

STATE OF SOUTH CAROLINA
County of Sumter

) In the Court of Common Pleas
) X.

TherL Taylor, Pro Se

Plaintiff,

AFFIDAVIT OF SERVICE

vs.

Charles Brooks, John & Jane Doe,

Defendants.

RECEIVED

JUN 21 2013

SC Court of Appeals

1. I am the Pro Se Petitioner captioned above.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance and method of Service by mail.
3. I have this day served a copy of original April 2nd, re-wrote April 15th, 2013, Correspondence, Summen and the original and one copy of my ProSe 19 page Complaint in the above-captioned matter on the following person(s) by depositing same in the United States mail, postage prepaid:
MS. Barbara Sharper, Deputy Clerk @ the Sumter County Court of Common Pleas, 141 North Main Street Sumter, S.C. 29150, for filing.
Affiant certifies the aforementioned statement is true and correct.

Affirmed To and subscribed on

Respectfully

15 day of April 2013

Virginia Bus
Notary Public for South Carolina
My Commission Expires

[Signature]

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER)

In the Court of Common Pleas

TherL Taylor,)

PLaintiff,)

VS.)

SUMMONS

Charles Brooks, Jane and John Doe,)


Defendants.)

YOU ARE SUMMONED and required to Answer the allegations of the attached Complaint with supporting documentation within thirty (30) days from the first day after receipt of this SUMMONS.

If you fail to Answer within the prescribed time, a Judgment by Default will be rendered against you for the Relief sought.

April 2nd, 2013

Respectfully,


TherL Taylor

STATE OF SOUTH CAROLINA
County of Sumter

22 } In the Court of Common Pleas

Ther L Taylor, Pro Se
S.C. Code § 10-5-80

Plaintiff,

COMPLAINT
[Jury Trial Requested]

Charles Brooks, Jane & John Doe,

Defendants.

~~Plaint~~

NOW COME Plaintiff ("Plaint."), herein complaining Defendants ("Def.")
would respectfully show unto this Honorable Court:

1.) PLaint., Pro Se invokes this State Tort Complaint pursuant to the South Carolina Tort Claims Act, S.C. Code § 15-78-10 through § 15-78-500, to present, the South Carolina State Constitution, applicable case law stated herein and that will be developed subsequent to filing and service primarily through a fair "Discovery Process". A genuine development of the record will fairly aid in the resolution of the pertinent frank simple issues involved.

1.1) In accord with S.C. Civil Rule 1, PLaint. seeks a speedy and inexpensive determination of every cause of action set forth herein.

1.2) PLaint reserves the right to timely Amend this Action.

1.3) In accord with S.C. Civil Rule 38(a) & (b), Plaintiff demands a Jury Trial upon all Causes triable by ~~law~~ right in pursuant of Truth and Justice.

JURISDICTION

2) Plaintiff certifies that he is a United States Citizen and at all times relevant to this Bill of Complaint is a person incarcerated within the South Carolina Department of Corrections ("SCDC").

Plaintiff is under the [C]are, supervision and control of SCDC and its employee[s].

2.1) Plaintiff's present mailing address is: Allendale Institution, F-1-B#21
PO Box 1151 Fairfax, S.C. 29827.

PARTIES

3) Charles Brooks ("Brooks") is primarily the most liable defendant (Hereinafter "Def.") and Brooks interchangeably for identification.

3.1) Defendants #2 and #3 Captained "John" and "Jane" Doe, whose true name is unknown are specifically referred as "Does", for purpose of clarifying separate defendants.

True identities should be revealed upon just discovery.

4) Plaintiff respectfully reserves the right to submit additional facts and further information in support of this Action once a thorough investigation is completely conducted to properly and diligently prosecute and exercise discovery as this particular case is fairly litigated.

5) The injuries and damages herein and Amended were proximately caused by the gross negligent, negligent, recklessness, careless actions, omissions, willful, egregious, wonton and unlawful wrongdoing by Brooks and Does independently and collectively in several of the following particulars, including but not limited to wit:

- a) In failing to uphold the Integrity and proper Administration of Justice;
- b) Polluted the Administration of Justice;
- c) By discriminating against Plaintiff;
- d) In failing to properly train, properly instruct, appropriately educate and properly supervise subordinates;
- e) In failing to protect Plaintiff from harm by third parties;
- e) By failing to use reasonable due care;
- f) By totally disregarding Plaintiff's legal rights and specific wishes;
- g) In failing to use fundamental competence, common sense, intelligent judgment and/or reasonable decision making;
- g.1) In failing to use good judgment to the best of Def's ability;
- g.2) In failing to perform Basic or any investigations;
- h) In failing to be competent during [alleged representation];
- i) Lacked thoroughness;
- j) Ignored and attempted to cover up conflict of interest;
- j.1) Improperly willfully concealed other relevant matters from Plaintiff;
- k) Def's independently and collectively deliberately ^{was} prejudiced against Plaintiff's legal issues;

- 1) Made false statements of material facts;
- m) Was deceptive;
- n) Dishonest;
- n.1) manipulative;
- o) By violating several particulars of Rule 407 of the Professional Rules of Conduct, specifically:
 - i) Not competent in actions and omissions;
 - ii) Not diligent during unwanted, unrequested technical representation (1.3)
 - iii) Not prompt;
 - iiii) Did not maintain essential, basic ~~communication~~ ^{communication} with PLaint.;
 - v) Further breached PLaint.'s confidentiality (1.6)
 - vi) Defendant violated Rule 1.7, Conflict of Interest;
 - vii) Violated Rule 1.16;
 - viii) Violated 2.1
 - viiii) omitted by PLaint. ⁱⁿ
 - x) Infringed 3.4 and 5.3
 - xi) Violated 8.1
 - xii) and repeatedly violated 8.4.
- p) Violated Statutory and Common Law, namely S.C. Code § 40-5-830
*See Amendment For other statutory and Common Law Violations.
- P.1) Violated S.C. Rules of Civil Procedure 30(j);
- P.2) Violated substantive and procedural Law;
- P.3) Violated South Carolina Rule civil Procedure 71.1(f)

- q) By violating the South Carolina Lawyer oath to practice law;
- r) By violating American Bar Association Standards;
- s) ~~Violated~~ Ethical Obligations to Plaintiff;
- s) was neglectful in Plaintiff's legal matters entrusted to him once the attorney/client relationship was officially "technically" established;
- s.1) Neglected Plaintiff to [E]ntinue self representation;
- t) Failed further by not following Plaintiff's directives and decision making;
- t.1) Failed to adhere to Plaintiff's wishes to be excommunicated from [P]laintiff's case;
- u) Failed to fully establish a complete record;
- v) Def. or Does intentionally mailed Plaintiff illegible photocopies of some documents mailed by Def.s were fraudulently manipulated. Even another person's (assumed former client) case and private information was mailed to Plaintiff by Def.s.
- w) omitted by Plaintiff.
- x) Failed to proffer or call any witnesses as was his responsibility; *see original.
- y) Neglected to produce any evidence during the partial hearing;
- z) Failed to officially re-file or otherwise preserve Plaintiff's two (2) PCRA Amendments and supporting documents;
- z.1) Willfully and deliberately abused his position to take advantage of Plaintiff;
- z.2) Def. and Does committed several dereliction of duties;
- z.3) Disloyal to Plaintiff, in which owed and entitled from Brooks to Plaintiff;

- 2.4) Breached attorney/client privilege;
- 2.5) Breached confidentiality;
- 2.6) Violated conflict of interest;
- aa) Def. failed to pursue any PCRA discovery;
- bb) Def. failed to even request a "Discovery Hearing" prior to the partial Evidentiary Hearing;
- cc) Def. failed to initiate depositions;
- dd) Def. deliberately and willfully intimidated PLaint.;
- ee) omitted by PLaint.;
- ff) Def. deliberately instilled a further lack of confidence within PLaint.;
- gg) Def. failed miserably in being a lawyer [for] his client;
- hh) Def. failed as an "Advisor" to provide PLaint. with an informed understanding of PLaint.'s legal rights and situations, nor explained their practical implications;
- ii) Def. failed to act as an "Evaluator" by truly examining PLaint.'s relevant legal affairs and reporting significant findings back to PLaint.;
- jj) omitted by PLaint.;
- kk) Def. intentionally harassed PLaint.;
- ll) Def. detrimentally failed PLaint. in the "reasonable person" standard;
- mm) Def. also discriminated against PLaint. mainly because of his poverty and inability to promptly afford adequate legal assistance;
- nn) Def. failed to adequately and effectively research controlling case law opinions applicable to PLaint.'s position;
- oo) omitted by PLaint.;
- pp) Def. failed to maintain high standards of professional conduct and Ethics;

- qq) Def. failed to act professional;
- rr) Def. failed to properly act as a moderator;
- rr.1) Def. did not effectively communicate with Plaintiff, nor meaningful contact with Client Plaintiff.
- rr.2) omitted by Plaintiff.
- rr.3) Def. was not diligent in Plaintiff's obligations with case in question;
- ss) Def. willfully and deliberately committed plagiarism of Plaintiff's prose work product and totally disregarded the South Carolina Supreme Court's order;
- tt) Def. failed to be full and frank in communicating with Plaintiff;
- uu) omitted by Plaintiff;
- uu.1) Def. deliberately and willfully failed to meet with Plaintiff more than [once], for less than fifteen (15) minutes, prior to the botched hearing—especially in light of the lengthy wrongful sentence.
- vv) Def. failed to abide by Plaintiff's basic reasonable objectives or otherwise specifics;
- ww) Def. disregarded Plaintiff's authority regarding the outrageously poor 11th hour representation @ the botched hearing;
- xx) Def. failed to timely and reasonably provide Plaintiff with basic information and complete task, including but not limited to current applicable case law opinions;
- xx.1) Def. failed to or even attempt to preserve direct and PCR issues at state's highest Court in order to present to Federal Court, i.e. exhaustion requirement;

- yy) Def. intentionally withheld relevant facts from Plaintiff;
- zz) Def. neglectly drafted documents;
- aaa) omitted by Plaintiff;
- bbb) Def. did not question the other trial attorney, M appointed for jury trial nor the Appointed Appellate Attorney, that was ^{essential} significant to the Ineffectiveness of Appointed Indigent Appellate Counsel claims Brooks mishandled;
- ccc) Def. failed to submit any Affidavits, interview or perform depositions @ hearing;
- ccc.1) Def. failed to develop and/or ask basic questions during the Sole testimony of adverse witness Michael Matthews;
- ccc.2) Def. further failed to specifically ask Matthews particulars to big ticket issues presented within Plaintiff's Pro Se PCRA;
- ddd) Def. refused to protect Plaintiff's best interest;
- eee) Def. breached Plaintiff's one(1) bite of the apple, this one(1) opportunity and rights to fairly present and fully argue all cognizable issues;
- fff) omitted by Plaintiff;
- ggg) Def. failed to submit a requested proposed order as did opposing counsel, as a paid Attorney would, or at least critic improving to timely present Plaintiff's Pro Se proposed order and post order work, including simply responding to Plaintiff's concerns during crucial time period. Def. failed to make ANY corrections to Special Judge Brooks Goldsmith's 34 page PCR dismissal decision;

- hhh) Def. failed to file, requested by Plaintiff. Cognizable legal issues and necessary Rule 59(e) Motion to Alter or Amend the PCRA Judge's orders for appropriate adjudication and preservation.
- hhh.1) Def. failed to carefully review or otherwise meticulously challenge or attempt to correct and clearly clarify illogical statements and object to facts that were not true;
- iii) Def. failed to object to issues that were not presented by Plaintiff, and establish for record by clarification grounds that may appear unclear;
- iii.1) Def. neglected to challenge PCR Judge's errors of incorrect specific findings of fact as well as truthfully make legitimate conclusions of law;
- jjj) Def. deliberately failed to file a Motion to Address ALL issues presented, as repeatedly requested;
- kkk) Def. failed to enforce S.C. Code Ann. § 17-27-80;
- kkk.1) Def. failed to fully establish and enforce S.C. Code Ann. § 40-5-80;
- lll) Def. failed to provide adequate and satisfactory legal services;
- mmm) Def.'s delay delivering Plaintiff's legal Mail untimely hindered him to properly challenge the correctness, inaccuracies and incompleteness of the partial PCR hearing transcripts;
- nnn) Def. failed to adequately argue ineffective assistance of appellate Counsel. Issues were cognizable under such procedure. Def. failed to clarify Plaintiff's true intent and real facts;
- ooo) Def. violated created Rules of Standard of care professionally;

000.1) Def. did neglect his responsibilities and duties compromising the independence of the legal profession;

PPP) Def. demonstrated an unfitness to practice law;

ADDITIONAL INCORPORATED FACTS

6) On September 25th 2008, Plaintiff, Pro Se, exercising S.C. Code Ann. § 40-5-80, applying Feratta v. California, 422 U.S. 806 (1974) and other applicable Self-presentation Laws, timely commenced an thorough Post Conviction Relief Application (PCRA), Case Number: 2008-CP-46-3756, with Ninety-six (96) supporting documentative Exhibits, Affidavits, Brief with Memorandum of Law and other subsequent litigious information... to legally, truthfully and justly challenge his wrongful conviction after a botched Jury Trial.

Plaintiff ("Plaint.") was and is currently provided competent legal advice [on Plaintiff's behalf] from professional friends, some attorneys, authorities and associates, prior to and during litigation to present.

Specifically, negotiations by phone, mail, by visitation and e-mails were exercised to retain private legal representation with whom Plaintiff felt and strongly believed most comfortable with, and trusted, attorney, Rauch Wise ("Wise") rather have Plaintiff [continue] pro se competent representation. E

6.1) Wise was instrumental assisting Plaintiff prior to the South Carolina Supreme Court's unanimous reversal of Plaintiff's wrongfully convicted criminal case. E

Wise visited PLaint. @ Kershaw Institution, appeared @ oral arguments November 6, 2001, and corresponded numerous times with PLaint.

Some of PLaint's family also communicated with Wise by phone, by e-mail, as well as in person. Significantly, weeks and days prior to the evidentiary hearing underscoring this action. E Wise convinced PLaint. and admitted he was professionally representing PLaint. .

6.2) Seasoned attorney Wise and PLaint. were in the process of clarifying particulars, in writing, the simple terms and conditions of legal representation for a clear meeting of the minds agreement from PLaint's view or otherwise position, he and his family advised Wise of specifics which basically required the following consented terms between Wise and PLaint. before a commitment of \$5,000.⁰⁰ to \$7,000.⁰⁰ would be arranged by PLaint. and family members as follows:

- i) For Wise to Amend PLaint's pending PCR/A case;
- ii) Crucial phone access with minimum of five (5) 15 minute conversations prior to the evidentiary hearing;
- iii) Work together in tandem preparing and presenting for hearing;
- iiii) Discuss possibility of expert witness;
- v) Photocopy no more than fifteen (15) case law opinions;
- vi) Two (2) contract meeting for 2-4 hours prior to actual hearing;
- vii) Have [E]videntiary Hearing continued until fully prepared.

6.3) PLaint. consciously commenced said Action Pro Se. E

PLaint. particularized and crystalized several cognizable meritorious issues.

PLaint. continued to competently, respectfully diligently and [S]incerely litigate [his] cause from the outset.

6.4) First "Respondent", Ashley McMahon submitted a return [To] Plaintiff's Pro Se PCR Action. Plaintiff filed and served a response [To] initial opposing counsel's Return titled, Applicant's Opposition to Respondent's Return.

6.4.1) Simultaneously by Registered Mail, Return Receipt Requested, Article number:

Plaintiff properly filed and served his First Amendment, additional Affidavits, a Subpoena for witnesses, a subpoena Duces Tecums, proposed order for private investigator and Extension For Sufficient Time to purposely present and clarify all legal issues at the Evidentiary to the York County Clerk of Court for Common Pleas.

6.5) Plaintiff filed, served and incorporated a Second and Final PCR Amendment.

6.6) Plaintiff was contacted by Respondent's insisted involvement of attorney Micheal Howe "Howe" for Appointment to Plaintiff's case. Howe asserted a conflict of interest. Howe's involvement was without consent nor request. An unfair, surprised maneuver prejudicing the case. Plaintiff reiterated to Howe that "the only other alternative would be paid counsel of choice".

Additionally, Plaintiff advised Howe of his intent and previous efforts to hire attorney Wise, a private [paid] lawyer, "intimately familiar with Plaintiff's case since 2000".

6.7) Plaintiff did not request, nor seek to have his case turned over to a state interest or otherwise self seeking interest of state appointed attorney. Without pro se Plaintiff's participation, consent, ~~to effectively respond~~ request, or proper notification or any input or even an opportunity to be heard on the matter or respond, [His Case] was [surprisingly] "handed over" to primary "go to" Defendant Charles Brooks "Brooks" . . . Causing the action @ hand.

Defendent Brooks forcefully became PLaint.'s appearance of technical attorney of record. A mere front.

6.7.1) In a fraudulent attempt to "justify" Brooks continued alleged, as Def. stated, "technical" representation". Def. mailed PLaint. a string of generic, inapplicable formal letters simultaneously.

PLaint. adamantly asserts deficient prejudicial legal representation.

~~6.7.2~~ Strikingly, several documents forwarded by Def. did not coincide with PLaint.'s Case. E

Def. neglectly mailed another person's personal information, case history and other confidential data [to PLaint.].

6.8) Once again and most importantly, once it was verified that Def. was forcefully and suprisingly representing PLaint.. PLaint. made very clear to Def. that he did not want Def. involved in [his] case WHATSOEVER, was fully aware of the dangers, and due to personal knowledge and upon information and strong belief of repeated wrongdoing by Brooks and his associates.

6.9) PLaint. clearly expressed his continued intent to "re-waive" any and all rights for indigently appointed - decisively selected attorney under the Indigent Defense Act, and other applicable laws.

PLaint. further clarified that his decision was knowingly and voluntarily made that he [c]ontinue representing himself Pro Se.

PLaint. repeated that the only alternative regarding representation would be to specifically have private paid attorney. Money was certainly a factor to the degree of professional legal services.

7) The injuries are set forth in specialized particular fashion above and will be further developed and established upon appropriate discovery. Damages are included but not limited to: Botched Evidentiary hearing, detrimentalized legal proceedings, cost, United States 6th Amendment violation and above listed damages within face of Complaint. Plaintiff realleges and incorporates by reference numbers 1 through 6.

LEGAL MALPRACTICE/GROSS NEGLIGENCE

7) Def. breached one or more of the previously asserted particulars and/or specific facts which proximately caused Plaintiff injury and damages. Plaintiff realleges and incorporates by reference numbers 1 through 6.

CIVIL CONSPIRACY

7.2) Again, "persons" are Charles Brooks, employees, Jane and John Does, sub-contractors, independent contractors and opposing counsel and associates in opposition to the case Brooks was involved of which Plaintiff was wrongfully convicted.

Plaintiff realleges and incorporates by reference numbers 1 through 6.

OUTRAGE

(Intentional Infliction of Emotional Stress)

7.3) Def. intentionally or otherwise recklessly inflicted severe distress or otherwise was certain or substantially certain that such distress would result from his actions and inactions.

such behavior was so extreme or otherwise offensive as to exceed all possible bounds of decency and must be regarded as

exceptionally bad and intolerable civilly.

The direct and indirect conduct by Defendants caused the Plaintiff, emotional distress. The emotional distress suffered by Plaintiff, was so severe that no reasonable person could be expected to endure it.

Plaintiff realleges and incorporates by reference numbers 1-6.

Based on the aforementioned numbered statements and prior paragraphs independently or otherwise collectively, defendants have ... in fact genuinely violated one (1) or more Tort/Cause of Actions,

BUT FOR Defendants actions and omissions, more than a preponderance of evidence exist that Plaintiff would secure Relief on current wrongful conviction that Def. was involved as a proximate result of engaging this Action.

Def. impliedly misrepresented he possessed the required degree of skill, competence and that he exercised his best judgment in the prosecution of the litigation entrusted to him.

Further Def. did not exercise reasonable and ordinary care and diligence in the use of his skill in the application of such Knowledge and dispatch adequately to prosecute [his] client's cause pursuant to the Plaintiff's desires and decisions.

By reason and in consequence of the aforementioned acts and/or omissions of Defendants listed herein and supporting documentation, Plaintiff has and continues to suffer serious injuries, damages, including BUT NOT LIMITED TO severe anguish, psychological trauma, severe anxiety, stress, physical injury, frequent headaches, nightmares, enjoyment of life, as well as other harm which will be developed during proper discovery.

BUT FOR Def's actions and inactions Plaintiff would not have ever been prejudiced.

UPON KNOWLEDGE, INFORMATION AND STRONG BELIEF:

Above phrase is hereby incorporated at beginning of each letter a)-h).

a) Def. ~~had~~ had numerous grievances or complaints or attempts at such by other wronged or otherwise violated by appointment of Brooks engaging an attorney/client privilege, mainly indigent persons of which technical forced clients were adversely affected by Brooks actions & omissions.

a.i) Def. has had the Lion's share of "go to" PCR cases, several disciplinary allegations and financial dispute board investigations, inter alia.

b) Monies were a factor toward the degree of legal representation and an issue regarding Def's continuing deficient, poor legal service respecting Plaintiff's case

b.i) Plaintiff meticulously and competently reviewed and carefully analyzed other violated dissatisfied "wrong" appointed PCR cases, including but not limited to trial transcripts, Appellant & Respondent's Brief, PCRA transcripts, South Carolina Supreme Court disciplinary misconduct complaints, attempted tort complaints and other relevant litigation as well as voluminous documents of other individuals forced at a detrimental disadvantage connected to or related with Defendant Brooks.

c) Jesus Santana, # 318166, asserts he was unwilling compelled Brooks' technical - shoddy legal representation. Santana avers he was adamantly dissatisfied and complained about Def's partly deficient - ineffective appointed representation.

The majority of Santana's grievances were based upon Def's neglectful actions and omissions in performing "Basics" of attorney/client relationship matters. Brooks used his position to cause harm - basically unchecked.

Santana states Def, Charles Brooks was elusive and deceptive. Santana was forced to seek private - paid counsel. Def. profusely violated Santana's loyalty respecting Attorney/Client relationship and Rules of Professional Conduct. Def. prejudiced and did not protect his best interest.

Santana drafted an Affidavit but subsequently admitted that he was "scared to follow through" due to fear of retaliation because his "case" was still pending.

d) Edwin Garrison ("Garrison") was greatly displeased, dissatisfied and adversely affected by Def.'s failed - ineffective performance. Garrison states Def. neglected to present all cognizable legal issues for proper legal adjudication. See Exhibit A, Edwin Garrison's SWORN AFFIDAVIT.

e) Bryan Rayfield ("Rayfield") was compelled to promptly switch forced appointment by Brooks because of "gross incompetence". Rayfield expressed fears to Plaintiff, and others that because his case is in the S.C. Supreme Court and he now as paid counsel "may" adversely impact his case on appeal.

Rayfield offered an affidavit and is willing to participate in the case @ hand when ripe for discovery. Plaintiff has the Rayfield notarized document.

f) Ron Mayron ("Mayron"), #298212 was grossly prejudiced by Def.'s ineffective representation. E

g) Terrance Adams ("Adams"), #229365 alleges Def. violated his Sixth Amendment, among other illegal breaches. E

h) J. B. Morgan ("Morgan") gathers intelligence upon Def. in this case and will bring to light upon litigation or otherwise Public Trial if necessary.

h1) Defendant Brooks is the "go to" attorney for the majority of [In]-diligently filed - prose PCRA cases, whether by initial appointment under the guise of "substitute counsel", or forced ineffective representation, inter alia. The appearance of Def. has "attorney of record" on the surface but injurious below the surface.

h.2) Def. assist opposing counsel adverse to [clients] and protects to accomplish the oppositions interest more than [his] clients best interest,

I. BUT FOR Defendant's detrimental involvement in Civil Case No. 2008-CP-46-3756, the case @ hand would not have been filed. 3756 is [pending] before the Court of Appels after remand from the [Page 17 of 19] S.C. Supreme Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that this honorable court enter a just and fair Judgment granting the following RELIEF:

- a) A Declaration that acts and omissions described herein violated Plaintiff's rights, to include a United States Constitution, Sixth Amendment to Effective assistance of substitute, unwanted counsel;
- b) Reimbursement of [State] Indigent Defense Fund Tax Payers monies;
- bii) Violation of Legal Malpractice, or otherwise Gross Negligence, Civil Conspiracy and Outrage State Tort Law;
- c) Compensatory damages in the amount of \$1,000.00 against each defendant, jointly and severally;
- d) Punitive damages in the amount of \$1.00 - Principle;
- e) A fair Jury Trial on all issues triable by Jury;
- f) Plaintiff's cost in this suit;
- g) Full Evidentiary hearing - Pro Se or paid loyal Counsel;
- h) Injunctive relief, in that a declaration that all defendants ordered and declared that Charles Brooks connected involved associates never be involved in any of Plaintiff's future litigation or private business whatsoever. No Contact.
- i) Any additional relief this honorable court may deem just, proper and equitable.

VERIFICATION

Plaint., pro se. have read the foregoing Complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on Information and Belief, and as to those, I believe them to be true.

I certify under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Thad Taylor

INMATE TRUST FUND ACCOUNT REPORT
for SOUTH CAROLINA COURT FILING FEES

Attachment A / Affidavit

RECEIVED

X2

INSTRUCTIONS TO INMATE: Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

NOV 13 2012

MAIL ROOM

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

INMATE NAME (print): Mr Ther L Taylor

SCDC # 260,961 INMATE SIGNATURE: Ther L Taylor

I plan to file this action in the SC County of Richland or other

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period* \$ 36.78
- (2) Twenty percent (20%) of line 1 \$ 7.36
- (3) Account balance - current date \$ 15.46
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3)
Enclosed check # \$ 0

\$15 to fee

**NOTE to COURT: If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections
Financial Accounting - Room 234
PO Box 21787
Columbia, SC 29221-1787

*Admission date is noted here if inmate incarcerated less than six months ____/____/____

[Signature]

11/16/12

Received Nov. 26th, 2012, by Mr. Herdon @ 8:15 PM.

I, Edwin Garris Amerson, Hereinafter "Affiant" first being duly sworn, do hereby make the following assertions:

1) Affiant expended all his money and assets including thousands of dollars from his brother Earl Amerson money to hire attorney Saley Cox -\$25,000.00 for trial on criminal charges.

2) Affiant was appointed Nation's "Fowl" after submission of Affiant's pro se PCR Application. Affiant communicated with Fowl by mail only.

After four months, Charles T. "Brooks" was allegedly "substituted" and claimed to be "ready for court". Brooks appeared in court unprepared.

Affiant was mailed an "order substituting counsel" filed "May 19, 2009". Affiant was not permitted to have any input on the matter despite opposition to Charles Brooks taking action to obtain Affiant's representation.

3) Affiant Amended his PCRA "filed September 9, 2009" with the County Clerk of Court. Affiant's Hearing was held September 9, 2009.

4) Brooks refused to meet or otherwise visit with Affiant at the Broad River Institution, the same area where Brooks' business office is located. In fact, Brooks met with Affiant once for less than 20 minutes, the day of the Evidentiary Hearing.

5) Brooks refused to speak with Affiant by phone at all times.

6) Brooks failed to properly request funding for expert witness fees, according to SC Code §17-27-80 for specific findings of fact.

7) Brooks failed to call Affiant's proffered requested witnesses, including but not limited to Jerry Watford & Earl Amerson. Both were present at said Hearing.

Furthermore, Brooks even failed to secure any Affidavits for the PCR Court's consideration that supports Affiant's best legal position and heavy burden.

Affiant had a total lack of confidence in Brooks' legal performance.

8) Brooks failed to file a MOTION TO ADDRESS ALL COGNIZABLE ISSUES. ***

Furthermore, Brooks failed to properly file a "critical timely" 59(e), SCRPC Motion. Brooks failed to notify Affiant of the ten (10) day rule under 59(e).

Affiant is willing to be interviewed or answer any questions the ODC or other appropriate authoritative agencies may seek in investigations against Brooks.

Respectfully submitted,

Sworn to before me this: 21 day of Apr, 2010.

Eugene Keith

Notary Public for South Carolina

My Commission Expires: 2010

327139
Edwin Amerson

Exhibit

X 2

Attachment B

1, Terrance Adams, (Hereinafter Affiant) first being duly sworn depose the following assertions:

1) Attorney Charles "Brooks" appeared to effectively represent Affiant during a crucial Civil Hearing November 5, 2009. Brooks refused to look out for Affiant's best legal interest. Brooks failed to review and utilize a videotape in his possession that perjured a police officer's testimony. During the Evidentiary Hearing Brooks inappropriately gave the tape [evidence] over to opposing counsel for the South Carolina Attorney General Office. Brooks assisted opposing counsel and the PCR Judge to rule in favor of the State. Brooks breached Affiant's one opportunity to fairly present and persevere all cognizable issues according to the Law in [S]tate Court.

2) Brooks rejected Affiant's wishes in regard to representation.

Brooks failed to vindicate Affiant's [c]ause.

3) Brooks denied affiant true Justice during Brook's alleged legal representation.

4) Brooks disregarded Affiant's authority in regard to Affiant's proper presentation prior to and during the Evidentiary Hearing.

5) Brooks demonstrated incompetence during his [a]lleged effective representation. Brooks was inadequate for the purposes of said hearing.

Brooks lacked thoroughness and was wholly unprepared during his alleged effective representation. Brooks was not proficient in Affiant's legal matters.

Knowing the critical importance at stake, Brooks failed to adequately represent Affiant to obtain Relief.

6) Brooks also failed to abide by Affiant's decisions specifically concerning the objectives of representation.

Furthermore, Brooks failed to consult with Affiant as to the specific means by which Affiant's legal needs were to be pursued.

A clear distinction existed between Affiant's objectives and Brooks failure thereof.

7) Affiant asserts that due to his inability to pay for legal services Brook's knowingly neglected to represent Affiant appropriately.

8) Brooks was grossly not Diligent in what Brooks's described as "techcially, vigorously representation." Brooks was unprompt during Brook's alleged representation by ignoring or otherwise rejecting Affiant's valid objectives.

9) Brooks failed to effectively communicate with Affiant. Furthermore, Brooks failed to timely and reasonably provide Affiant with basic information including but not limited to current case law opinions, answer simple questions prior to the Hearing and keep Affiant reasonably informed of status. In addition, Brooks failed to explain matters [anything] to Affiant despite repeated request. Brooks withheld relevant facts from Affiant.

10) Brooks failed to file a Motion To Address All Issues.

11) Brook's also failed to file the required 59(e) SCRAP in order to have Affiant's meritorous issues specifically ruled upon according to S.C. Code §17-27-80.

12) Affiant contends that Brooks performance constituted Legal Malpractice. Affiant further sayest not.

Squarely submitted,

Terrance Adams

Sworn to before me this 28th day of April, 2010.

Susan J. Johns

Notary Public for South Carolina
My Commission Expires:

My Commission Expires
March 5, 2018