

**RECEIVED**

**May 22 2023**

**SC Court of Appeals**

*Bismillah....*  
**NOTICE OF CASE IMPACT**

**GOVERNING LAW**

The Omnibus Adult Protection Act, S.C. Code of Laws §43-35-5 governs adult protection. Elijah Hunter may have suffered neglect, physical abuse and financial exploitation by his caregiver and/or “Attorney-In-Fact” Cynthia Owens based on the following fact pattern.

**CAREGIVER NEGLECT**

1. On 17 May 2023 at approximately 3:30 p.m., a deputy sheriff from the Sumter County Sheriff’s Office came to my mother’s residence.
2. The deputy informed my family and I that Elijah Hunter (“Elijah”) was found walking southbound down Hwy. 261 N in the hot sun pushing his wheelchair in front of him.
3. The deputy officer asked if he was kin and if I would provide him assistance getting him home because it was dangerous for him to be walking on the road. Without hesitation, I grabbed my keys, purse and followed the deputy in my car to where Elijah was. When I reached Elijah, he said he was coming to see me! The deputy and I folded his wheelchair and loaded it into my trunk. Elijah got in my car’s passenger front seat.
4. I told the deputy I was ejected and could not go directly on the property because I could be arrested for criminal trespass. The deputy said since he was accompanying me, I could drive Elijah home onto the family estate at 3400 Highway 261 North, Rembert, SC 29128.
5. When we arrived, the deputy asked if there was running water and electricity in the dilapidated trailer. I told him I did not know because I not been on the property for more than 18 months ago. Elijah told the deputy he would stay in his grandmother’s old house, but it was clear from the exterior condition, the structure was unsafe and uninhabitable. There was also a small new trailer on the property where my grandfather’s house was demolished, but Elijah said he did not have the key and electricity was not turned on yet. I observed there was a wheelchair ramp installed. Elijah told me the ramp was put there by the Veteran’s Administration.
6. Elijah told us that he and Cynthia Owens (his girlfriend) had a dispute or argument about another paramour and his money. He asked her to bring him home and she did. She dropped him off at the trailer and left him there since Mother’s Day, four (4) days ago. He explained his cell phone did not have any minutes so he could not call anyone and he had no automobile for transportation.
7. Inside the trailer, I found a small room air conditioner on, but there was no running water in the trailer. I observed mold on the wall, missing floors covered by loose boards, a completely collapsed bathroom tub and sink, and most of the furnishings removed. Thus, the

trailer was in very dangerous condition to walk in and definitely was not safe for him to inhabit. Elijah suffered a stroke that he is still recovering from and is a slip and fall risk.

8. I asked him how he survived there since Sunday! He said it was getting hot there and that he had no phone and Owens refused to take him to the ATM machine to withdraw his money, so he decided to walk down the road to get my help. I knew I could not leave my elderly cousin in those conditions, so I told Elijah to come home with me he agreed.
9. We went back into the car, but two deputies were blocking the driveway and said Owens was on the way with durable power of attorney.
10. When Owens arrived, the deputies found she had a durable power of attorney for finances and/or limited power of attorney for business with Elijah Hunter, but not guardianship or conservatorship. Elijah told the deputies he wanted to go with me, his cousin and not return with Owens.
11. The deputies asked him to get checked out by EMS first since he was found in a vulnerable state on the road and later learned he was in the trailer alone without water since Sunday.
12. The EMS technician took Elijah into the ambulance to check his vitals. His blood pressure was a little high, but otherwise he was cleared. He told them he had a blood pressure pill in his waist pouch and that he takes it once a day in the morning. Then, EMS turned again to Elijah to ask him questions such as “Did he know who the president was?” “Who was the vice president?” “What month was it?” “What day of the week?” They were satisfied with his answers and asked him if he wanted transport to the hospital. He declined and EMS asked him to sign a release and the deputy officer signed the witness portion.
13. The deputies asked where Elijah would stay after this day. I told them he could stay with my family and I as long as he liked. Elijah also told them he would speak with his cousin Delores in New Jersey on his maternal side too. The deputies allowed my 91-year old cousin Elijah and I to leave the property, but advised me not to return without court order.

Here, I hold that Cynthia Owens exercised poor judgment when she knowingly and willingly left Elijah, a vulnerable adult, in an unsafe structure (an injurious environment) that she knew had no running water for four (4) days without any means to call his family members and friends and without access to transportation in rural area.

#### **PHYSICAL ABUSE—UNREASONABLE CONFINEMENT**

14. Elijah Hunter said he felt that he was held hostage by Owens because there was a security alarm installed in the house he stayed at and he was not permitted to open the door. He was instructed not to open the door because the police would come and was only allowed out when she would turn off the alarm. Also Elijah Hunter said he had to squeeze by a lot of antiques stored in the house where he resided.

Here, I hold that Elijah Hunter's account of Owens conduct may constitute unreasonable confinement because he was unable to enter and exit his place of accommodation due to the cluttered furniture and a security alarm he could not deactivate.

## FINANCIAL EXPLOITATION

15. On 18 May 2023, Elijah Hunter discovered the following from Wells Fargo Bank
  - a. That on the morning of 18 May 2023, Owens made an ATM withdraw of \$460 leaving Elijah Hunter only \$36.37.
  - b. That Owens removed \$1,000 on 28 April 2023 causing his account to be negative prior to the deposit of his VA benefits and Social Security. This also occurred on 28 February 2023.
  - c. That Owens took out two loans with some entity called "CashNETUSA" for \$500 each; had the loan proceeds deposited to their joint checking account and withdrew the monies using her debit card on 11 May 2023 and again on 17 May.
16. On 18 May 2023, Elijah Hunter revoked two documents giving Owens power of attorney over his finances and asked Wells Fargo to remove her from his account.
17. In addition, the public records for the Sumter County Register of Deeds show that Owens filed a "*Deed of Assignment and Transfer of Rights*" with Elijah Hunter on 18 September 2021 for all his rights, title and interests to the family estate located at 3400 Highway 261 North in consideration of \$10.

I will update the courts again as soon as possible on his efforts to get his clothing, mailbox key, books and personal belongings from the Owen home(s).

Respectfully,



I Am: Regina M. Hunter El

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A Natural Person, In Full Life, In Propria Persona, Sui Juris

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Cc:  
Supreme Court of United States  
U.S. Court of Appeals, Fourth Circuit  
United States District Court—District of  
South Carolina

Supreme Court of South Carolina  
S.C. Court of Appeals  
Sumter County Court of Common Pleas  
Sumter County Probate Court  
Sumter County Magistrate Court