

EXPL
PG# = 1
AUG-5-2013

AUGUST, 5TH, 2013

THE STATE OF SOUTH CAROLINE
IN THE COURT OF APPEALS
IN THE SUPREME COURT

Appeal from LAUREN COUNTY,
COURT OF COMMON PLEAS,
CLIFTON B. NEWMON, CIR. JUDGE

CASE NO. 2011-CP-30-308

BEN R. NABBERS, PROSE APPELLANT,

V.S.

THE STATE OF SOUTH CAROLINE, RESPONDENTS

EXPLANATION(S) AS TO WHY
THIS PROSE APPEAL SHOULD BE
FILED IN AND HEARD BY,

EXPL.
Pg. 47-2
AUG-5-2013

THE SUPREM COURT OF
S.C. THIS IS ONLY MACRONI
EXPLANATION, NOT TO BE
CONSTRUED AS ALL REASON
FOR APPEAL, OR WHY SUCH
PRO SE APPELLANT SEEKS
JUSTICE WITHIN THE
SUPREM COURT OF S.C.

PLEASE THE COURT, HEAR ARE
THE BASIC FACT(S) OF THIS
PRO SE APPELLANT'S REASONS
FOR THIS SOUGHT AFTER
APPEAL AND THE PRO SE
APPELLANT'S DESIRE FOR SUCH
APPEAL TO BE HEARD AND
FILED BY THE S.C. SUPREM COURTS.
CLERK OF COURT, D. E. SHEAROUSE,

Expt.
Pg. ~~444~~ = 3
AUG-5-2013

REASON (19), the prose
appellant will seek to
prove by a preponderance(s)
of evidences that his
current sentences, and
convictions, are the direct
result of him acting under
"Actual, public, authority,"
prior to, as well as on,
(6-10-09) the date, and
at the (2:33)₆, that such alleged
carjacking and armed robbery
incidents are to have thus
occurred, within Lauren

EXPI.
PS. ~~4444~~ = 4
AUG-5-2013

COUNTY - S.C., ON HELLAMS
Road area of GREY COURT
S.C., WITHIN LAUREN
COUNTY - ON (6-10-09.)

* AND as a direct result
of this pro se appellants
having had been acting
under actual authority
of L.C.S.D. officers of
actual authority - prior to
and actually on 6-10-09
"performing covert activities"
at a suspected meth lab,
located at or near 836
HELLAMS Road, GREY COURT

Expt.
Pg. ~~4444~~ = 5
AUG-5-2013

SIC, THIS PROSE APPELLANT
WHILE AT SUCH METH LAB,
DID BECOME EXPOSED TO LARGE
AMOUNTS OF TOXIC/DEADLY
CHEMICALS, USED BY
PERSONS AT THAT METH LAB,
TO MAKE, PROCESS, CRYSTAL
METH, "ICE". AND THIS
PROSE APPELLANT (CAN) PROVE
BY A PREPONDERANCE(S) OF
EVIDENCE(S), AT HIS APPEAL
WITHIN THIS SUPREM COURT, OR
ANY OTHER COURT, THAT HE DOES
SO DESERVE MUCH RELIEF
FROM THESE VERY HARSH.

EXPL
pg ~~77777~~ = 6
AUG 2013

and the prose appellant
will prove UNCONSTITUTIONAL
SENTENCES, CONVICTIONS,
which this prose appellant
does assert, swears under
all penalties of perjury.
he was denied effective
trial counsel on, and
also was denied effective
p.c.R. counsel on, and
also this prose appellant
will prove he was denied
both due process at both
trial court and p.c.R. court
levels, and this prose

Expl.
Pg. ~~7777777~~ = 7
Aug-5-2013

appellant will show and prove, that such violations of his federal, state, constitutional rights and due process rights violations by officers of the 8th Cir. trial and common pleas courts, and police officers of C.C.S.D. of actual authority - violating his federal, state constitutional rights, Did so (prejudice) this pro se appellant. at both pretrial, trial appeal and p.c.r. común pleas courts.

Expt.
PJ ~~XXXXXXXXXX~~ = 8
Aug-5-2013

Reason (B). This pro se
appellant does assert
that his appeal issues
are of great concern
to the public, and it's
over-all safety and wellfare
of both residents of this
state, as well as of
this country. AND that
the issues at heart of
this appellants appeal, is
that of actual, public
authority, and his rights of
both state and federal constitutional

Expt.
PS. ~~XXXXXXXXXX~~ = 9
AUG-5-2013

RIGHTS), as defined by
the persons with mental
illnesses / disabilities act
having thus been violated
by officers of THE
Laurens county Sheriff's
Department, "officers of
actual authority" when
such officers of authority
did violate the appellants
rights and due process rights
when they basically forced
by means of threats, coercion,
him, "this prose appellant"
into going deep undercover
as their, "L. C. S. D." Narcotic
agent, to investigate and

EXPL.
Pg. ~~XXXXXXXXXX~~ = 10
AUG-5-2013

to inform on citizens
of Lauren county, SC, who
were or suspected of, being
involved in illegal narcotic
activities, such as the
manufacturing of crystal
meth, "Ice" the selling
of crystal meth, as well
as the distribution of
crack cocaine. This pro
se appellant was forced,
by officers of actual
authority, into going
into active meth labs
and "crack houses"
which agitated paranoia
schizophrenia, and

EXD/1
P.S. ~~XXXXXXXXXX~~ = 11

AUG-5-2013

Where illegal, DANGEROUS
NARCOTICS, such as crystal
meth and crack cocaine,
were being manufactured
distributed, and used /
consumed at such areas
locations (He did become exposed)

* This prose appellant
has for (over) ~~four years~~
now, been trying his best
while at the same $\textcircled{\begin{matrix} 123 \\ 6 \end{matrix}}$
suffering from serious
mental illnesses, as "they"
(experts) both psychiatrist,
and psychologist, have

EXPI.
P. ~~XXXXXXXXXXXX~~ = 12

AUG-5-2013

diagnosed and treated the
appellant for such as
paranoia and schizophrenia
as well as other mental
illnesses, disabilities for
over (30 years,) this
pro se appellant swears that
he has diligently sought to
communicate and involve
the help of both the courts
and court appointed lawyers
to aid him in receiving
a fair full trial, as well
as a fair full appeal,
as well as a fair and

EXPI.
Pg. ~~XXXXXXXXXX~~ = 13
AUG-5-2013

Full P.C.R. CIVIL COURT
hearing, processes. BUT
that has NOT occurred.

This pro se appellant
ONLY SEEKS JUSTICE FROM
THIS HONORABLE SUPREME COURT
IN THAT SUCH COURT ALLOW
SUCH PRO SE APPELLANT A
Fair and full process, appeal
within the SC SUPREME COURT.
SO THAT THIS PRO SE APPELLANT
CAN FINALLY, FAIRLY and
FULLY, WITH THE AID OF
THIS COURTS ISSUANCES OF

EXPI.
P.S. ~~XXXXXXXXXXXX~~ = 14
AUG-5-2013

both subpoenas as well as
(FUNDS) from the O.I.D.
FOR INVESTIGATIVE SERVICES,
So that this pro se mentally
ill appellant, may prove
by a preponderance of
ALL evidences collected
and submitted to this
Honorable Supreme Court
that both his sentences
and convictions, for
carjacking and armed
robbery, are both harsh
and unconstitutional.
AND THAT this pro se

EXPL.
P.J. ~~XXXXXXXXXXXX~~ = 15
AUG-5 2013

appellant does in fact
if further miscarriages
of justice involving
him, related to these
sentences/convictions
are to be prevented
and voided, from (continuing)
to occur.

further more this prose
appellant does (require) his
cont transcripts from
both (trial cont) as well
as (pre civil comon)

EX 11
PJ ~~XXXXXXXXXXXX~~ = 16
AUG-5-2013

PLEASE CONT., PLEASE SEE ENCLOSED,
ONLY A FEW COMMUNICATIONS
IN WHICH THIS PROSE APPELLANT
HAS DIRECTED TO THE CONT.
REPORTERS WHO POSSESS HIM/HIS
TRIAL / P.C.R. RECORD(S) TRANSCRIPT(S)

THOSE (2) ~~THE~~ CONT REPORTS
BEING - (A) APRIL P. HERRON,

CIRCUIT CONT REPORTER
P.O. BOX 17676

ORVILLE, S.C. 29606

AND,

(B) MARY ANN S. NEVERS
CIRCUIT CONT REPORTER.

6609 Satchelford Road.

COTE, S.C. 29206

EXPI.
PJ. ~~XXXXXXXXXXXX~~ = 17
AUG-5-2013

AND:

(C.) CAROLINE HISKELL
COURT REPORTER
32 DUXBURY LANE
EASLEY, S.C. 29642

THESE COURT HEARINGS
OCCURRED ON:

(A) 9-1-2010, COURT REPORTER
WAS: CAROLINE HISKELL
JUDGE WAS: JOSEPH
W. MCGOWAN III,

(B) 10-18-10, 10-19-10,
COURT REPORTER WAS:
APRIL P. HERRON.
JUDGE WAS: J. D. COLES,

EXPL.
P. ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ = 18
AUG-5-2013

(C) 6-5-12, 3-13-13,
COURT REPORTERS WAS:

MARYANN S. NEVENS

JUDGES) WERE: CLIFTON
B. NEWMON, 3-13-13 AND,
J. THOMAS RUSSO, FOR
THE 6-5-12, HEARING.

* TOTAL ESTIMATED COST
OF THESE 4-TRANSCRIPTS
ARE APPROX. \$5000.00

* WITHOUT THESE TRANSCRIPTS)
THE APPELLANT ASSERTS HE CAN
NOT) RECEIVE A FAIR AND FULL
APPELLATE HEARING ON THIS
APPEAL FROM THE PICR COURTS

EXPI,
PJ ~~TRANSCRIPTS~~ = 12
AUG-5-2013

ORDER of dismissal, received
by the appellant on, about 4-25-13,
received 5-31-13, not the P.C.R.
COURTS dismissal, demand, of
this appellants 59 (c)
motion, ruled on 7-16-13,
but not actually received
until on, or about 7-24-13.

* These court reporters
have received several
(ORDERS) from me
each of them, for the
above noted (4) TRANSCRIPTS
of record, AND all these

EXPT.
Pg. ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~
AUG-5-2013

COURT REPORTERS, as well
as the Lower COURT, AND THIS
HONORABLE COURT, have been
properly notified, by this
pro se appellants regarding
the FACTS of such appellants
INDIGENCY STATUS, and
his URGENT need of the
COURTS APPROXATIONS OF
FUNDS, for him to
pay these COURT REPORTERS
for these much sought
after and required COURT
RECORD(S), TRANSCRIPT(S),
* SO FAR to no avail (cause)
NO COURT HAS ENTERTAINED SUCH MANY
MOTIONS or REQUEST for FUNDS,

EXPI
P/ ~~XXXXXXXXXXXXXXXXXXXX~~ = 21
AUG - 5 - 2013

This prose appelliant respectfully
request that this Honorable
COURT acknowledge his
indigency status, and
also his prose status.

* No appointment of
COUNSEL will be sought
IN this appellants appeal
ONLY the appropriations
OF FUNDS for both
TRANSCRIPTS AND
INVESTIGATIVE SERVICES.
He does so respectfully.

Expl.
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ = 22
AUG-5-2013

assents swears under oath
and penalties of perjury.
THAT his issues are of
direct importance to the
publics safety and welfare
and THAT UNLESS he receives
COMTS order of FUNDS for
both investigative services
and it's order to the LOW
COMT for my records
transcripts, THAT SUCH
prose appelliant as this
(will NOT) enjoy fairness
regarding this appeal, as is so

EXPL

PS ~~XXXXXXXXXXXXXXXXXXXX~~ - 23

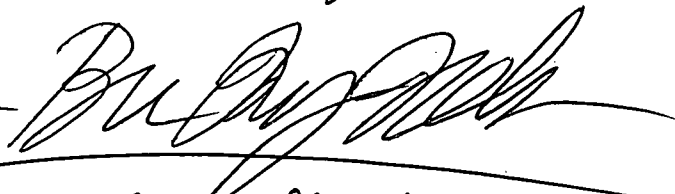
8-5-2013

as he does understand it,
IS called for Guaranteed by
both the state and federal
CONSTITUTIONAL, REGARDLESS
OF THE FACT THAT SUCH
PROSE APPELLANT IS BOTH
VERY POOR (INDIGENT) AND
SOMEWHAT MENTALLY ILL.

Respectfully submitted

8-5-13

Kelap BATH



BENJAMIN RAY NABORS #233844

B.R.C.I. MIT 1101-B

4460 BROADSIVERS ROAD

COLE, SC. 29210

cc:

Attorney General, S.C. ALAN WILSON and
J. Rutledge Johnson Esq.
Clerk Com. Jynia Wilson-Castor, 8th Cir.