required to include a final decision or express an opinion as to whether specific portions of the documents or information may be subject to redaction according to exemptions provided for by Section 30-4-40 or other state or federal laws



- 2. FOR RECORDS MORE THAN 24 MONTHS OLD, NOTIFY THE PERSON MAKING THE REQUEST OF THE CITY'S DETERMINATION AS TO THE PUBLIC AVAILABILITY OF THE REQUESTED PUBLIC RECORD<sup>1</sup> WITHIN 20 WORKING DAYS (EXCLUDES SATURDAYS, SUNDAYS AND LEGAL PUBLIC HOLIDAYS) AND PRODUCE THE REQUESTED INFORMATION WITH 35 CALENDAR DAYS OF THE LATER OF EITHER CITY'S NOTIFICATION AS TO THE AVAILABILITY OF THE REQUESTED PUBLIC RECORD OR THE DATE THE ADVANCE DEPOSIT IS MADE IF REQUIRED BY THE CITY.

THE CITY MAY REQUIRE AN ADVANCE DEPOSIT OF UP TO 25% OF THE REASONABLY ANTICIPATED COSTS FOR REPRODUCTION OF THE RECORDS PRIOR TO THE CITY SEARCHING FOR OR MAKING COPIES OF RECORDS.

BY MY SIGNATURE, I HEREBY STATE THAT I HAVE RECEIVED INFORMATION ABOUT THE CITY OF ROCK HILL'S FOIA PROCESS AND A COPY OF THE FEE SCHEDULE OUTLINING POSSIBLE CHARGES I MAY INCUR AS PART OF THIS REQUEST. I ALSO CERTIFY TO THE CITY OF ROCK HILL THAT I WILL NOT USE PERSONAL INFORMATION OBTAINED FROM THE CITY FOR PURPOSES OF COMMERCIAL SOLICITATION NOR WILL I PROVIDE SUCH PERSONAL INFORMATION TO OTHERS FOR PURPOSES OF COMMERCIAL SOLICITATION.

SIGNATURE: *[Handwritten Signature]* DATE: 12/2/2020

PLEASE SUBMIT YOUR REQUEST TO: CITY OF ROCK HILL, CITY MANAGER'S OFFICE  
 PO BOX 11706 ROCK HILL SC 29731  
 FAX 803-329-7007 EMAIL FOIA@CITYOFROCKHILL.COM

<b>FOR OFFICE USE ONLY</b>		Date Received: _____	Date of Initial Response: _____
City Attorney Involvement	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Associated Fees: _____	Paid: <input type="checkbox"/> YES <input type="checkbox"/> NO		



# Zoning Board of Appeals

## Staff Report

**Appeal No. Z-2004-26**

**Date of Report:** November 12, 2004      **Date of Meeting:** November 30, 2004

**Applicant:** Betty Ogbuneke

**Property Owner:** Joe L. Adams, Sr.

**Location:** 721 Ogden Road

**Zoning:** RS – 2, Single Family

**Type of Appeal:** Special Exception

**Request:** To allow for the operation of a home Type A Group Home.

### Relation to the Zoning Code:

Type A Group Homes are allowed by Special Exception in the RS-2 zoning district.

RS-1	RS-2	RS-3	RS-4	RG	RG-O	PRD	PUD	NMU	OI	LC	T	NC	GC	C-H	TC	CBD	M-L	M-H	RH	PMHS	MUC
Z	Z	Z	Z	O	O	Z	Z	Z	O	O	O	O	O	O	X	X	X	X	Z	Z	O

Note: O=Permitted, Z=ZBA Review (Special Exception), X=Specifically Prohibited

### Comments:

The applicant is requesting a Special Exception to allow for the operation of a Type A Group Home. This use is allowed in the RS – 2, Single Family district upon approval of a Special Exception. The Planning and Development Department will review the application for conformance to all applicable City codes.

Staff has received no public comment regarding this application.

(3)

### **Analysis of Request for Special Exception (Section 320.02)**

To approve a Special Exception, the Board shall make the following findings:

1. That it is empowered under the section of this ordinance described in the application to grant the Special Exception requested.
2. That no other section of this ordinance would be violated by granting the permit;
3. That granting the permit will not adversely affect the public interest.

### **Attachments**

- ZBA Map
- Application

November 22, 2004

Mr. Chris Rice  
City of Rock Hill  
155 Johnston Street  
Rock Hill, SC 29730

RE: Special Exception to Open Type A Group Home  
Property at 721 Ogden Road

Dear Chris:

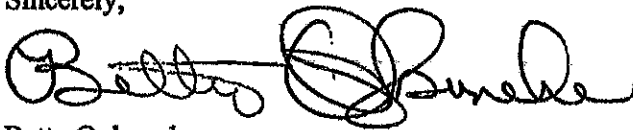
It is with a lot of tears and heartbreak that I write this letter to you to "resend my application" to open an Assisted Living (Group Home) at the residence of 721 Ogden Road in Memory and Honor of the Late Betty Adams who died on September 11, 2004.

Please accept this letter as documentation of my verbal request to you this morning, November 22, 2004, to terminate my application that was submitted to the City for a Special Exception request earlier this month.

Chris, I have enjoyed working with you. It is quite unfortunate that we will not be able to honor my mother, Betty Adams, with this business to cherish her good works. My mother always helped people. She was a nurse by profession and an angel at heart. Doctor's called on her to patient sit for their patients as well as for themselves when they became ill. She was a good person.

Thank you again for all your help and your patience with my multiple questions while trying to complete my application.

Sincerely,



Betty Ogbuneke  
Applicant for Special Exception

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**Subject** Re: Request for information for 721 Ogden Rd  
**From** tj\_malik@yahoo.com  
**To:** Thomas, Matthew C.  
<matthewc.thomas@cityofrockhill.com>, Miller, Janice  
<Janice.Miller@cityofrockhill.com>  
**Date** Wed, Dec 2 2020 at 12:09 PM

Good Morning Mrs. Miller,

I have completed the application and attached.. Please if possible can i get email as soon as possible.. I need the document prior to [tomorrow evening](#) if its available. I would also like a hard copy if its not too much trouble that I can either pick up or you can mail.. I live only roughly 5-6 minutes from city hall rock Hill. I also have a color fax if that helps any.. Thank You Mr. Thomas.

Thank You,

Joe L. Adams Jr.

On Wednesday, December 2, 2020, 11:16:11 AM EST, Miller, Janice  
<[janice.miller@cityofrockhill.com](mailto:janice.miller@cityofrockhill.com)> wrote:

Mr. Adams,

Please complete the attached FOIA request describing the documents you need and respond to [foia@cityofrockhill.com](mailto:foia@cityofrockhill.com).

Regards,

 Janice Miller  
Historic Preservation Specialist  
Planning & Development

City of Rock Hill  
P.O. Box 11706  
[155 Johnston Street \(29730\)](#)  
[Rock Hill, South Carolina 29731-1706](#)  
o: 803-817-5129  
f: 803-329-7228

[Janice.Miller@cityofrockhill.com](mailto:Janice.Miller@cityofrockhill.com)  
[www.cityofrockhill.com](http://www.cityofrockhill.com)

---

**From:** Thomas, Matthew C. <[MatthewC.Thomas@cityofrockhill.com](mailto:MatthewC.Thomas@cityofrockhill.com)>  
**Sent:** Wednesday, December 2, 2020 8:59 AM  
**To:** Miller, Janice <[Janice.Miller@cityofrockhill.com](mailto:Janice.Miller@cityofrockhill.com)>  
**Cc:** [tj\\_malik@yahoo.com](mailto:tj_malik@yahoo.com)  
**Subject:** Request for information for [721 Ogden Rd](#)

Janice,

Mr. Joe Luis Adams, Jr. (copied here) is requesting a copy of the original signed application that was filed and later withdrawn for the following appeal:

**Appeal:** Z-2004-26

**Meeting Date:** 11/30/2004

**Applicant:** Betty Ogbuneke

**Address:** [721 Ogden Rd](#)

**Zoning District:** RS-2

**Request:** SE for Type A group home

**Action:** Withdrawn

⑨  
Will you please reply to Mr. Adams regarding his request?

# Matthew C. Thomas

Open for Business Program Coordinator  
Planning & Development

City of Rock Hill

P.O. Box 11706

[155 Johnston Street \(29730\)](#)

[Rock Hill, South Carolina 29731-1706](#)

o: 803-329-7093

f: 803-329-5544

[MatthewC.Thomas@cityofrockhill.com](mailto:MatthewC.Thomas@cityofrockhill.com)

[www.cityofrockhill.com](http://www.cityofrockhill.com)



**ROCK HILL**  
SOUTH CAROLINA

*Always on.*

Email correspondence along with any related attachments to and from this address may be subject to the South Carolina Freedom of Information Act and may be disclosed to third parties in accordance with applicable law.



[citY foia.pdf](#)

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# EXHIBIT VII

## Evidence Submission

Email After mom died pressure to make repairs at 727 Ogden Rd. More proof of repairs and up keep of the complete property are available.

*All Documentation and Exhibits are Considered Confidential and  
Not for Public Viewing*

**Subject:** Floor and Roof  
**From:** "Betty Ogbuneke" <bettyogbuneke@mvalaw.com>  
**Date:** Mon, 29 Nov 2004 08:39:13 -0500  
**To:** <matryx@gtcinternet.com>

Hi Tiger,

Daddy asked me to send you this email to remind you to fix the floor and the roof in

He would like you to do this before the conditions gets too bad.

He just happened to think about it this morning and wanted to remind you before th  
bad. He didn't want you to wait and the roof leaks or the floor falls in like it almost c

He wanted to let you know he was concerned that it had not been done yet.

If you have any questions or would like to discuss who you can get to do the work c  
see Daddy when you get a chance next door.

Thanks.

cc: Joe L. Adams, Sr.

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CONFIDENTIAL & PRIVILEGED

Unless otherwise indicated or obvious from the nature of the following commun  
information contained herein is attorney-client privileged and confidential inform

# EXHIBIT VII

## Evidence Submission

Email After mom died pressure to make repairs at 727 Ogden Rd. More proof of repairs and up keep of the complete property are available.

*All Documentation and Exhibits are Considered Confidential and  
Not for Public Viewing*

It is very important that the next time you are in Rock Hill that you give my Life Insurance Policy and original Birth Certificate to Dad to give to me. I will be assuming all payment obligations from here on in. All of my personal and important documentation will be locked in my safety deposit box for safe storage.

Thanks,

Joe L. Adams Jr.

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**CONFIDENTIAL & PRIVILEGED**

Unless otherwise indicated or obvious from the nature of the following communication, the information contained herein is attorney-client privileged and confidential information/work product. The communication is intended for the use of the individual or entity named above.

If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by return e-mail and destroy any copies, electronic, paper or otherwise, which you may have of this communication.

**Subject:** Floor and Roof  
**From:** "Betty Ogbuneke" <bettyogbuneke@mvalaw.com>  
**Date:** Mon, 29 Nov 2004 08:39:13 -0500  
**To:** <matryx@gtcinternet.com>

Hi Tiger,

Daddy asked me to send you this email to remind you to fix the floor and the roof in the house.

He would like you to do this before the conditions gets too bad.

He just happened to think about it this morning and wanted to remind you before the weather gets too bad. He didn't want you to wait and the roof leaks or the floor falls in like it almost did on him.

He wanted to let you know he was concerned that it had not been done yet.

If you have any questions or would like to discuss who you can get to do the work or how it can be done, see Daddy when you get a chance next door.

Thanks.

cc: Joe L. Adams, Sr.

---

**CONFIDENTIAL & PRIVILEGED**

Unless otherwise indicated or obvious from the nature of the following communication, the information contained herein is attorney-client privileged and confidential information/work product.

**DURABLE POWER OF ATTORNEY  
OF  
JOE L. ADAMS, SR.**

**Introductory Provision.** I, Joe L. Adams, Sr., hereby appoint Betty L. Ogbuneka and Joe L. Adams, Jr. to serve as my Agents, each of whom are individually referred to herein as my "Agent", to exercise alone or jointly the powers and discretions set forth below.

**Statement of Intent to Create Durable Power of Attorney Under State Statute.** By this instrument I intend to create a Durable Power of Attorney under South Carolina law.

**ARTICLE I**

**AGENT AUTHORIZATION**

All persons named as Agents or Alternate Agents herein, who have succeeded to the office of Agent, are granted the powers and discretions described in the following provisions.

(1) **Revocation, Removal, Amendment and Resignation.** This instrument may be amended or revoked by me (and my Agent and any Alternate Agent may be removed by me) at any time by the execution by me of a written instrument of revocation, amendment, or removal delivered to my Agent and to all Alternate Agents.

(2) **Alternate Agent.** Any party dealing with any person named as Alternate Agent hereunder may rely on as conclusively correct an affidavit or certificate of such Alternate Agent that those persons named as prior Agents are no longer serving.

**ARTICLE II**

**PROPERTY AND FINANCIAL**

My Agent is authorized as follows:

(1) **Power to Sell.** My Agent is authorized to sell any and every kind of property that I may own now or in the future, real, personal, intangible and/or mixed, on

*J. L. A.*

such terms and conditions and security as my Agent shall deem appropriate and to grant options with respect to sales thereof.

(2) **Power to Buy.** My Agent is authorized to buy every kind of property, real, personal, intangible and/or mixed, on such terms and conditions as my Agent shall deem appropriate.

(3) **Power to Invest.** My Agent is authorized to invest and reinvest all or any part of my property or interests in property, including undivided interests in property, real, personal, intangible and/or mixed, wherever located.

(4) **Power to Manage Real Property.** With respect to real property, including but not limited to any real property I may hereafter acquire or receive and my personal residence, my Agent is authorized to lease, sublease, release; to eject and remove tenants or other persons. My Agent is authorized to mortgage and/or convey by deed of trust or otherwise encumber any real property now or hereafter owned by me, whether acquired by me or for me by my Agent.

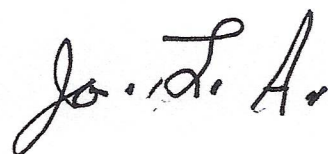
(5) **Power to Exercise Rights in Securities.** My Agent is authorized to exercise all rights with respect to corporate securities which I now own or may hereafter acquire.

(6) **Power to Demand and Receive.** My Agent is authorized to demand, arbitrate, settle, sue for, collect, receive, deposit, expend for my benefit, reinvest or make such other appropriate disposition of as my Agent deems appropriate, all cash, rights to the payment of cash, property, real, personal, intangible and/or mixed, debts, dues rights, accounts, legacies, bequests, devises, dividends, annuities, rights and/or benefits to which I am now or may in the future become entitled.

(7) **Power with Respect to Bank Accounts.** My Agent is authorized to establish accounts of all kinds, including checking and savings, for me with financial institutions of any kinds, including but not limited to banks and thrift institutions; to make deposits to and write checks on or make withdrawals from and grant security interests in all accounts in my name or with respect to which I am an authorized signatory, to negotiate, endorse or transfer any checks or other instruments with respect to any such accounts; to contract for any services rendered by any bank or financial institution.

(8) **Power with Respect to Legal and Other Actions.** My Agent is authorized to institute, supervise, prosecute, defend, intervene in, abandon, compromise, arbitrate, settle, dismiss, and appeal from any and all legal, equitable, judicial or administrative hearings, actions, suits, proceedings, attachments, arrests or distresses, involving me in any way.

(9) **Power to Borrow Money.** My Agent is authorized to borrow money from any lender for my account on such terms and conditions and security as my Agent



shall deem appropriate; to borrow money on any life insurance policies owned by me on my life.

(10) **Power with Respect to Taxes.** My Agent is authorized to represent me in all tax matters; to prepare, sign, and file federal, state, and/or local income, gift and other tax returns of all kinds, and any power of attorney form appointing an agent required by the Internal Revenue Service and/or any state and/or local taxing authority.

### ARTICLE III

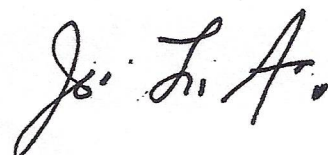
### HEALTH CARE

My Agent is authorized in my Agent's sole and absolute discretion from time to time and at any time to exercise the authority described below relating to matters involving my health and medical care.

(1) **Medical Records.** My Agent is authorized to request, receive and review any information, verbal or written, regarding my personal affairs or my physical or mental health, including medical and hospital records, and to execute any releases or other documents that may be required to obtain such information, and to disclose or deny such information to such persons, organizations, firms or corporations as my Agent shall deem appropriate

(2) **Power to Give, Withhold, or Withdraw Consent to Health Care Treatment.** My Agent is authorized to give, withhold, withdraw or modify consent to any health care procedures, tests or treatments, including surgery; to arrange for my hospitalization, convalescent care, hospice or home care; to summon paramedics or other emergency medical personnel and seek emergency treatment for me, as my Agent shall deem appropriate; to give, withhold, withdraw or modify consent to such procedures, tests and treatments, as well as hospitalization, convalescent care, hospice or home care which I or my Agent may have previously allowed or consented to or which may have been implied due to emergency conditions. My Agent's decisions should be guided by taking into account (1) the provisions of this instrument, (2) any reliable evidence of preferences that I may have expressed on the subject whether before or after the execution of this document, (3) what my Agent believes I would want done in the circumstances if I were able to express myself, and (4) any information given to my Agent by the physicians treating me as to my health care diagnosis and prognosis and the intrusiveness, pain, risks, and side effects of the treatment.

(3) **Psychiatric Treatment.** My Agent is authorized to arrange, on the execution of a certificate by two independent psychiatrists who have examined me and in whose opinions I am in immediate need of hospitalization because of mental disorder, alcoholism or drug abuse, for my voluntary admission to an appropriate hospital or institution for treatment of the diagnosed problem or disorder; to arrange for private psychiatric and psychological treatment for me; and to revoke, modify, withdraw



or change consent to such hospitalization, institutionalization or private treatment which I or my Agent may have previously given. The consent of my Agent to my hospitalization for psychiatric help, alcoholism or drug abuse shall have the same legal effect, subject to applicable local law, as a voluntary admission made by me.

#### ARTICLE IV

#### INCIDENTAL POWERS

**Incidental Powers.** In connection with the exercise of the powers herein described, my Agent is fully authorized and empowered to perform any acts and things and to execute and deliver any documents, instruments, certificates and papers necessary or appropriate to such exercise or exercises.

#### ARTICLE V

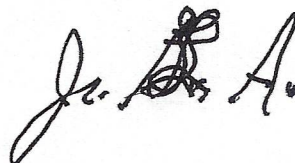
#### THIRD PARTY RELIANCE

For the purpose of inducing all persons, organizations, corporations and entities, including but not limited to any physician, hospital, nursing home, health care provider, bank, broker, custodian, insurer, lender, transfer agent, taxing authority, governmental agency, or other party, all of whom will be referred to in this Article as a "Person", to act in accordance with the instructions of my Agent as authorized in this instrument, I hereby represent, warrant and agree to the following:

(1) **Revocation and Amendments.** If this instrument is revoked or amended for any reason, I, my estate and my personal representative will hold any person, organization, corporation or entity, hereinafter referred to in the aggregate as "Person", harmless.

(2) **No Liability for Reliance on Agent.** No Person who relies in good faith on the authority of my Agent under this instrument shall incur any liability to me, my estate or my personal representative.

(3) **Principal and Heirs Bound.** No Person who relies on any affidavit or certificate under penalty of perjury that this instrument specifically authorizes my Agent to execute and deliver shall incur any liability to me, my estate or my personal representative.



**ARTICLE VI**

**DURABILITY PROVISION**

**Immediate Power.** This power of attorney shall not be affected by my subsequent disability or incapacity, or lapse of time.

**ARTICLE VII**

**ADMINISTRATIVE PROVISIONS**

The following provisions shall apply:

(1) **Reimbursement of Agent.** My Agent shall be entitled to reimbursement for all reasonable costs and expenses, including reasonable attorney's fees, actually incurred and paid by my Agent on my behalf at any time under any provision of this instrument. My Agent shall not be entitled to compensation for services rendered hereunder.

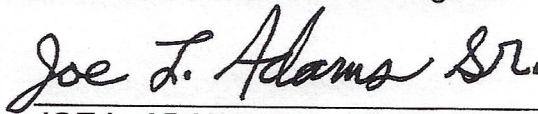
(2) **Counterpart Originals.** If this instrument has been executed in multiple counterpart originals, each such counterpart original shall have equal force and effect.

(3) **Photocopies.** My Agent is authorized to make photocopies of this instrument as frequently and in such quantity as my Agent shall deem appropriate. Each photocopy shall have the same force and effect as any original.

(4) **Binding Effect.** This instrument and actions taken by my Agent properly authorized hereunder shall be binding on me, my estate and my personal representative.

(5) **Governing Law.** This instrument shall be governed by the laws of the State of South Carolina in all respects.

IN WITNESS WHEREOF, I have executed this Power of Attorney this \_\_\_\_\_ day of January, 2008, and I have directed that photographic copies of this power be made which shall have the same force and effect as an original.

  
\_\_\_\_\_  
JOE L. ADAMS, SR., PRINCIPAL

ATTESTATION

The foregoing Durable Power of Attorney was this 29 day of January, 2008, signed, sealed, published and declared by the said Principal as and for the Principal's Durable Power of Attorney in our presence, and at the Principal's request and in the Principal's presence, and in the presence of each other, have hereunto subscribed our names as witnesses on the above date.

[Signature]

of Rock Hill SC

Stephanie Beaupre

of Rock Hill SC

STATE OF SOUTH CAROLINA

COUNTY OF YORK

)  
)  
)

PROBATE

PERSONALLY appeared the undersigned witness and made oath that he saw the within named Principal duly authorized, sign, seal and as the Principal's act and deed deliver the within Durable Power of Attorney and that deponent with the other witness whose name is subscribed above witnessed the execution thereof.

Stephanie Beaupre

SWORN to before me this

29 day of January, 2008.

[Signature]

Notary Public for South Carolina

My Commission expires: 3-30-09



New Balance  
**\$2,911.38**

Minimum Payment Due  
**\$59.00**

Account Number **6011 0034 8751 8977**  
Enter Amount Enclosed Below

Payment Due Date  
**January 22, 2005**


\$

Please make check payable to Discover Platinum Card or pay online @ Discovercard.com.

00091140 01 FP 0.371 T2 23 SDS4RB07 465

**ADAMS, JOE**  
**PO BOX 35271**  
**CHARLOTTE NC 28235-5271**

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**PO BOX 15251**   
**WILMINGTON DE 19886-5251**



Address, e-mail or telephone change? Print change in space above, or go to [Discovercard.com](http://Discovercard.com). Print your e-mail address to receive important Account information and special offers.

000006011003487518977029113800100000005900

## Discover Platinum Card Account Summary

Closing Date: **December 23, 2004** page 1 of 2

Account Number 6011 0034 8751 8977  
Payment Due Date January 22, 2005  
Minimum Payment Due \$59.00  
Credit Limit \$3,900.00  
Credit Available \$988.00  
Cash Credit Limit \$2,000.00  
Cash Credit Available \$988.00

Previous Balance \$513.48  
Payments And Credits - 697.51  
Purchases + 3,094.91  
Cash Advances + 0.00  
Balance Transfers + 0.00  
**Finance Charges** + 0.50  
New Balance = \$2,911.38

You may be able to avoid Periodic Finance Charges, see the reverse side for details. Minimum periodic \*finance charge\* of \$.50 applies this billing period.

### Cashback Bonus<sup>®</sup> Gas & Auto

Opening Cashback Bonus Balance \$ 5.42  
New Cashback Bonus Earned + 0.00  
+ 17.13

Cashback Bonus<sup>®</sup> Since Anniversary Date of July 23: \$22.55

**Cashback Bonus Balance Available to Redeem** \$ **22.55**  
\$ **20.00**

CONGRATULATIONS! Now that your award is \$20 or more, you can redeem it in \$20 increments by logging into the Account Center at [Discovercard.com](http://Discovercard.com) or by calling 1-877-YOUR-AWARD (1-877-968-7292).

### How Can We Help You?

Please have your Discover Card available.  
Manage your account online at [Discovercard.com](http://Discovercard.com)  
Customer Service: 1-800-DISCOVER (1-800-347-2683)

For Account Inquiries, write to us at:  
Discover Platinum Card, PO Box 30943  
Salt Lake City, UT 84130  
**TDD (Telecommunications Device for the Deaf):**  
For assistance, see reverse side.

### Transactions

**\$0 Fraud Liability Guarantee** Use your Discover Card with confidence.

	Trans. Date	Post Date		
Payments and Credits	Nov 28	Nov 30	THE HOME DEPOT 3602 MATTHEWS NC	\$ -303.14
	Dec 11	Dec 13	THE HOME DEPOT 3639 CHARLOTTE SC	-294.37
	Dec 17	Dec 17	PAYMENT - THANK YOU	-100.00
Other/Miscellaneous	Dec 23	Dec 23	CREDITSAFE PLUS INSURANCE 1-800-453-0280	19.48
Home Improvement	Nov 26	Nov 26	THE HOME DEPOT 3602 MATTHEWS NC	1,136.32
	Nov 27	Nov 27	THE HOME DEPOT 3603 CHARLOTTE NC	1,047.36
	Nov 28	Nov 28	THE HOME DEPOT 3602 MATTHEWS NC	367.68
	Dec 11	Dec 11	THE HOME DEPOT 3639 CHARLOTTE SC	13.54
	Dec 11	Dec 11	THE HOME DEPOT 3639 CHARLOTTE SC	510.53

Through the generosity of our Cardmembers, Discover(R) Card has donated more than \$14 million to the Make-A-Wish Foundation(R). You can make a child's dream come true by electing to donate your Cashback Bonus(R) award to the Make-A-Wish Foundation. To learn how, please visit [Discovercard.com](http://Discovercard.com) or visit [www.wish.org](http://www.wish.org).



New Balance  
\$3,641.85

Minimum Payment Due  
\$73.00

Account Number 6011 0034 8751 8977  
Enter Amount Enclosed Below

Payment Due Date  
February 22, 2005

\$

Please make check payable to Discover Platinum Card or pay online @ Discovercard.com.

00091141 01 FP 0.371 T2 23 SDS4RB07 465

ADAMS, JOE  
PO BOX 35271  
CHARLOTTE NC 28235-5271

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## Discover Platinum Card Account Summary

Closing Date: January 23, 2005

page 1 of 2

Account Number 6011 0034 8751 8977  
Payment Due Date February 22, 2005  
Minimum Payment Due \$73.00  
Credit Limit \$3,900.00  
Credit Available \$258.00  
Cash Credit Limit \$2,000.00  
Cash Credit Available \$258.00

Previous Balance \$2,911.38  
Payments And Credits - 315.76  
Purchases + 953.54  
Cash Advances + 0.00  
Balance Transfers + 0.00  
Finance Charges + 92.69  
New Balance = \$3,641.85

You may be able to avoid Periodic Finance Charges, see the reverse side for details.

### Cashback Bonus<sup>®</sup> Gas & Auto

Opening Cashback Bonus Balance \$ 22.55  
New Cashback Bonus Earned + 0.00  
+ 1.78

Cashback Bonus<sup>®</sup> Since Anniversary Date  
of July 23: \$24.33

Cashback Bonus Balance \$ 24.33  
Available to Redeem \$ 20.00

CONGRATULATIONS! Now that your award is \$20 or more, you can redeem it in \$20 increments by logging into the Account Center at [Discovercard.com](http://Discovercard.com) or by calling 1-877-YOUR-AWARD (1-877-968-7292).

### How Can We Help You?

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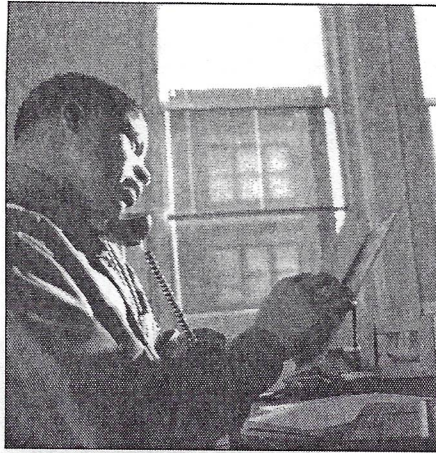
For Account Inquiries, write to us at:  
Discover Platinum Card, PO Box 30943  
Salt Lake City, UT 84130  
TDD (Telecommunications Device for the Deaf):  
For assistance, see reverse side.

### Transactions

\$0 Fraud Liability Guarantee Use your Discover Card with confidence.

	Trans. Date	Post Date		
Payments and Credits	Dec 22	Dec 24	THE HOME DEPOT 3639 CHARLOTTE SC	\$ -215.76
	Jan 8	Jan 8	PAYMENT - THANK YOU	-100.00
Merchandise/Retail	Dec 23	Dec 24	TOYS R US 8821 CHARLOTTE NC	102.10
	Jan 20	Jan 20	STAPLES #1223 CHARLOTTE NC	360.46
Other/Miscellaneous	Jan 23	Jan 23	CREDITSAFE PLUS INSURANCE 1-800-453-0280	24.38
Travel/Entertainment	Jan 6	Jan 6	USAIR 03721757626370 WASHINGTON DC	186.90
			AUTOMATIC FLIGHT INSURANCE US AIRWAYS PHONE SALE NC	NO COST
Services	Jan 17	Jan 17	BANFIELD 0406 MATTHEWS NC	279.70

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## Real answers from real people.

When you have a question or concern about your Discover® Card Account, we're here. 24 hours a day, 7 days a week. And you won't get caught in an endless automated voice loop—you'll be connected to a friendly, knowledgeable Customer Service Representative in less than a minute. It's just one of the ways we put you first.

Call us at **1-800-DISCOVER** (1-800-347-2683).

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**Closing Date: December 23, 2004**

page 2 of 2



Give that someone special the gift that could only come from you. Discover(R) Gift Cards come in festive designs in denominations up to \$500, and are accepted most everywhere Discover Card is welcomed. Customize yours with a personal message when you order at [Discovergiftcard.com](http://Discovergiftcard.com). Not available to residents of CT, DC, MA, ME or NH.

Every purchase you make with your Discover(R) Card earns you a Cashback Bonus(R) award. You can redeem your award anytime it reaches \$20, or you can let it grow - it won't expire. Redeem your award online at [Discovercard.com](http://Discovercard.com) or call 1-877-YOUR-AWARD (1-877-968-7292).

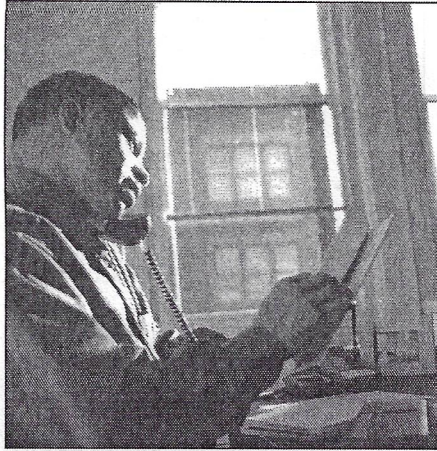
Stay connected to loved ones this holiday season with thoughtful gifts from [1-800-FLOWERS.COM](http://1-800-FLOWERS.COM)(R). Save 15%\* on your next purchase when you use your Discover(R) Card and code DC88. Call 1-800-FLOWERS(R) (1-800-356-9377), click [www.1800flowers.com](http://www.1800flowers.com), or come in! \*For details please visit [www.1800flowers.com/disclaimer](http://www.1800flowers.com/disclaimer).

This year, give FREE Additional Cards to the people you care about and build a bigger Cashback Bonus(R) award, too. It's easy! To request FREE Additional Cards for your Account, just call 1-800-DISCOVER or visit [Discovercard.com/AdditionalCards](http://Discovercard.com/AdditionalCards).

## Finance Charge Summary

Balance Transfer offer for current billing period: Daily Periodic Rate: 0.00000%; corresponding ANNUAL PERCENTAGE RATE: 0.00%. Rate is subject to the terms of the offer including expiration.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 30 days						
Purchases	\$4.58	0.05477%	19.99% F	19.99%	\$0.08	none
Promotional Purchases	\$189.77	0.00000%	0.00% F	0.00%	\$0	none
Cash Advances	\$0	0.00000%	0.00% F	0.00%	\$0	none



## Real answers from real people.

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**Closing Date: January 23, 2005**

page 2 of 2



Give that someone special the gift that could only come from you. Discover(R) Gift Cards come in festive designs in denominations up to \$500, and are accepted most everywhere Discover Card is welcomed. Customize yours with a personal message when you order at [Discovergiftcard.com](http://Discovergiftcard.com). Not available to residents of CT, DC, MA, ME or NH.

Get Fit. Get Smart. Get More. Introducing more rewards—NOW thru February! Get a 5% Cashback Bonus(R) award at Health Clubs, Sporting Goods Stores, Bookstores and on Education purchases. Sign up today. Call 1-800-DISCOVER or visit [Discovercard.com](http://Discovercard.com).

Stay connected to loved ones this holiday season with thoughtful gifts from 1-800-FLOWERS.COM(R). Save 15%\* on your next purchase when you use your Discover(R) Card and code DC88. Call 1-800-FLOWERS(R) (1-800-356-9377), click [www.1800flowers.com](http://www.1800flowers.com), or come in! \*For details please visit [www.1800flowers.com/disclaimer](http://www.1800flowers.com/disclaimer).

This year, give FREE Additional Cards to the people you care about and build a bigger Cashback Bonus(R) award, too. It's easy! To request FREE Additional Cards for your Account, just call 1-800-DISCOVER or visit [Discovercard.com/AdditionalCards](http://Discovercard.com/AdditionalCards).

## Finance Charge Summary

Balance Transfer offer for current billing period: Daily Periodic Rate: 0.00000%; corresponding ANNUAL PERCENTAGE RATE: 0.00%. Rate is subject to the terms of the offer including expiration.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 31 days						
Purchases	\$3029.42	0.05477%	19.99% F	19.99%	\$51.43	none
Cash Advances	\$0	0.06299%	22.99% F	22.99%	\$0	\$0
previous billing period: 30 days						



New Balance  
\$4,307.12

Minimum Payment Due  
\$237.00

Account Number 6011 0034 8751 8977  
Enter Amount Enclosed Below

Payment Due Date  
April 22, 2005

\$

Please make check payable to Discover Platinum Card. Minimum payment due includes a past due amount of \$150.00.

00091143 01 FP 0.371 T2 23 SDS4RB07 465

ADAMS, JOE  
PO BOX 35271  
CHARLOTTE NC 28235-5271

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Address, e-mail or telephone change? Print change in space above, or go to [Discovercard.com](http://Discovercard.com). Print your e-mail address to receive important Account information and special offers.

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## Discover Platinum Card Account Summary

Closing Date: March 23, 2005

page 1 of 2

Account Number 6011 0034 8751 8977  
Payment Due Date April 22, 2005  
Minimum Payment Due \$237.00  
Credit Limit \$5,100.00  
Credit Available \$792.00  
Cash Credit Limit \$2,600.00  
Cash Credit Available \$792.00

Previous Balance \$3,821.37  
Payments And Credits - 0.00  
Purchases + 425.89  
Cash Advances + 0.00  
Balance Transfers + 0.00  
Finance Charges + 59.86  
New Balance = \$4,307.12

You may be able to avoid Periodic Finance Charges, see the reverse side for details.

### Cashback Bonus<sup>®</sup> Gas & Auto

Opening Cashback Bonus Balance \$ 25.21  
New Cashback Bonus Earned + 0.00  
+ 5.10

Cashback Bonus<sup>®</sup> Since Anniversary Date  
of July 23: \$30.31

Cashback Bonus Balance \$ 30.31  
Available to Redeem \$ 0.00

Congratulations! Your Account credit limit has been increased to \$5,100.00.

### How Can We Help You?

Please have your Discover Card available.

Manage your account online at [Discovercard.com](http://Discovercard.com)

Customer Service: 1-800-DISCOVER (1-800-347-2683)

For Account Inquiries, write to us at:

Discover Platinum Card, PO Box 30943  
Salt Lake City, UT 84130

TDD (Telecommunications Device for the Deaf):

For assistance, see reverse side.

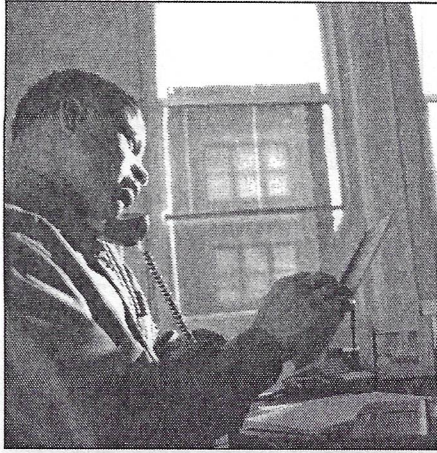
### Transactions

**\$0 Fraud Liability Guarantee** Use your Discover Card with confidence.

	Trans. Date	Post Date		
Gasoline	Mar 18	Mar 18	SHELL 07854584120056 SOUTH HILL VA	\$ 20.00
	Mar 20	Mar 20	PETRO EXPRESS #2 CHARLOTTE NC 9800057091	37.00
	Mar 20	Mar 20	SOUTH HILL CITGO SOUTH HILL VA 9800082030	20.00
	Mar 20	Mar 20	SUNOCO CHARLOTTE NC	11.30
Restaurants	Mar 19	Mar 19	SURF RIDER WEST NORFOLK VA	23.01
	Mar 20	Mar 20	HARDEE'S #2997 EMPORIA VA	13.94
Other/Miscellaneous	Mar 23	Mar 23	CREDITSAFE PLUS INSURANCE 1-800-453-0280	28.83
	Mar 23	Mar 23	LATE FEE	35.00
Travel/Entertainment	Mar 19	Mar 19	HOLIDAY INNS EXECUTIVE VIRGINIA BEACVA	9.89
	Mar 20	Mar 20	HOLIDAY INNS EXECUTIVE VIRGINIA BEACVA	198.62
	Mar 20	Mar 20	HOLIDAY INNS EXECUTIVE VIRGINIA BEACVA	28.30

### Information For You

Your account is past due. Please pay your minimum monthly payment plus the past due amount.



## Real answers from real people.

When you have a question or concern about your Discover® Card Account, we're here. 24 hours a day, 7 days a week. And you won't get caught in an endless automated voice loop—you'll be connected to a friendly, knowledgeable Customer Service Representative in less than a minute. It's just one of the ways we put you first.

Call us at **1-800-DISCOVER (1-800-347-2683)**.

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Closing Date: **March 23, 2005**

page 2 of 2



Paperless statements can jumpstart your spring cleaning! Get rid of the excess paper in your life by receiving your Discover(R) Card statements online instead of by mail. You'll get an e-mail letting you know when your statement is ready to view online. You can even pay your bill online while you're there. Go to [Discovercard.com](http://Discovercard.com) to sign up.

Discover Financial Services is proud to welcome Junior Achievement as a Cashback Bonus(R) Charitable Partner. They join our current charities, JDRF and Make-A-Wish. To donate your Cashback Bonus(R) or learn more, visit [Discovercard.com](http://Discovercard.com).

## Finance Charge Summary

Balance Transfer offer for current billing period: Daily Periodic Rate: 0.05477%; corresponding ANNUAL PERCENTAGE RATE: 19.99%. Rate is subject to the terms of the offer including expiration.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 28 days						
Purchases	\$3904.13	0.05477%	19.99% F	19.99%	\$59.86	none



New Balance \$4,006.47

Minimum Payment Due \$81.00

Account Number 6011 0034 8751 8977  
Enter Amount Enclosed Below

Payment Due Date August 22, 2005

\$

Please make check payable to Discover Platinum Card or pay online @ Discovercard.com.

00091124 01 FP 0.371 T0 23 SDS4RB07 465

ADAMS, JOE  
PO BOX 35271  
CHARLOTTE NC 28235-5271

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Address, e-mail or telephone change? Print change in space above, or go to Discovercard.com. Print your e-mail address to receive important Account information and special offers.

000006011003487518977040064700077000008100

### Discover Platinum Card Account Summary

Closing Date: July 23, 2005

page 1 of 1

Account Number 6011 0034 8751 8977  
Payment Due Date August 22, 2005  
Minimum Payment Due \$81.00  
Credit Limit \$5,100.00  
Credit Available \$1,093.00  
Cash Credit Limit \$2,600.00  
Cash Credit Available \$1,093.00

Previous Balance \$3,825.14  
Payments And Credits - 77.00  
Purchases + 192.70  
Cash Advances + 0.00  
Balance Transfers + 0.00  
Finance Charges + 65.63  
New Balance = \$4,006.47

You may be able to avoid Periodic Finance Charges, see the reverse side for details.

### Cashback Bonus<sup>®</sup> Gas & Auto

Opening Cashback Bonus Balance \$ 32.22  
New Cashback Bonus Earned + 0.00  
+ 0.41

Cashback Bonus<sup>®</sup> Since Anniversary Date of July 23: \$32.63

Cashback Bonus Balance \$ 32.63  
Available to Redeem \$ 20.00

### How Can We Help You?

Please have your Discover Card available.  
Manage your account online at Discovercard.com  
Customer Service: 1-800-DISCOVER (1-800-347-2683)

For Account Inquiries, write to us at:  
Discover Platinum Card, PO Box 30943  
Salt Lake City, UT 84130  
TDD (Telecommunications Device for the Deaf):  
For assistance, see reverse side.

### Transactions

\$0 Fraud Liability Guarantee Use your Discover Card with confidence.

	Trans. Date	Post Date		
Payments and Credits	Jul 7	Jul 7	PAYMENT - THANK YOU	\$ -77.00
Other/Miscellaneous	Jul 23	Jul 23	CREDITSAFE PLUS INSURANCE 1-800-453-0280	26.82
Travel/Entertainment	Jun 30	Jun 30	USF ADMISSIONS01410018 ORLANDO FL	165.88

Call 1-877-353-0941 today or visit Discovercard.com to find out if you qualify for a valuable Balance Transfer offer. It's a fast and easy way to save money!

### Finance Charge Summary

Balance Transfer offer for current billing period: Daily Periodic Rate: 0.02712%; corresponding ANNUAL PERCENTAGE RATE: 9.90%. Rate is subject to the terms of the offer including expiration.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 30 days						
Purchases	\$3945.78	0.05545%	20.24% V	20.24%	\$65.63	none



New Balance \$3,745.24

Minimum Payment Due \$75.00

Account Number 6011 0034 8751 8977  
Enter Amount Enclosed Below

Payment Due Date  
June 22, 2005

\$

Please make check payable to Discover Platinum Card or pay online @ Discovercard.com.

00091144 01 FP 0.371 T2 23 SDS4RB07 465

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### Discover Platinum Card Account Summary

Closing Date: May 23, 2005

page 1 of 2

Account Number	6011 0034 8751 8977
Payment Due Date	June 22, 2005
Minimum Payment Due	\$75.00
Credit Limit	\$5,100.00
Credit Available	\$1,354.00
Cash Credit Limit	\$2,600.00
Cash Credit Available	\$1,354.00

Previous Balance	\$3,561.17
Payments And Credits	- 75.00
Purchases	+ 198.33
Cash Advances	+ 0.00
Balance Transfers	+ 0.00
<b>Finance Charges</b>	<b>+ 60.74</b>
New Balance	= \$3,745.24

You may be able to avoid Periodic Finance Charges, see the reverse side for details.

### Cashback Bonus\*

Gas & Auto

Opening Cashback Bonus Balance	\$ 30.70
New Cashback Bonus Earned	+ 0.00
	+ 1.17

Cashback Bonus<sup>SM</sup> Since Anniversary Date of July 23: \$31.87

<b>Cashback Bonus Balance Available to Redeem</b>	<b>\$ 31.87</b>
	<b>\$ 20.00</b>

CONGRATULATIONS! Now that your award is \$20 or more, you can redeem it in \$20 increments by logging into the Account Center at Discovercard.com or by calling 1-877-YOUR-AWARD (1-877-968-7292).

### How Can We Help You?

Please have your Discover Card available.  
Manage your account online at Discovercard.com  
Customer Service: 1-800-DISCOVER (1-800-347-2683)

For Account Inquiries, write to us at:  
Discover Platinum Card, PO Box 30943  
Salt Lake City, UT 84130  
TDD (Telecommunications Device for the Deaf):  
For assistance, see reverse side.

### Transactions

\$0 Fraud Liability Guarantee Use your Discover Card with confidence.

	Trans. Date	Post Date		
Payments and Credits	May 13	May 13	PAYMENT - THANK YOU	\$ -75.00
Gasoline	May 1	May 1	AMOCO OIL 04456547 FLETCHER NC	15.50
Restaurants	Apr 29	Apr 29	RYAN'S 370 ASHVILLE NC	14.22
	Apr 30	Apr 30	RYAN'S 370 ASHVILLE NC	13.74
Other/Miscellaneous	May 23	May 23	CREDITSAFE PLUS INSURANCE 1-800-453-0280	25.07
Travel/Entertainment	May 1	May 1	FAIRFIELD INN-ASHEVILL FLETCHER NC	129.80

\* 10.



New Balance  
\$5,287.51

Minimum Payment Due  
\$147.00

Account Number 6011 0034 8751 8977  
Enter Amount Enclosed Below

Payment Due Date  
September 22, 2005

\$

Please make check payable to Discover Platinum Card. **You are overlimit. Pay the sum of the monthly minimum payment plus the overlimit amount of \$187.51.**

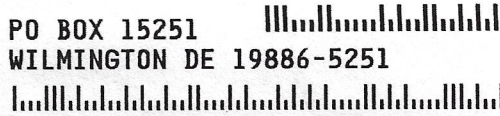
00091146 01 FP 0.371 T2 23 SDS4RB07 465

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## Discover Platinum Card Account Summary

Closing Date: August 23, 2005

page 1 of 2

Account Number 6011 0034 8751 8977  
Payment Due Date September 22, 2005  
Minimum Payment Due \$147.00  
Credit Limit \$5,100.00  
Credit Available \$0.00  
Cash Credit Limit \$2,600.00  
Cash Credit Available \$0.00

Previous Balance \$4,006.47  
Payments And Credits - 91.00  
Purchases + 1,117.68  
Cash Advances + 164.50  
Balance Transfers + 0.00  
**Finance Charges** + 89.86  
New Balance = \$5,287.51

You may be able to avoid Periodic Finance Charges, see the reverse side for details.

### Cashback Bonus<sup>®</sup> Gas & Auto

Opening Cashback Bonus Balance \$ 32.63  
New Cashback Bonus Earned + 14.63  
**Cashback Bonus Balance Available to Redeem** \$ 47.26  
\$ 0.00

Cashback Bonus<sup>®</sup> Since Anniversary Date of July 23: \$14.63

### How Can We Help You?

Please have your Discover Card available.  
Manage your account online at [Discovercard.com](http://Discovercard.com)  
Customer Service: 1-800-DISCOVER (1-800-347-2683)

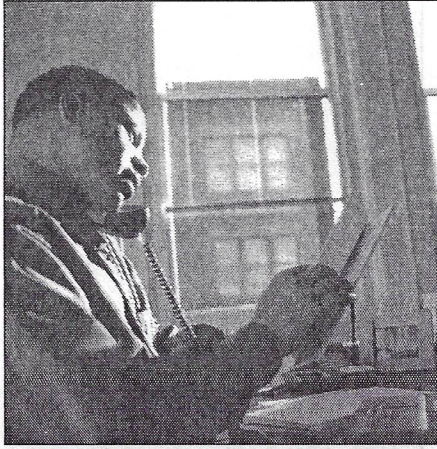
For Account Inquiries, write to us at:  
Discover Platinum Card, PO Box 30943  
Salt Lake City, UT 84130  
TDD (Telecommunications Device for the Deaf):  
For assistance, see reverse side.

### Transactions

\$0 Fraud Liability Guarantee Use your Discover Card with confidence.

	Trans. Date	Post Date		
Payments and Credits	Aug 6	Aug 6	PAYMENT - THANK YOU	\$ -40.00
	Aug 12	Aug 14	DAVE & BUSTERS #32 ISL ISLANDIA NY	-51.00
Gasoline	Jul 27	Jul 27	PETRO EXPRESS #49 CHARLOTTE NC 9800075042	25.00
	Jul 28	Jul 28	PETRO EXPRESS #12 CHARLOTTE NC 9800026053	36.00
	Jul 31	Jul 31	PETRO EXPRESS #35 CONCORD NC 9800064054	36.00
Merchandise/Retail	Jul 27	Jul 27	TJMAXX #0435 CHARLOTTE NC	24.72
	Aug 6	Aug 6	FLYNN & OHARA UNIFORM CHARLOTTE NC	151.50
	Aug 7	Aug 7	OMEGA SPORTS #8 CHARLOTTE NC	91.80
	Aug 20	Aug 20	DICKS SPORTING GOODS 2 PINEVILLE NC	32.18
	Aug 20	Aug 20	RUGGED WEARHOUSE CHARLOTTE NC	110.63
Restaurants	Jul 27	Jul 27	MCDONALD'S F26445 ROCK HILL SC	8.96
	Aug 1	Aug 1	DAVE & BUSTERS #32 ISL ISLANDIA NY	51.00
	Aug 12	Aug 12	JILLIAN #36 CONCORD NC	51.00
Other/Miscellaneous	Aug 22	Aug 22	LATE FEE	39.00
	Aug 23	Aug 23	CREDITSAFE PLUS INSURANCE 1-800-453-0280	35.39
	Aug 23	Aug 23	OVERLIMIT FEE	35.00
Gasoline	Aug 6	Aug 6	SHELL 21957541359105 CHARLOTTE NC	20.00

\* 10.



**Real answers from real people.**

When you have a question or concern about your Discover® Card Account, we're here. 24 hours a day, 7 days a week. And you won't get caught in an endless automated voice loop—you'll be connected to a friendly, knowledgeable Customer Service Representative in less than a minute. It's just one of the ways we put you first.

Call us at **1-800-DISCOVER (1-800-347-2683)**.

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**Closing Date: August 23, 2005**

page 2 of 2



<b>Cash Advances</b>	Aug 4	Aug 4	EASTLAND CHARLOTTE NC	82.00
	Aug 4	Aug 4	CASH ADVANCE TRANS FEE FINANCE CHARGE	5.00
	Aug 6	Aug 6	PLAZA OFFICE CHARLOTTE NC	82.50
	Aug 6	Aug 6	CASH ADVANCE TRANS FEE FINANCE CHARGE	5.00
<b>Medical Services</b>	Jul 27	Jul 27	UNIVERSITY PEDIATRICS CHARLOTTE NC	10.00
	Aug 5	Aug 5	UNIVERSITY PEDIATRICS CHARLOTTE NC	10.00
<b>Department Store</b>	Aug 6	Aug 6	JCPENNEY STORE 2433 PINEVILLE NC	30.07
	Aug 20	Aug 20	HECHT'S #77 PINEVILLE NC	110.53
	Aug 20	Aug 20	JCPENNEY STORE 2433 PINEVILLE NC	85.98
	Aug 20	Aug 20	JCPENNEY STORE 2433 PINEVILLE NC	20.96
	Aug 21	Aug 21	SEARS ROEBUCK 1646 PINEVILLE NC	19.61

**Information For You**

Your account is past due. Please pay your minimum monthly payment plus the past due amount.

Discover Bank Money Market and CD Account rates consistently beat national averages!\* View our rates at Discoverbank.com, or call 1-800-347-7000 to speak with an Account Manager. Open an Account today and mention code: SM0805M. Member FDIC. \*Based on comparison of rates reported in a recent survey of financial institutions by BanxQuote.com.

Paying your Discover(R) Card bill online at Discovercard.com is the fastest, most convenient way to make your monthly payment. All you need is your checkbook – enter your banking information once during sign-up and you'll never have to enter it again. Visit the Account Center at Discovercard.com and you can begin making payments right away.

Discover Financial Services is once again proud to support the Juvenile Diabetes Research Foundation's Walk to Cure Diabetes. Help us raise even more money to fund research for a cure by participating in the Walk or donating your Cashback Bonus(R) to JDRF. A cure is within reach. To learn more, visit Discovercard.com or www.jdrf.org.

**Finance Charge Summary**

Balance Transfer offer for current billing period: Daily Periodic Rate: 0.05614%; corresponding ANNUAL PERCENTAGE RATE: 20.49%. Rate is subject to the terms of the offer including expiration.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 31 days						
Purchases	\$4467.50	0.05614%	20.49% V	20.49%	\$77.76	none