

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM SUMTER COUNTY

Court of Common Pleas

R. Ferrell Cothran, Jr., Circuit Court Judge

Case No. 2024-CP-43-000366

RECEIVED

Aug 29 2024

SC Court of Appeals

Randal K Freeman,

Appellant,

v.

David Bryan Trapp,

Respondent.

EMERGENCY MOTION FOR INJUNCTION AND RESTRAINING ORDER

Introduction

Appellant, Randal K. Freeman, respectfully submits this Emergency Motion for Injunction and Restraining Order against Respondent, David Bryan Trapp. This motion is based on Mr. Trapp's documented pattern of harassment, as defined under South Carolina Code Ann. § 16-3-1700(a),

and his violations of South Carolina Code β 16-9-340. Mr. Trapp's actions have created a hostile and unsafe environment for Mr. Freeman and his family, including threats and attempts to obstruct justice. Notably, Mr. Trapp's actions include posting a video online that endangered Mr. Freeman's family and violated tenant rights.

Statutory Framework

South Carolina Code Ann. β 16-3-1700(a) defines "Harassment in the First Degree" as:

A pattern of intentional, substantial, and unreasonable intrusion into a person's private life that serves no legitimate purpose and causes mental or emotional distress to the person, and would cause a reasonable person in the same situation to suffer similar distress.

Harassment in the first degree includes, but is not limited to:

- Following the targeted person as they move from location to location.
- Visual or physical contact initiated, maintained, or repeated after notice that the contact is unwanted or after an incident report has been filed.
- Surveillance or maintaining a presence near the targeted person's:
 - Residence
 - Place of work
 - School
 - Another regularly occupied or visited location
 - Vandalism and property damage.

South Carolina Code β 16-9-340 establishes that:

(A)(1) It is unlawful to intimidate or impede a judge, magistrate, juror, witness, or any court official in the discharge of their duties.

(A)(2) It is unlawful to destroy, impede, or attempt to obstruct or impede the administration of justice in any court.

(B) Violations of these provisions are felonies and may result in fines up to ten thousand dollars or imprisonment for up to ten years, or both.

Evidence and Violations

1. Respondent's Letter Dated 06/10/2024:

Content: The letter contained explicit threats and demands aimed at intimidating Mr. Freeman and obstructing his ability to seek legal remedies. Statements such as, "I just want to see him move out so I can sell the house and recoup a fraction of the money that he stole from me, Ä¶" reveal a financial motive behind Mr. Trapp's actions, suggesting an attempt to expedite the property sale through intimidation.

Violation of ß 16-9-340: This letter constitutes a violation of ß 16-9-340(A)(1) by attempting to intimidate Mr. Freeman, and ß 16-9-340(A)(2) by impeding Mr. Freeman's pursuit of justice.

Criticism of Judicial Figures and False Claims:

In a letter from the respondent, Mr. Trapp publicly criticized Judge Griffin, alleging incompetence and laziness, and claimed improper ex parte communication. These statements not only undermine the judicial process but also suggest a deliberate attempt to influence or discredit the court's handling of the case.

False Claims and Perjury: Mr. Trapp made statements regarding court orders and bond requirements that were inconsistent with actual court records. He falsely claimed that Judge Griffin's order required Mr. Freeman to pay only \$1,700 for August, despite no such order existing. Mr. Trapp's claims of ex parte communications and inaccurate bond orders reveal attempts to

mislead the court and obstruct justice.

Legal Violations: These actions by Mr. Trapp may constitute violations of South Carolina Code –§ 16-9-340(A)(1) and (A)(2), by attempting to intimidate or impede a judge and obstruct the administration of justice. Additionally, the false claims and potential perjury could lead to criminal charges under South Carolina law.

2. Surveillance of Mr. Freeman's Children and Spouse:

Event: Mr. Trapp has been documented engaging in surveillance and photographing Mr. Freeman's children and spouse, who are also witnesses in this matter.

Harassment Criteria: This behavior aligns with –§ 16-3-1700(a)(2) and (3) as it involves unwarranted surveillance and intrusion into the lives of Mr. Freeman's family members, contributing to their mental and emotional distress. This surveillance also implicates –§ 16-9-340(A)(2) by obstructing justice through intimidation of potential witnesses.

3. Documented Actions of Harassment:

May 22, 2024:

Event: Mr. Trapp engaged in unauthorized surveillance by posting a video online of the residence at 8 Warren Ct, Sumter, SC 29150. The video depicted the property as unoccupied, encouraging unlawful entry by random individuals. This action not only violated Mr. Freeman's right to quiet enjoyment of the property but also placed his family at significant risk.

Harassment Criteria: This aligns with –§ 16-3-1700(a)(3) by maintaining an unwarranted presence and intrusion into Mr. Freeman's residence. It also obstructs justice under –§ 16-9-340(A)(2) by

creating a dangerous environment and disrupting Mr. Freeman's legal rights.

July 9, 2024:

Event: Unauthorized entry into the property by Mr. Trapp or his representative without proper notice.

Harassment Criteria: Matches $\neg\beta$ 16-3-1700(a)(2) and (3) due to unauthorized physical intrusion.

This act further obstructs Mr. Freeman's legal protections, implicating $\neg\beta$ 16-9-340(A)(2).

August 18, 2024:

Event: Mr. Trapp entered to fix a sign without notice, handling the property without prior communication.

Harassment Criteria: Reflects $\neg\beta$ 16-3-1700(a)(2) and (3) as it involves an unauthorized physical presence. It also disrupts justice by creating a hostile environment, aligning with $\neg\beta$ 16-9-340(A)(2).

August 21, 2024:

Event: Mr. Trapp entered the property to move a sign while photographing Mr. Freeman's family.

Harassment Criteria: Aligns with $\neg\beta$ 16-3-1700(a)(2) and (3) due to unauthorized entry and surveillance. This also represents an attempt to obstruct justice and intimidate under $\neg\beta$ 16-9-340(A)(1) and (2).

August 28, 2024:

Event: An employee of Mr. Trapp entered the property to erect a large sign, creating a hostile environment.

Harassment Criteria: Fits 16-3-1700(a)(2) and (3) due to unauthorized entry and intimidation. It also reflects an obstruction of justice by creating a disruptive environment under 16-9-340(A)(2).

Attempted Vehicular Assault on August 28, 2024:

Event: Mr. Trapp attempted to block Mr. Freeman's vehicle with his own car and appeared to be preparing to use his vehicle as a weapon against Mr. Freeman.

Legal Violations: This alleged action constitutes assault with a deadly weapon and reckless endangerment under South Carolina law. It also represents an escalation of Mr. Trapp's pattern of harassment and obstruction of justice, as defined in 16-3-1700(a) and 16-9-340.

Requested Relief

In light of Mr. Trapp's serious misconduct and violations of harassment and obstruction of justice statutes, Mr. Freeman respectfully requests the following relief:

1. **Injunctive Relief:** An injunction to prevent Mr. David Bryan Trapp from further unauthorized entries, harassment, surveillance, intimidation, attempts to obstruct justice, and specifically, the use of any vehicle as a means to threaten or harm Mr. Freeman and his family. This includes barring Mr. Trapp and his employees from entering Mr. Freeman's premise or dwelling located at 8 Warren Ct, Sumter SC 29150, children's school, spouse's workplace, or any other locations frequented by his family.

2. **Claim for Damages:** Compensation for emotional distress, invasion of privacy, and harm to Mr. Freeman's quality of life due to Mr. Trapp's actions. Per Section 27-40-780 - Landlord and tenant remedies for abuse of access, S.C. Code 27-40-780 the Appellant request damages in the amount of 3 times amount of rent of \$1600.00 and all fees.

Conclusion

The evidence demonstrates that Mr. Trapp's actions constitute harassment under South Carolina Code Ann. § 16-3-1700(a) and violations of South Carolina Code § 16-9-340. Mr. Trapp's behavior, including threats, unauthorized entries, surveillance, and attempted vehicular assault, has created a grave and immediate threat to the safety and well-being of Mr. Freeman and his family. The requested injunction and Emergency Restraining Order are crucial to protect Mr. Freeman and his family from further harm and to ensure their immediate safety. These measures are necessary to prevent Mr. Trapp from continuing his pattern of misconduct and to maintain a secure and peaceful environment for Mr. Freeman and his loved ones.

Legal Authority

The authority of higher courts, such as the South Carolina Court of Appeals and the U.S. District Court for the District of South Carolina, to issue emergency injunctions or restraining orders in cases of harassment and intimidation is well-established. These courts possess broad discretion to grant such orders to prevent irreparable harm, protect individuals from harassment, or maintain the status quo during litigation.

In *Doe v. S.B.M* 1997, S.C. Ct. App., 327 S.C. 352, the South Carolina Court of Appeals granted a

temporary restraining order in a case involving allegations of harassment and intimidation, highlighting the court's authority to provide immediate relief when an individual's safety or well-being is at risk. This case illustrates the court's capacity to act swiftly to address urgent threats.

Similarly, in *State of S.C. ex Rel., Campbell v. O'Leary* 1994, D.S.C., 865 F. Supp. 300, the U.S. District Court for the District of South Carolina issued a temporary restraining order to prevent the shipment of material, showcasing the federal court's ability to issue emergency orders in various contexts, including urgent situations. Although not directly related to harassment, this case underscores the court's authority to intervene promptly in pressing matters.

Moreover, *U.S. v. Charleston County* 2002, D.S.C., 318 F. Supp. 2d 302 outlines that every injunction must set forth clear reasons for its issuance, be specific in terms, and describe in reasonable detail the acts sought to be restrained. This ensures that the use of such legal tools is justified, transparent, and appropriately targeted.

In summary, both the South Carolina Court of Appeals and the U.S. District Court for the District of South Carolina have the authority to issue emergency injunctions or restraining orders in cases of harassment and intimidation. This authority is essential for protecting individuals from immediate harm and upholding the rule of law in urgent circumstances. The cases above collectively illustrate the application and importance of this authority across various contexts.

Respectfully Submitted,

August 29th, 2024

/s/Randal K Freeman

Randal K Freeman

8 Warren Ct

RECEIVED

Aug 29 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

R.Ferrell Cothran, Jr., Circuit Court Judge

Case No. 2024-CP-43-000366

Randal K Freeman,

Appellant,

v.

David Bryan Trapp,

Respondent.

PROOF OF SERVICE

I certify that I have served the a copy of the EMERGENCY MOTION FOR INJUNCTION AND RESTRAINING ORDER and supporting documents dated 08/29/2024 Aon David Bryan Trapp by depositing a copy of it in the United States Mail, postage prepaid, on August 29th, 2024, addressed to his attorney of record, J.Benjamin Cahill, 693 N. Guignard Drive Sumter, South Carolina 29150.

August 29th, 2024

/s/Randal K Freeman

Randal K Freeman

8 Warren Ct

Sumter SC 29150

(224) 407-1660

Randal K. Freeman
8 Warren Ct
Sumter, SC 29150
randal.freeman88@gmail.com
(224) 407-1660

August 28, 2024

Clerk of the Court
South Carolina Court of Appeals
1220 Senate St
Columbia, SC 29201

Re: Continued Harassment and Intimidation by David Bryan Trapp - Case No. 2024-000283

Dear Clerk of the Court,

I am writing to update the Court of Appeals on the escalating harassment and intimidation perpetrated by Mr. David Bryan Trapp, which I believe constitutes harassment in the 1st degree under S.C. Code Ann. § 16-3-1700(a). Since my last correspondence dated August 26, 2024, the situation has worsened significantly, with two major incidents today, both documented by Sumter Police Report #24-005346.

Evidence of Harassment

The evidence, including police reports, illustrates a persistent pattern of behavior by Mr. Trapp that aligns with the statutory definition of harassment in the 1st degree. His actions include:

- **Unauthorized Entry and Sign Erection:** An employee of Mr. Trapp entered my property at 8 Warren Ct, Sumter, SC 29150, without the required 24-hour notice as mandated by the South Carolina Residential Landlord and Tenant Act. This individual erected a 4x4 by 6 ft sign within 10 feet of the property, clearly intended to intimidate and harass. This act not only violated our rights under the South Carolina Tenant Act but also posed an immediate safety risk, as strangers and Mr. Trapp's employees have been attempting to access the property outside legal hours, disrupting our right to quiet enjoyment.

- **Vehicle Blockade and Intimidation:** Today, August 28, 2024, at approximately 2:48 PM, Mr. Trapp was observed on video photographing my family. Shortly thereafter, he used his vehicle to block my car in front of my residence and followed me for approximately one mile. This behavior appears to be an attempt to intimidate and potentially harm us.

Escalation of Conduct

A troubling letter from Mr. Trapp filed with the Court of Appeals on June 10, 2024, further demonstrates his escalating conduct. This letter includes verbal attacks on court members and attempts to communicate ex parte, indicating a disregard for the legal process and an intent to improperly influence the proceedings.

Legal Precedents

Several cases support the need for immediate court intervention:

1. *Cain Restaurant Co. v. Carrols Corp.*, 273 F. App'x 430 (6th Cir. 2008): This case affirms that unauthorized presence on property, even without entry into buildings, violates property rights. The court's interpretation of "Premises" in lease agreements highlights the importance of respecting property boundaries.
2. *Leardi v. Brown*, 394 Mass. 151 (1985): This case emphasizes that deceptive or misleading practices by landlords can be classified as harassment. The focus on clear and fair lease terms is relevant to understanding Mr. Trapp's conduct.
3. *In re Laskaratos*, 605 B.R. 282 (Bankr. E.D.N.Y. 2019): This case provides precedent for recognizing unauthorized entry and constant surveillance by a landlord as harassment. The decision to award damages illustrates the serious view of such conduct and the legal protections available.

Request for Action

The evidence demonstrates a clear pattern of behavior by Mr. Trapp that constitutes harassment in the 1st degree under S.C. Code Ann. § 16-3-1700(a). His actions—such as following us from place to place, maintaining unwanted visual or physical contact, conducting surveillance, and committing acts of vandalism—have been explicitly stated as unwelcome in the summons and the requested emergency restraining order. However, this restraining order has not yet been issued and remains pending in the magistrate court. I am concerned that there may be a bias due to relationships between Detective Litaker and Mr. Trapp, which could be influencing the delay in issuing this order.

Despite these clear issues, both the magistrate court and the Sumter Police Department have classified these incidents as civil matters, pushing jurisdiction to the Court of Appeals. Given these developments and the clear legal precedents, I urgently request that the Court of Appeals take immediate and decisive action to address Mr. Trapp's continued harassment and intimidation. Ensuring the safety of my family and upholding the integrity of the judicial process are of utmost importance.

RECEIVED
Jun 10 2024
SC Court of Appeals



250 Broad St., Sumter, SC 29150

info@trappcon.com | 803.305.1654 | www.TrappCon.com

TO:

Speaker of the House, Representative Murrell Smith	murrell@smithrobinsonlaw.com
Senator Thomas McElveen	tmcelveen@bryanlaw.com
Mayor David Merchant	david@merchantironworks.com
SC Supreme Court Judge George (Buck) James	djffinchum@accourts.org
Court of Appeals, Clerk	ctappfilings@sccourts.org
Judge R. Ferrell Cothran Jr.	rcothransc@sccourts.org
Solicitor Ernest A. Finney, III	efinney@sumtercountysc.org
The Item: Jack Osteen	jack@theitem.com
The Item: Bruce Mills	bruce@theitem.com
WIS TV 10	News Tip Line

Dear gentlemen

I'm reaching out as a last-ditch effort for someone to pay attention to the complete injustice that I have endured for the past year and a half

I am currently in an eviction battle with a tenant (Randal K. Freeman) that refuses to get out of my house (8 Warren Ct.) and the court system has completely failed in this instance.

Background:

Randall moved to Sumter SC in November of 2021 along with his wife and three kids as well as a whole other family That included 7 additional adults and two children.

Randall agreed to rent my fixer upper until the end of the year and then purchase it for \$180,000. As that time approached, he made-up excuses as to why he would like to rent it for a year and then buy it and I agreed. We set up a lease agreement that began February 1st of 2022 and was up on February 1st of 2023.

His criminal case:

During that time Randall came to work with my company Trapp Construction and Remodeling he was managing all the business operations and the financial operations.

Long story short he embezzled approximately \$150,000, didn't pay vendors equaling \$140,000. And left the company in virtually financial ruin. Which I had to pull my life savings and kids college funds into the company to keep it afloat as well as take on large unsecured debt that I'm still trying to climb out of. He was arrested in March of 2023 by Investigator John Litaker of the Sumter Police Dept. for breach of trust over \$10,000 and is out on bond. That case is currently at the solicitor's office since that time, and I haven't heard anything since.

He was also convicted in Illinois for a similar crime that included fraud, his judgment was \$215,000 which he only paid \$46,000 then he moved to South Carolina.

The Hearing:

In the meantime, when his lease was up I gave him 30 days to the end of March to move out. He refused to move out, and forged a new lease that didn't end until February 1st 2024. My lawyer, Ben Cahill, began trying to get a hearing, which took five months, as Randall's lawyer, William Brunson, kept delaying the schedule on three different occasions. On August 8th of 2023 we finally had a hearing with Magistrate Judge Griffin who did not give either side much time to plead their case he agreed to read the evidence and make a ruling over the next couple of days, we spent less than 15 minutes in that court room. Judge Griffin's order required Randall to only pay \$1700 for August and the additional \$1600 a month from that point on so the previous four months of \$6,400 of rent just got overlooked. He also guaranteed that he would have a meeting with both lawyers in early October to schedule a jury trial in late October, as Brunson had requested. I waited patiently for two months to see when this court date would happen, but when October came, and we questioned Griffin about the court date he said his schedule was too busy to set a date and didn't guarantee any other dates at that point going forward. If I had done that I would be arrested for perjury.

The Evection:

In November Randall failed to pay his rent of \$1600 by the 10th as required. A week and a half later judge Griffin finally signed the eviction notice and a week after that Randall was served with eviction papers by the Sheriff's Department. He quickly went to the Magistrate Court and filed an appeal, which then delayed this even further. Judge Griffin set bond for only the November payment and the December payment of \$1600 each still not making the four months of not paying rent an issue.

The Appeal in Circuit Court:

Circuit Court date for the appeal was set for January 20th of 2024 with judge Cothran, I'm not really sure at this point exactly what happened and why judge Cothran didn't make a ruling. Something having to do with not enough evidence that he didn't try to pay in November, so he sent this issue back to Judge Griffin for Judge Griffin to rule on. (can anyone say circus at this point?)

On February 14th, 2024, we met again with Judge Griffin, he commented on how he had met us for the first time that day, he tried to settle this issue with both attorneys since the fraudulent lease was supposed to be up on February 1st, 2024, had passed and he didn't even pay February's rent. Judge Griffin wanted to civilly resolve this case, but Brunson refused to do that because he has now come up with another lease that he fraudulently made that says his lease ends in 2025. Now we're talking two fraudulent leases one of them not even put into evidence and this judge doesn't even think to throw this out.

At this point Judge Griffin stands by his ruling to evict and sends it back to Judge Cothran at the Circuit Court which wasted another 30 days. Judge Cothran didn't even hear the case he confirmed it, but neither Judge Griffin nor Judge Cothran has forced Randy to Pay February's rent which is against state law and should be grounds for final eviction. So now at this point Randy has appealed that ruling to the appeals court.

The Appeals Court:

Now that this is in the appeals court my lawyer Ben Cahill had written a motion to dismiss backing up all the evidence that happened up to this point and why this should be a moot point and they should throw this out.

In late April the appeals court clerk promised my lawyer Ben Cahill that the judge would have a ruling on this case on May 28th or before. So, another 30 days we wait patiently to get an answer. When May 28th rolls around they did not have an answer and said they would have an answer by the end of the week because it was on the judge's desk. Well by that Friday the end of the week the clerk would not tell my lawyer anything and asked him not to call back that this would get handled in its own time.

I guarantee you that when the appeals court finally gets around to making a ruling on this Randall will appeal that ruling to the Supreme Court of South Carolina.

My Frustration:

At this point I just want to see him move out so I can sell the house and recoup a fraction of the money that he stole from me and pay off the original construction loan, not mortgage, that I've had to extend five times during this process. This has cost me 16,000 per year for extension fees and interest and this has been going on for a year and a half.

The Judicial System:

As far as the judicial system goes, I think Randall has made a mockery and of all of you guys, and you should be ashamed to think this is OK or the Norm.

I think Judge Griffin should be disbarred for his sheer incompetence and laziness to just simply do his job.

I think Judge Cothran should look back at the February rent he allowed him to not pay and do his job and evict him.

And I think the appeals court should get off their brains and dismiss this case as quickly as possible.

I think the Supreme Court should laugh in the face of Randal trying to appeal this because I know he will.

Common Sense:

I know for a fact that if this had happened to anyone of you, you would not have allowed this to go on this long, 90 days max., and you wonder why hard-working people and law-abiding people like me get frustrated with lawyers and politicians that act like they're above the law.

If I took a year and a half to remodel your kitchen, you would sue me and probably win. I don't understand why ya'll think this is ok to treat people this way.

If any one of you can see that this is a complete injustice of this system and that a criminal is getting away with breaking the law right in front of your face, please get on the phone and do whatever it is you do, and get this matter resolved.

If you have any more questions or want more information on any of these cases, you can call Ben Cahill with Cahill Law Firm at 803-316-8697 – bcahill@cahill-lawfirm.com and he can give much more information than this.

Thank you for your time,

Sincerely,



David B Trapp

803-464-3992

STATE OF SOUTH CAROLINA
COUNTY OF SUMTER

2024OR4310100110
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

SUMMONS
(RESTRAINING ORDER)
(Harassment and Stalking)

Randal Klint Freeman
8 Warren Ct
Sumter, SC 29150-4236

PLAINTIFF(S)

VS.

David Bryan Trapp
208 Adams Ave
Sumter, SC 29150

DEFENDANT(S)

FILED
DATE 8/20/24
TIME 1:27 PM

TO: David Trapp :

The above named Plaintiff having filed a Petition for Restraining Order, copy attached:

YOU ARE HEREBY SUMMONED TO APPEAR before the:

Sumter Magistrate Court
190 E. Canal Street
Post Office Box 1428
Sumter, SC

on September 5, 2024 at 10:00 AM to show cause why the Restraining Order prayed for by the Petitioner should not be granted.

IF YOU FAIL TO APPEAR, the relief prayed for by the Plaintiff may be granted.

NOTICE: THE NON-PREVAILING PARTY IN THIS ACTION IS ASSESSED A FILING FEE OF FIFTY-FIVE DOLLARS (\$55.00). THE COURT MAY HOLD A PERSON IN CONTEMPT OF COURT FOR FAILURE TO PAY THIS FILING FEE. §16-03-1750(D).

August 20, 2024



(MAGISTRATE)

STATE OF SOUTH CAROLINA)
COUNTY OF Sumter)
Randal K Freeman)

IN THE MAGISTRATE'S COURT

PLAINTIFF(S)
VS
David Bryan Trapp
DEFENDANT(S)

COMPLAINT AND MOTION
FOR RESTRAINING ORDER
(Harassment and Stalking)

202407310100110
CIVIL CASE NUMBER

The Plaintiff alleges:

1. The Plaintiff lives in Sumter County.
2. The Defendant lives at 208 ADAMS Ave Sumter, SC 29150, which is in Sumter, SC 29150.
3. The Harassment First or Second Degree or Stalking occurred in Sumter SC 29150.
4. Plaintiff further alleges that the following conduct occurred by the defendant on the times, dates, and places listed below, and such conduct falls within the definition of:
 HARASSMENT, FIRST DEGREE (§16-3-1700 (A)), or
 HARASSMENT, SECOND DEGREE (§ 16-3-1700 (B)), or
 STALKING (§ 16-3-1700 (C))

5. ~~07/08/2024~~ 07/31/2024 . 2024 . at 10:12 O'clock, AM P.M. (circle one), at 8 Warner Ct, Sumter SC 29150, which is in Sumter SC, the conduct complained of occurred when the defendant:

Drive by; took pictures of children outside residence

On 07/31/2024 . 2024 . at 10:45 O'clock, AM P.M. (circle one), at 8 Warner Ct, which is in Sumter SC, the conduct complained of occurred when the defendant:

Repeated of Sumter Actos and attempted to intimate

SCCA 749 (Amended 12 2015)

Family

On 08/19/2024 at 11:14 O'clock (11:14) PST (circle one) at B Warren Ct, Sumter SC, the conduct complained of occurred when the defendant Done by unknown kids taking videos of them

(State details of harassment, stalking, and other facts and circumstances upon which relief is sought above. Attach additional sheets if necessary.) See Attached

b. Plaintiff requests: (Check one or more)

- a. That the defendant be enjoined from abusing, threatening to abuse, or molesting the plaintiff or members of the plaintiff's family.
- b. That the defendant be enjoined from entering or attempting to enter the plaintiff's place of residence, employment, education, or other location.
- c. That the defendant be enjoined from communicating or attempting to communicate with the plaintiff in a way that would violate Article 17, Chapter 16 of the 1976 South Carolina Code of Laws, as amended.

SWORN to and Subscribed before me

This 19th day of August 2024
Tamecia R. Good
Notary Public for South Carolina
My Commission expires: 10-02-2029

Signature of Plaintiff or Person Filing on Behalf of Plaintiff

NOTICE: THE NON-PREVAILING PARTY IN THIS ACTION IS ASSESSED A FILING FEE OF FIFTY-FIVE DOLLARS (\$55.00). THE COURT MAY HOLD A PERSON IN CONTEMPT OF COURT FOR FAILURE TO PAY THIS FILING FEE. §16-03-170(D).

NOTICE TO DEFENDANT: YOU HAVE THE RIGHT TO EMPLOY COUNSEL TO REPRESENT YOU.

Plaintiff

Defendant

Name: Rodney K. Freeman

Name: David Bryan Trapp

Address: 8 Warren Ct
Sumter SC 29150

Address: 608 ADAMS Ave
Sumter SC 29150

Phone #: 224-467-1660

Phone #: _____

Sex M Race white

Sex M Race white

DOB 11/22/88

DOB _____

SSN 920-94-1799

SSN _____

Height 5'7" Weight 193 lbs

Height _____ Weight _____ lbs

Eyes Blue Hair Brown

Eyes _____ Hair _____

Place of Birth Illinois
(State)

Place of Birth _____
(State)

DL#: 1010355481 State SC

DL# _____ State _____

Vehicle Make/ Model _____

Vehicle Make/ Model _____

VIN#: _____

VIN#: _____

Tag#/ State: _____

Tag#/ State: _____

Police Department report #SPD24004982 and supported by video and photographic evidence.

- **08/18/2024:** The Defendant entered the property at 8 Warren Ct without notice to fix a sign, violating SC Residential Landlord and Tenant Act, Sections 27-40-530(c) and (d). This is documented by a police report.

4. Legal Authority

- **Section 27-40-530(c)** of the South Carolina Residential Landlord and Tenant Act prohibits a landlord from abusing the right of access or using it to harass the tenant, requiring at least twenty-four hours' notice of intent to enter and entry only at reasonable times.
- **Section 27-40-530(d)** limits a landlord's right of access except pursuant to court order or as permitted by Sections 27-40-720 and 27-40-730.

5. Irreparable Harm

The Defendant's actions have caused and will continue to cause irreparable harm, including emotional distress and a violation of our right to quiet enjoyment of the property.

6. Balance of Equities

The balance of equities favors the issuance of both a temporary restraining order and a preliminary injunction. The harm to me and my family from the Defendant's continued harassment outweighs any potential harm to the Defendant from the imposition of these orders.

7. Public Interest

Granting these motions serves the public interest by enforcing the provisions of the South Carolina Residential Landlord and Tenant Act and protecting tenants from harassment.

WHEREFORE, I, Randal K. Freeman, respectfully request that this Court:

1. Issue an Emergency Temporary Restraining Order and Preliminary Injunction enjoining the Defendant, David Bryan Trapp, from:

- Entering or attempting to enter the Plaintiff's residence at 8 Warren Ct, Sumter, SC 29150, or the Plaintiff's or his family's places of employment and education, including Sumter High School and Alice Drive Middle School.
- Engaging in any further acts of harassment against me and my family, in violation of Section 27-40-530(d) and related provisions.
- Communicating or attempting to communicate with me or my family in any manner that would violate Article 17, Chapter 16 of the 1976 South Carolina Code of Laws, as amended.

- 2.** That the attached police reports dated 07/11/2024, 08/12/2024, and 08/18/2024, along with the Facebook post, be admitted as supporting evidence for this motion.

Respectfully submitted,

Randal K. Freeman
Plaintiff, Pro Se
8 Warren Ct

I am prepared to provide any additional information or documentation required. Thank you for your prompt attention to this matter.

Sincerely,



Randal K. Freeman

NOTION FOR EXTRA-SITE REACTOR RESTRICTIONS
OF TSP AND PRECIPITATION DEPOSITION

IN THE MAGISTRATES COURT OF SUMTER COUNTY

Randal K. Freeman,
Plaintiff,

vs.

David Bryan Trapp,
Defendant.

Civil Case Number:

COMPLAINT AND MOTION FOR EMERGENCY TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION

(Harassment)

Plaintiff's Allegations:

1. **Jurisdiction and Venue**

I, Randal K. Freeman, reside in Sumter County, South Carolina. The Defendant, David Bryan Trapp, resides at 208 Adams Ave, Sumter, SC 29150, which is also within Sumter County.

2. **Nature of Complaint**

The Defendant's conduct constitutes harassment as defined under South Carolina law, specifically Harassment, First Degree, pursuant to §16-3-1700(A).

3. **Specific Incidents of Harassment**

The Defendant has engaged in a pattern of harassment against me and my family on the following dates and times, supported by evidence including police reports, videos, and photographs:

- **07/08/2024, 10:12 AM:** Defendant drove by 8 Warren Ct, Sumter, SC 29150, taking pictures and harassing my children. This incident is documented by Sumter Police Department report #SPD24004309.
- **07/09/2024, 08:45 AM:** Defendant repeated similar actions, further intimidating my family. This is also documented by Sumter Police Department report #SPD24004309.
- **07/10/2024, 10:48 AM:** Continued harassment occurred with the Defendant driving by and taking pictures. Supported by Sumter Police Department report #SPD24004309.
- **07/11/2024, 2:46 PM:** The harassment persisted with the Defendant again driving by and taking pictures. This is further supported by Sumter Police Department report #SPD24004309.
- **08/12/2024:** The Defendant's actions warranted a violation under SC Law §16-3-1700(A) for First Degree Harassment. This incident is documented by Sumter

Sumter, SC 29150
(224) 407-1660

Date:

SWORN to and Subscribed before me
This ___ day of _____, 20 .

Notary Public for South Carolina
My Commission expires: _____



Signature of Plaintiff or Person Filing on Behalf of Plaintiff

NOTICE: THE NON-PREVAILING PARTY IN THIS ACTION IS ASSESSED A FILING FEE OF FIFTY-FIVE DOLLARS (\$55.00). THE COURT MAY HOLD A PERSON IN CONTEMPT OF COURT FOR FAILURE TO PAY THIS FILING FEE. §16-03-170(D).

NOTICE TO DEFENDANT: YOU HAVE THE RIGHT TO EMPLOY COUNSEL TO REPRESENT YOU.

7:54



Trapp Construction & Remodeling, LLC

For sale by owner - please call 803-305-1654 for details! 1600 sq feet/ 3 BR/ 2 BA



300

IKEA

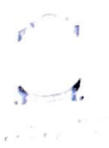
Celebrate Small Business Month with an offer!





tyrager Santos 900

Sumter County Sheriff's Office
1000 North Main Street
Sumter, SC 29150
803-771-1234
www.sumtercounty-sc.gov



Status Approved
Report Type Patrol
Primary Officer Ryan Kane
Investigator John Litaker
Records Technician
Reported At 07 11 24 16:26
Incident Date 07 08 24 10:12 - 07 11 24 16:26
Incident Code 1047 - INVESTIGATE SUSPICIOUS VEHICLE
Location 8 WARREN CT, SUMTER, SC 29150
Zone City Region 01
Beat SPD 06
Court None
Referral County None

Disposition Active
Disposition Date Time 07 11 24 16:45
Review for Gang Activity None

Asst Officers
 1967 - House, Mary Ann

Status Indicator Administrative
 Filler
Status Change Date 7 11 24

Complainant

FREEMAN, RANDAL KLINT
 Male, DOB 11 22 88
 8 Warren Ct
 Sumter, SC 29150
 (224) 407-1650

SPD-LT-001 - LT Report - All Others

Primary Narrative By Ryan Kane

On July 11th, 2024, law enforcement responded to 8 Warren Ct, located in the City of Sumter, in reference to a civil disturbance. Upon arrival, Lead Cpl House and Officer Kane activated their BWC and made contact with Randal Freeman (Complainant/Victim).

Freeman advised David Trapp (Suspect) keeps driving by the house and recording him and his children. Freeman advised Trapp started to drive by his house everyday since 7/8/2024. Freeman advised Trapp is driving a white 2020 Jeep Gladiator (SC#4416KQ). Freeman advised Trapp drove by his house two different times today. Freeman provided security camera footage of the incidents throughout the week which show him driving by on 7/8/24 at 10:12 hrs, 7/9/24 at 08:45 hrs, 7/10/24 at 10:48 hrs, and 7/11/24 at 14:46 hrs. Freeman made contact with his attorney and the courts and requested documentation due to the ongoing court proceedings between him and Trapp.



City of Sumter Police Department
 Richard F. Board, Jr., Chief of Police
 111 North Lafayette Drive
 Sumter, SC 29150
 Phone: (803) 836-2700
 Fax: (803) 836-2082



Commitment to Service

Printed on August 16, 2024

Case SPD24004982 UNAPPROVED DRAFT

Status Active
Report Type Patrol
Primary Officer Thomas Yeager
Investigator John Litaker
Records Technician
Reported At 08/12/24 12:11
Incident Date 08/12/24 12:11 - 08/12/24 12:11
Incident Code S27 - STALKING
Location 8 WARREN CT, SUMTER, SC 29150
Zone City Region 01
Beat SPD 06
Court None
Ereferral County None

Disposition Active
Disposition Date Time 08/12/24 12:27
Review for Gang Activity None

Status Indicator Administrative
 Filler
Status Change Date 8/12/24

Offender

TRAPP, DAVID BRYAN 16-3-1700(A) - 1ST DEGREE HARASSMENT
 Male, DOB 12/10/66
 208 ADAMS AVE
 SUMTER, SC 29150
 (803) 464-3992 Cell

Suspect

TRAPP, DAVID BRYAN 16-3-1700(A) - 1ST DEGREE HARASSMENT
 Male, DOB 12/10/66
 208 ADAMS AVE
 SUMTER, SC 29150
 (803) 464-3992 Cell

Victim

FREEMAN, RANDAL KLINT 16-3-1700(A) - 1ST DEGREE HARASSMENT
 Male, DOB 11/22/88
 8 Warren Ct
 Sumter, SC 29150
 (224) 407-1660 Cell

Primary Narrative By Thomas Yeager

Law enforcement responded to 8 Warren Ct. located in the jurisdiction of the City of Sumter, in reference to a civil disturbance. Upon arrival, officers activated their BWC and made contact with Randal Freeman (Victim).

Freeman advised David Trapp (Suspect) keeps driving by the house and recording him and his children. Freeman advised Trapp started to drive by his house on 7/8/2024 and has everyday since (reference case number 24004309). Trapp drove by Freeman's house two different times since then. Freeman advised that Trapp drives a white 2020 Jeep Gladiator (SC tag 4416KQ, which is registered to Trapp). Freeman provided security camera footage of the incidents which show him driving by on 8/6/24 at 1310 hrs and 8/12/24 at 1113 hrs.



City of Sumter Police Department
 Russell F. Rank, III, Chief of Police
 215 North Lafayette Drive
 Sumter, SC 29150
 Phone: (803) 436-3700
 FAX: (803) 436-2084



STATE OF SOUTH CAROLINA
 LAURENS COUNTY

Commitment to Service

Case SPD24005118

Printed on August 19, 2024

Status	Approved
Report Type	Patrol
Primary Officer	Thomas Yeager
Investigator	None
Records Technician	
Reported At	08/18/24 14:38
Incident Date	08/18/24 14:38 - 08/18/24 14:38
Incident Code	S27 - STALKING
Location	8 WARREN CT, SUMTER, SC 29150
Zone	City Region 01
Beat	SPD 06
Court	None
Referral County	None
Disposition	Active
Disposition Date/Time	08/18/24 14:54
Review for Gang Activity	None
Status Indicator	Administrative Filler
Status Change Date	8/18/24

Offender

TRAPP, DAVID BRYAN

Male, DOB 12/10/66
 208 ADAMS AVE
 SUMTER, SC 29150
 (803) 464-3992 Cell

16-3-1700(A) - 1ST DEGREE HARASSMENT

Victim

FREEMAN, RANDAL KLINT

Male, DOB 11/22/88
 8 Warren Ct
 Sumter, SC 29150
 (224) 407-1660 Cell

16-3-1700(A) - 1ST DEGREE HARASSMENT

Primary Narrative By Thomas Yeager

8 Warren Ct

Law enforcement responded to 8 Warren Ct., located in the jurisdiction of the City of Sumter, SC, in reference to a civil disturbance. Upon arrival, officers activated their BWC and made contact with Randal Freeman (Victim).

Freeman advised David Trapp (Suspect) keeps driving by the house and recording him and his children. Freeman advised Trapp started to drive by his house on 7/8/2024 and has everyday since (reference case number 24004309).

Case SPD24005118

Trapp drove by Freeman's house multiple times since then. Freeman advised that Trapp drives a white 2020 Jeep Gladiator (SC tag 4416KQ, which is registered to Trapp). Freeman provided security camera footage of the incident which shows him driving by on 8/18/24 at 1158 hrs and placing a sign in his yard.



SUMTER POLICE DEPARTMENT VICTIM/WITNESS SERVICES

Case# 24004982

Assigned to Det. Litaker

A copy of your incident report will be provided to you free of charge and is available at the Sumter Police Department, 335 N Lafayette Drive Sumter, SC 29150 during normal business hours.

As a crime victim/witness you have the right to:

- Be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse throughout the criminal and juvenile justice process, and informed of the constitutional rights provided by statute.
- Be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped
- Be informed of and present at any criminal proceedings which are dispositive of the charges where the defendant has the right to be present;
- Be reasonably informed of and be allowed to submit either a written or oral statement at all hearings affecting bond or jail;
- Be heard at any proceeding involving a post-arrest decision, a plea or sentencing;
- Be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process
- Have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime before trial;
- Receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the loss or injury including both adults and juvenile offenders;
- Be informed of any proceeding when any post-conviction action is being considered, and be present at any post-conviction hearing involving a post-conviction release decision;
- A reasonable disposition and prompt and final conclusion of the case.

Your responsibilities as a crime victim/witness

- Provide your legal name, current mailing address and telephone numbers and provide the Sumter Police Department with any changes.
- For restitution consideration, you must provide full details of the financial impact of the crime against you in a timely manner.
- If you want to be present for any plea, trial or sentencing, you must notify the prosecuting agency or summary court.
- If you wish to make an oral or written statement, you must notify the solicitor's office or the Court in a timely manner.

The process of prosecution by the State: www.scvan.com search: Survival Guide

VICTIM/WITNESSES WHO FEEL THEY ARE BEING THREATENED, HARASSED, OR INTIMIDATED SHOULD NOTIFY THE SUMTER POLICE DEPARTMENT IMMEDIATELY

Victim Assistance Services: *Assistance with criminal justice needs such as filing reports; *obtaining warrants and applying for orders of protection, etc.; *Transportation to court proceedings when needed; *Assistance in obtaining help from other community resources; *Crisis intervention *Referrals to counseling; *Creditor intervention

Emergency 911 24 hr. Non-emergency 436-2700

Community Resources

Third Circuit Solicitor (Victim Services) 436-2191
Pathways To Healing (Sexual Assault Services) 803-771-7273
Dept. of Mental Health 775-9364
Dept. of Social Services 773-5531
Governor's Office: Crime Victim's Ombudsman 888-238-0697
State Office of Victim Assistance 803-734-1900 or 1-800-220-5370
SC Victim Assistance Network 803-750-1200 or 1-888-TLC-1900

Sumter Police Dept. Victim Advocates...

Amanda Wiley 436-2780
Alicia Loney 436-2781
YWCA Domestic Violence Hotline 24hrs 775-2763
United Ministry 775-0757
Sumter County Detention Center 436-2340
Magistrate/Summary Court 436-2280
Sumter DJJ 778-2368
Family Court 436-2366

The Department of Crime Victim Compensation helps crime victims with medical bills, funeral expenses, counseling and work loss. It does not provide compensation for property loss or pain and suffering. Contact the Sumter Police Department Victim Assistance Office for assistance in filing for victim assistance funds. This information is an overview of your rights and responsibilities as a crime victim/witness. If you need assistance or additional information, you may contact the Sumter Police Department Victim Assistance Program Office, 803-436-2703. After normal business hours an advocate can be reached through the Sumter Police Department non-emergency number, 803-436-2700.



City of Sumter Police Department
 Russell F. Rownt, Lt. Chief of Police
 335 North Lafayette Drive
 Sumter, SC 29150
 Phone (803) 436-2700
 FAX (803) 436-2084



Commitment to Service

Case SPD24005198

Printed on August 28, 2024

Status	Approved
Report Type	Patrol
Primary Officer	Russell Pentz
Investigator	John Litaker
Records Technician	
Reported At	08/21/24 14:16
Incident Date	08/21/24 13:32 - 08/21/24 13:32
Incident Code	1078 : NEED ASSISTANCE
Location	8 WARREN CT, SUMTER, SC 29150
Zone	City Region 01
Beat	SPD 06
Court	None
Ereferral County	None
Disposition	Administrative Closure
Disposition Date/Time	08/27/24 09:46
Review for Gang Activity	None
Status Indicator	Administrative Filler
Status Change Date	8/21/24

Complainant

FREEMAN, RANDAL KLINT

Male, DOB 11/22/88

SPD-LT-001 - LT Report - All Others

8 Warren Ct

Sumter, SC 29150

(224) 407-1660 Cell

Primary Narrative By Russell Pentz

On 08/21/2024, Freeman came to the Sumter PD to file an incident report. Freeman stated that on 08/21/2024, Trapp drove by 8 Warren Ct., located in the City of Sumter, SC. and placed a for sale sign in the yard.

Freeman has made numerous reports (stalking) of Trapp driving by 8 Warren Ct, but has failed to mention to law enforcement that Trapp owns the property and is in the process of selling the house. According to the Sumter County Register of Deeds, 8 Warren Ct is owned by Trapp.

Supplemental Narrative By Mary Ann House

ADDTL 1014

On 8/21/2024 at approximately 2019 hrs, Ld Cpl House made contact with Freeman (complainant) via telephone about Trapp (suspect) on the property at 8 Warren Court in the jurisdiction of the City of Sumter around 1755 hrs. Freeman advised Trapp was served a notice of a restraining order hearing today. Freeman advised Trapp is coming and moving

the sign to the front the property. Freeman advised he spoke to the magistrate courts and they have been advising him to document each incident of Trapp on the property. Freeman provided video footage. BWC was activated.

Supplemental Narrative By John Litaker

On Wednesday August 21, 2024 David Trapp advised Det. SSgt. Litaker that he placed a "for sale" sign in front of the residence at 8 Warren Court, a residential property that his LLC owns, and he provided a photograph of the sign as he placed it, showing that it was placed in front of the house between the sidewalk and the street curb on what appears to be city right-of-way. Trapp said that when he checked back later in the afternoon, the sign had been moved, presumably by Freeman, to a position behind the mailbox post, which is a square column which largely obstructs the sign from being viewed. This report is one of numerous reports made by Freeman reporting incidents that Freeman deems harassment. Freeman has applied for a restraining order, and Trapp has been served with a summons for the hearing. This complaint is in the hands of the court, and there has been no criminal harassment substantiated. Photos have been uploaded into this report.