

Exhibit A

STATE OF SOUTH CAROLINA

IN THE PROBATE COURT

RECEIVED

COUNTY OF YORK

CASE NO. 2023MH4600348

Nov 08 2023

EX PARTE:

FILED RECEIVED

SC Court of Appeals

John C. Anthony, Deputy Solicitor  
(Petitioner/Applicant)

2023 OCT 24

JUDGMENT AND ORDER  
SEE ADDENDUM A ATTACHED HERETO

IN THE MATTER OF:

Nathan Jarrod Thomas  
(A Person with Mental Illness)

CAROLYN E. WOODRUFF  
JUDGE OF PROBATE  
YORK COUNTY, SC

AND INCORPORATED HEREIN

After a full hearing on the issues involved herein and consideration of the testimony and record,

THE COURT FINDS, upon clear and convincing evidence, that the above-named person is mentally ill and because of his/her mental illness:

(Check as appropriate)

- 1. Lacks sufficient insight or capacity to make responsible decisions with respect to treatment; and/or
- 2. There is a likelihood of serious harm to the above-named person or others if the above-named person fails to comply with this Order

THEREFORE, IT IS ORDERED, ADJUDGED, and DECREED that:

(Check as appropriate)

- A. The above-named person shall be committed to N/A (a public, private, or VA mental health facility) for in-patient care and treatment as provided in S.C. Code § 44-17-580 or S.C. Code § 44-17-610.
- B. The above-named person shall be committed to Catawba Mental Health Center (a public, private, or VA mental health facility) for out-patient treatment for a period not to exceed 36 months as provided in S.C. Code § 44-17-580. The out-patient treatment facility shall report to this Court any failure of the above-named person to adhere to the prescribed out-patient treatment order or program. This Court shall retain jurisdiction over the above-named person to insure compliance with this Order, pursuant to S.C. Code § 44-17-580.
- C. The above-named facility is authorized to seek admission for the above-named person at N/A (a public, private, or VA mental health facility) and may transfer this patient to such facility without further order of the Court.

The notice required by S.C. Code Ann. § 23-31-1040 (a copy of which is attached to and made a part of this Order) has been provided to the person or his representative.

Dated this 24th day of

*Carolyn E Woodruff*  
Judge of Probate Court or Special Probate Judge for the Above Named County

October, 2023.

#1 CEW

ELECTRONICALLY FILED - 2023 Nov 07 1:56 PM - YORK - COMMON PLEAS - CASE# 2023CP4603526

**ADDENDUM A TO JUDGMENT AND ORDER**  
**ENTERED OCTOBER 24, 2023**

FILED RECEIVED  
2023 OCT 24 P 4: 03

STATE OF SOUTH CAROLINA  
COUNTY OF YORK

IN THE PROBATE COURT  
Case No.: 2023MH4600348  
CAROLYN E. WOODRUFF  
JUDGE OF PROBATE  
YORK COUNTY, SC

IN THE MATTER OF  
NATHAN JARROD THOMAS,  
A Person Found Incompetent  
To Stand Trial

**JUDGMENT AND ORDER**  
**FOR OUTPATIENT TREATMENT**

EX PARTE: John C. Anthony,  
Deputy Solicitor

THIS MATTER CAME ON FOR HEARING on September 1, 2023, pursuant to S. C. Code Ann. §44-23-430(2). On June 2, 2023, Circuit Court Judge Daniel D. Hall entered an Order on Nathan Jarrod Thomas's competency to stand trial following a Blair hearing. The Order is entitled "Finding of Lack of Competence to Stand Trial for the Forseeable [sic] Future and Ordering Probate Commitment Proceedings," and is hereinafter referred to as the Hall Order. The Hall Order included a reference to Thomas's evaluation for competence in a report dated May 8, 2023, and his previous hospitalizations. Thomas's charges include Murder, Possession of a Weapon During the Commission of a Violent Crime, and Grand Larceny.

The Hall Order directed the Solicitor to initiate judicial admission proceedings in the York County Probate Court. Deputy Solicitor John C. Anthony filed the Petition for Judicial Admission on June 20, 2023. Following the procedures outlined in S. C. Code Ann. §44-17-510, et seq., on June 21, 2023, the Court appointed attorney Thomas B. Roper as Thomas's counsel, and scheduled examinations at Catawba Mental Health Center (hereinafter referred to as CMHC) for August 10, 2023, which was the earliest date available from CMHC. The Court also appointed Dr. Christine Williamson and Crissy Bailey, LMSW as the Examiners, and scheduled the hearing for August 15, 2023. Thomas was served with copies of the Petition, the Notice of Examination and the Notice of Hearing on July 24, 2023.

Dr. Williamson and Ms. Bailey conducted the examinations on August 10, 2023, and forwarded their reports to the Court. Both Examiners had reviewed Thomas's medical records, in particular the May 8, 2023, evaluation by Dr. Samantha Horsley and Dr. Courtney Beussink of the South Carolina Department of Mental Health (SCDMH), which had been conducted pursuant

#2  
CEW

to a previous Order of the Circuit Court. Both Dr. Horsley and Dr. Beussink opined that Thomas was incompetent to stand trial. The CMHC Examiners disagreed about Thomas's treatment.

Ms. Bailey's report opined that Thomas is mentally ill but not to the extent that an Order for involuntary treatment is required.

Dr. Williamson's report diagnosed Thomas as having Schizophrenia, Unspecified, and recommended involuntary outpatient treatment. She noted a history of drug use, depression, suicide attempts and paranoid delusions.

Pursuant to S. C. Code Ann. § 44-17-540, if two examiners disagree, the Probate Court is to either terminate the proceedings or designate a third psychiatrist/examiner. The Court appointed Dr. Katie Chambers, a psychiatrist, as the third examiner and rescheduled the hearing for September 1, 2023.

Dr. Chambers conducted her examination on August 30, 2023. She found Thomas to be mentally ill with a diagnosis of a severe and recurrent major depressive disorder, PTSD, and general anxiety disorder, and recommended involuntary outpatient treatment.

Present in the courtroom on September 1, 2023, were Deputy Solicitor John Anthony, Thomas's Public Defender Mark McKinnon, Thomas (who was transported to the hearing by the York County Sheriff's Office), and Thomas's appointed counsel, Thomas Roper. Examiner Rodney White appeared via Zoom, was sworn, and testified as to the contents of all three Examiners' reports, records kept in the ordinary course of business.

None of the examiners recommended inpatient treatment.

In accordance with S. C. Code Ann. § 44-23-430, the only question before this Court is whether Thomas should be involuntarily committed pursuant to the judicial proceedings outlined in S. C. Code Ann. §§ 44-17-510 through 44-17-610. Based on the clear and convincing evidence adduced at the hearing and consideration of the testimony and the record, including the concurring opinions of both psychiatrists, this Court concludes that Thomas is mentally ill and should be committed to involuntary outpatient treatment for a period of thirty-six (36) months.

**IT IS ORDERED:**

A. Nathan Jarrod Thomas shall be committed to the S. C. Department of Mental Health, in particular CMHC in Rock Hill, South Carolina, for a period of **thirty-six (36) months of outpatient** care and treatment as provided in S.C. Code Ann. § 44-17-580.

#3  
CEN

B. Prior to his release from Moss, the DMH staff member assigned to Moss shall ensure that Thomas is current with his medications, including his injectable medication if any, and that he has a sufficient supply of all prescribed medication to prevent his decompensation until he can meet with a prescriber at CMHC.

C. Prior to his release from Moss, Thomas shall be transported to an intake assessment at CMHC to be followed by a transport as soon as reasonably possible and preferably within seventy-two (72) hours to a doctor's appointment at CMHC to ensure that there is no gap in his treatment or his medications after his release from Moss.

D. After his release, Thomas shall cooperate with the personnel at CMHC, including proactively rescheduling any missed appointments, and shall attend all appointments with therapists, physicians, nurses and nurse practitioners; he shall take all prescribed medications including any injectable medications.

E. Thomas shall adhere to the protocols established by CMHC in regard to random drug testing and refraining from illegal drug use.

F. Thomas may not be released from Moss without seven (7) days prior notification being given to the Solicitor of the Sixteenth Judicial Circuit prior to his release date, who shall also notify Thomas' victims, and to the York County Sheriff's Office, the York County Public Defender's Office, and the York County Probate Court.

**G. CMHC shall notify the Probate Court within twenty-four (24) hours if Thomas is non-compliant with treatment; failure to take his medications constitutes non-compliance.**

H. Thomas's therapist shall conduct home visits so that CMHC is aware of Mr. Thomas's condition and where he is living at all times while this Order is in effect.

I. Thomas shall reside with his mother, Diane Thomas, at 2000 Lavington Court, Rock Hill, South Carolina, and if Thomas's address changes, he shall immediately notify the Solicitor's Office, the York County Sheriff's Office, the Public Defender's Office and the York County Probate Court; he may not move out of York County without seeking the permission of the Probate Court.

J. This Court retains jurisdiction over Nathan Jarrod Thomas to ensure compliance with this Order; failure to comply with this Order shall result in sanctions for contempt including imprisonment or fines, or both.

#4  
CEN

K. The Notice required by S. C. Code Ann. § 23-31-1040 (a copy of which is attached hereto and made a part of this Order), has been provided to Thomas or his representative, and per the Notice, Thomas may not possess, receive, ship or transport firearms or ammunition.

October 24, 2023  
York, South Carolina



Carolyn E. Woodruff  
Judge of Probate

#5  
CAM

**PURSUANT TO S. C. CODE ANN. § 23-31-1040(D), YOU are hereby notified that it is unlawful and a felony under state and federal law for you to ship, transport, possess, or receive a firearm or ammunition.**

Section 23-31-1040. (A) It is unlawful for a person who has been adjudicated as a mental defective or who has been committed to a mental institution to ship, transport, possess, or receive a firearm or ammunition.

(B) A person who violates this section is guilty of a felony, and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than five years, or both.

(C) In addition to the penalty provided in this section, the firearm or ammunition involved in the violation of this section must be confiscated. The firearm or ammunition must be delivered to the chief of police of the municipality or to the sheriff of the county if the violation occurred outside the corporate limits of a municipality. The law enforcement agency that receives the confiscated firearm or ammunition may use the firearm or ammunition within the agency, transfer the firearm or ammunition to another law enforcement agency for the lawful use of that agency, trade the firearm or ammunition with a retail dealer licensed to sell firearms or ammunition in this State for a firearm, ammunition, or any other equipment approved by the agency, or destroy the firearm or ammunition. A firearm or ammunition must not be disposed of in any manner until the results of any legal proceeding in which the firearm or ammunition may be involved are finally determined. If SLED seized the firearm or ammunition, SLED may keep the firearm or ammunition for use by SLED's forensic laboratory. Records must be kept of all confiscated firearms or ammunition received by the law enforcement agencies pursuant to this section. A law enforcement agency that receives a firearm or ammunition pursuant to this subsection may administratively release the firearm or ammunition to an innocent owner. If possession of the firearm or ammunition is necessary for legal proceedings, the firearm or ammunition must not be released to the innocent owner until the results of any legal proceedings in which the firearm or ammunition may be involved are finally concluded. Before the firearm or ammunition may be released, the innocent owner shall provide the law enforcement agency with proof of ownership and shall certify that the innocent owner will not release the firearm or ammunition to the person who has been charged with a violation of this subsection which resulted in the firearm's or ammunition's confiscation. The law enforcement agency shall notify the innocent owner when the firearm or ammunition is available for release. If the innocent owner fails to recover the firearm or ammunition within thirty days after notification of the release, the law enforcement agency may maintain or dispose of the firearm or ammunition as otherwise provided in this subsection.

(D) At the time the person is adjudicated as a mental defective or is committed to a mental institution, the court shall provide to the person or the person's representative, as appropriate, a written form that conspicuously informs the person or the person's representative, as appropriate, of the provisions of this section.

#6  
Cm