

PS#1

8-12-13
DATE

C/O: Honorable DANIEL E. SHEAROUSE
SUPREM COURT, CHAN OF COM
P.O. BOX 11336, COLC, S.C. 29211

FROM: BEN NABORS #233844
B.R.C.T. SAL-141
4460 Broad Street Road
Colc S.C. 29216

RE: ENCLOSED MOTION WITH
ATTACHMENTS.

8-12-13
DATE

DEAR MR. SHEAROUSE,
PLEASE CLOCK, FILE STAMP AND
PUT THE ENCLOSED PRO SE
INDIGENTS APPELLANT'S MOTION
FOR DIRECT JUDGMENT ON THIS
CASES DOCKET FOR HEARING.

RECEIVED

AUG 16 2013

S.C. SUPREME COURT

pg. 77-2

pleas also respond to this
prose wrongfully convicted
Indigent prose appellants
previous communications
to this Honorable Court
seeking information, and
a Court order from (yourself)
directing, both the 8th. Cir. Clerk
of Court's office, as well as
the 8th. Cir. Solicitor's office,
as well as the South Carline
Attorney General's office.

to ALL GRANT MY
request, if reasonable,
with whatever ~~it~~ may
require from them.

Pg. 111-3

(within reason) which this
pro se appellant will and does so
REQUIRE from their offices
as way of COOPERATION ON
their parts, to aid me with
what I do so require, to (insure)
that this pro se appellant
"actually receives (fairness)"
to aid him in this appell.
so far, these offices have all ignored, as
the court has, my respectful request
for documents, production of
discoveries, records, etc.

8-12-13
DATE

Respectfully
Ben Nabor

cc: usscc Justice John Roberts.

BEN NABORS # 233844
B.R.C.I. Sal-141-
4460 BROADS RIVERS ROADS
COLE, S.C. 29210

* pecc. motion, ENCLOSURE,
dated on 8-12-13
[Signature]

C/O: Honorable DANIEL E. SHEPHERD
CLERK CONT - SUPREME COURT OF SOUTH CAROLINE
P.O. BOX 11330, COLE, S.C. 29211

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COVER SHEET FOR INDEX

* INDEX for COMMUNICATION PURPOSES
THE SUPREME COURT SOUTH CAROLINE

BEN RAYNBOURS, pro se appellant
Appellant/petitioner

VS.

THE STATE OF SOUTH CAROLINE
Respondent

Appeal from LAUREN COUNTY S.C.
HONORABLE CLIFTON B. NEWMON
CIRCUIT COURT JUDGE

case no: 2013-001195
LOW CRT. case no: 2011-cp-30-308

MOTION FOR DIRECT JUDGMENTS
INDEX for attached.

MOTION FOR JUDGMENT(S)

~~PRO~~

INDEX #1

Ad2 enclosed is consent
Bearta numbered and
correctly in order.

pages ~~#~~1 - ~~#~~⁴⁰45 are
the motion for direct verdict
Judgment by the Supreme
Court, of South Carolina,

Numbers ~~#~~⁴⁶46 - ~~#~~48 is copy
of communication to Judge
Clifton B. Newman date

8-8-13, in which this

pro se appellant attempts to
address fact(s) that the pro
cont did not respond to, acknowledge
several properly served motion(s),

and pro se ex parte communication as well
weeks before the 4-25-13-RULING.

INDEX ~~72-74~~ = 6

(GRIFFON vs FINESE, {QUALITY
(INVESTIGATOR) TO COLLECT
VITAL EVIDENCE WHICH WILL
PROVE BY (PREPONDERANCE EVIDENCE)

THAT APPELLANT,

BEN NABORS IS IN FACT

ACTUALLY WITH A DOUBT

INNOCENT.

NUMBERS ~~72-74~~ = 79 ARE

A COMMUNICATION, ONE OF ONLY

ABOUT 32, TO THE 8TH. CIR

SOL. OFFICE, WHICH ATTEMPTS TO

SEEK FAIRNESS FROM THE COURT.

AS THE REST, NO RESPONSE OR RULINGS

WERE EVER FORTH COMING, THIS INDIGNANT

PROSECUTOR'S BEH (IGNORED) FOR OVER

INDEX ~~INDEX~~

4-years now (denied due process.)
this prose, indigent appellant
swear under all party relatives
that he has honestly tried
to put together correctly
and tragically this INDEX
and motion and all attachments,
ON THIS DATE, 8-12-13 -

8-12-13 / BR PM
DATE
BEN NABORS #B3844
BR. CI. SAL-141
4460 BROADSIDE WAYS
COL. S.C. 29212

CC. Alan Wilson, Attorney General S.C.
Honorable, Daniel F. Shearouse, Clerk
Suprem Court, of S.C.

~~original~~
PG-7-1

motion in SUPREM COURT OF SOUTH CAROLINA

SUPREM COURT SOUTH CAROLINA

BEN RAY NABORS, prose
Appellant,
Petitioner,
vs.

8-12-13
today date

THE STATE OF SOUTH CAROLINA
Respondants

APPEAL FROM LAUREN COUNTY
8th CIRCUIT COMMON PLEAS,
HONORABLE JUDGE CIRCUIT COURT,
CLIFTON B. NEWMONT

CASE NO: 2011-CP-30-308

MOTION FOR (DIRECT VERDICT)

7-1

0 77

para 2

may it please this
most honorable court,

This pro se appellant, petitioner,
does moves for a form,

some resemblance of
(A DIRECT VERDICT)

IN REGARDS TO CASE
OF BEN NABORS vs THE
STATE OF SOUTH CARINA
THE COUNTY OF LAUREN.

* THIS pro se appellant
strongly believes, THAT
SUCH FACTUAL EVIDENCES)

2

para

PS ~~444~~ = 3

(does exist) to support
this motion. As this ocean^{er}
cont is already aware
of these (facts), this
pro se party will (attempt)
to reiterate, describ, in
minute details, the
(FACTS), in which he
(do believe supports
his motion) have in
tried UNSUCCESSFULLY

~~4~~ = 3

Q44

P 9 ~~4444~~ = 4

Several $\begin{pmatrix} 12 \\ 9 & 3 \\ 6 \end{pmatrix}$'s before
this Honorable Court to
attempts to put forth
(with-out) (INVESTIGATIVE)
SERVICES (FUNDS FOR
INVESTIGATOR), MONIES
appropriated from the
O.I.D., from both the
lower courts) as well
as the higher courts),
and this prose party
does swear under all

424

$\begin{pmatrix} R \\ R \end{pmatrix}$

PS. ~~#####~~ = 5

penalties of perjury
that for (over four years)
(4) years, (He has been
denied fair treatment),
by the lower courts and
the higher courts, and
also HAS been denied
(impartiality) from these
courts, and has been
denied (equality), from
these lower and higher
courts, as well as
having been denied
effective trial and p.c.R

5-4

5-4

pg. ~~4444~~ = 6

COUNSEL REGARDING HIS
EFFORTS), DESIRES, TO PUT
FORTH (THE DEFENSES)
IN WHICH HE (REPEATEDLY, IN
VERY MANY WAYS, EFFORTS)
DID SO COMMUNICATE
TO ALL PARTYS INVOLVED
WITH THIS CASE,

CASE NO: 2011-CP-30-308
AT BOTH THE TRIAL LEVEL,
AS WELL AS AT THE P.C.R.
LEVEL. . . . THIS PRO SE

pg 6

~~444~~

P. 2. ~~#####~~ = 7

move of this motion,
for a direct verdict
Hearty attempts to
provide this court with only
few (crumbs) as his (cant from law
hear) get supporting evidence
and makes it known (again)
to this honorable court
Respectfully, that (only)
if some court, somewhere
in this great country
of ours, would grant
funds, monies, some

P. 27

(UAP)

pg. # = 8

appropriations, granting
of funds, from the O.I.D.,
then he, this indigent, very
very poor appellant, could
pay for the (tools)
(LEGAL tools) such
as (investigative services)
in which he has for over
~~four~~ - (4) years, for
over (4) years, for
over one thousand day(s),
1,000 day(s) & night(s),

= 8

✓

P. 7-9

While he could easily
prove by a preponderance
of evidences (if only)
granted funds by the
courts of this great
mighty country he does
so love and resides in,
This pro se party
has been (UNCONSTITUTIONAL
DETAINED) WITH^{IN} JAIL AND WITH
IMPRISON, (UNLAWFULLY) AND
(ILLEGALITY) AS A DIRECT

7-9

WTT

P2-~~A~~¹⁰=10

RESULT OF HIS, FEDERAL,
STATE, CONSTITUTIONAL AND
DUE PROCESS RIGHTS,
HAVING HAD BEEN SERIOUSLY
VIOLATED BY THE LAUREN
COUNTY SHERIFFS DEPART-
MENT, BY (SEVERAL)
L.C.S.D. & L.C.D.C. OFFICERS
OF (ACTUAL AUTHORITY)
WHO ~~①~~ HAVE ATTEMPTED
TO PROVE, TO THE COURTS
BY VAST, CONVINCING,

72/10

~~X~~

PSA¹⁰ = 11

preponderance of evidences
for over (4) years now,
LCS.D. are directly responsible
for such convictions
and sentences, for
catjacking and
armed robberys, in
which this prose
appellant, were caused
by the Laurens county
sheriffs departments/
officers of actual
authority, who

P 9-12

did order, approve of
for me to be their
"C.I.S.D. OFFICERS OF AUTHORITY"
(UNDERCOVER NARCOTIC
AGENT) prior to, and at
(12
9:3
6) of, and on day
of (6-10-09),

when this prose party
(without aid of effective
assistance of counsel,
or INVESTIGATIVE SERVICES)
has attempted to prove
his innocence of above

9-12

pg. ~~7~~ = 13

(CRIMINAL CHARGES)
(CONVICTIONS, SENTENCES)
(caused illegally by officers
of actual authority, of
the C.C.S.D. on 6-10-09,
when such officers of
actual authority did
approve sanction, and
direct this prose party's
presence at a suspected,
known, methamphetamine
lab at 836 Hellams Road,
Grey Court, S.C. 29360, within
Laurens County, on 6-10-09.)

pg. 13

pg. ¹⁰~~11~~ = 14

AND while illegally violating
his constitutional rights, both
Federal as well as state,
and his rights as a
defined vulnerable/mentally
ill Adult, PERSON, with
known diagnoses by several
psychiatrist as being
mentally ill, paranoid,
Schizophrenic, These officers
these of actual authority,
of the CAUSEN COUNTY
sheriffs department

pg. 14

Ⓟ
P 97 = 15

(NARCOTICS UNITS)

did threaten, coerce,

and manipulate this mentally

ill pro se petitioner/appellant

into becoming their "snitch"

(UNDERCOVER INFORMANT) AND

while on prior to and on

6-10-09, acting under

actual Authority of the

C.C.S.D, this pro se

mentally ill appellant

did BECOME overexposed L.C.S.D.

L.C.S.D, who had put (concealed cameras spy

glasses and button, micro

ON MY & send me into crackhouses meth labs

97=15

ps. ~~7~~¹⁰ = 16

was exposed to (toxic and potentially
Deadly) CHEMICALS used
in the manufacturing
of meth, "crystal
meth", while at
the location of 836 Hellams
Roads, within Lauren County,
while being at such location
under the direction/actual
authority of officers
of actual authority
of THE C.C.S.D. on (6-9-9)
(6-10-09) and that

~~7~~ = 16

pg. ~~7~~ = 17

White at 836 Hellams Road,
Avery Court, S.C. 29360, under
(actual authority of CCSD)

This prose mentally ill they say
appellant/petitioner, ON

6-10-09, there about, after
having become so exposed to
lots toxic/deadly, chemicals
used, being used at that
location described above,
illegal chemicals, meth,
dangerous chemicals, this
prose mentally ill petitioner/

~~7~~ = 17

PS-18

appellants already known
and documented medically
mental illnesses of (paranoia)
and (schizophrenia) and
(impulse control) disorder,
did go into a (psychotic
state of mind) which
greatly by preponderance of
evidence could easily
have been proven at
both trial and PICR,
was the direct cause
"trigger" of their prose

PS-18

Pg. ~~#7~~¹⁰ = 19

PETITIONERS ACTIONS, WHICH
RESULTED IN THESE ALLEGED
INCIDENTS, AT (RESPONSIBLE FOR
HIS CURRENT CONVICTIONS)
SENTENCES, OF BOTH
CAR JACKIN AND ARMED
ROBBERY, IN WHICH FOR
OVER (4) YEARS, HE HAS
UNSUCCESSFULLY SOUGHT OUT
THIS LOWER AND HIGHER
COURTES) FAIRNESS IN

HIS EFFORTS TO PROVE SUCH
(WITHOUT) TRIAL TRANSCRIPTS, P.C.R.
TRANSCRIPTS, TRIAL CASE FILE OR EVEN DISCOVERY
THAT HIS, CAUSE ALL CAUSE L.C.S.D.,

#19

20
P 17-20

CONVICTIONS and SENTENCES
are as such result of
- the C.C.S.D. CONSTITUTIONAL
VIOLATIONS, OF HIS FEDERAL
and STATE CONSTITUTIONAL
RIGHTS VIOLATIONS PRIOR to and
ON and AFTER, 6-10-08,
by such OFFICERS OF
actual authority, as
well as INEFFECTIVE TRIAL
and P.C.R. COUNSELORS, as
well as a biased, prejudice /
COURT, DID DENY THIS PROSE

P 20

~~P 21~~ = 21

appellant/petitioner of his
Rights to receive equality
(Equality) (Fairness)
(Justice) at both
pre-trial - trial - post
trial - appeal - and final
levels, and UNLESS
this Honorable Court
of the S.C. Supreme Court
Grants pro se party's
motion for direct verdict
by remitting such case,

~~#21~~

(22)
Pg. 7-22

CASE NO: 2011-CP-302-308
(WITH INSTRUCTIONS) FOR
APPROPRIATIONS OF FUNDS
FOR INVESTIGATIVE SERVICES
AND TRANSCRIPT(S) LOWER COSTS,

THEN ALSO, IT'S GREATLY
FEARED BY THIS PRO SE
PETITIONER/APPELLANT
THAT HE WILL ALSO BE
DENIED FAIRNESS, EQUALITY,
JUSTICE, BY THIS HONORABLE

22A

(23)
Pg 4 = 23

S.C. SUPREME COURT, as
well as already having
been denied both FAIRNESS
and FULLNESS (EQUALITY)
at the lower court, the
8th. CIRCUIT, LAUREN
COUNTY, S.C. COMMON PLEAS
AND GENERAL SESSIONS
COURTS, RESPECTFULLY.

These allegations will
be fully explored in
the appellants brief,

Pg 23

pg 24

ONCE he has been allowed
the fairness of this honorable
COURT, by it's granting this
appellants motions, petitions,
for both expenditure of
funds for investigative
services, and it's (order)
to the lower court, both
trial and p.c.R., "general
sessions, common pleas"
court(s), to provide this
appellant with both
the discovery and transcripts.
he has so sought diligently
for over four, (4) years
now. ~~it~~ only prey for

pg 24

Pg. #25

This courts fairness,
That I finally receive
Justice, which I swear
under all penaltys perjury
has thus far been denied
to me, simply because I
am poor, "indigent" mentally
ill, and illiterate in
the ways of the criminal
Justice (system).

Citing, U.S. CONST., art. 1, §9, cl. 2.

In that "Inadequate state corrective
process" (Did violate) "it will be
one of my appeal issues" my
14th amendment (as well as) many
and 6th amendment rights and

#25

pg. # ²⁶ = 26

other (very serious issues)
directly related to my Federal
State, const. Right(s) and
due process rights GOD
will and they are in the
wrong prove my (right)
to a (NEW CRIMINAL
trial). These delays
ONLY serve their real
purpose ~~to~~ FEEL, and THATS
to (allow) evidence and
witnesses memories to
be lost, tampered with,

26

pg 27

of "fade" ... described in part as follows. "State Law or the STATE COURT(S), unduly restrict the evidences that can be introduced at post conviction hearing(s); and State jurisdictional requirements, limitations on cognizable claims, pleading rules, briefing restriction(s), and "procedural default doctrines" or other rules of procedure are insufficiently hospitable to the adequate development and litigation of FED ERAS CONSTITUTIONAL CLAIMS".
See generally, Case vs. Nebraska,

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pg. ²⁸ 28

at, 381 U.S. 336, 337-47,
(1965). U.S. ex rel. HERMAN
vs. CLAUDY, 350 U.S. 116, 119,
(1956). YOUNG vs. RAGEN,
337 U.S. 235 (1949),
GRIGSBY vs. MABRY, 637 f.2d
525 (8th cir. 1980), GIBSON
vs. JACKSON, supra, 578
f.2d at 1048-49, (addendum
of RUBIN, J.). HART vs. EYMAN
458 f.2d 334, 340 (9th cir.)
cert. denied, 407 U.S. 916
(1972), BUCHANAN vs.
U.S. ex rel. REIS, 379 f.2d
612 (5th cir. 1967) etc.

28

②
Pg. # = 29

Suggesting the invalidity of state procedural rules or devices that are (simply designed) or for the purposes) serve only to frustrate the adequate litigations of FEDERAL CONSTITUTIONAL claim(s), are, e.g., Ford vs. Georgia, 498 U.S. 411, 423 (1991) "Refusing to recognize default of state procedural rule with which petitioner (could NOT) reasonably have

80
P9 = 30

been expected to comply:"
Terrell vs. Morris, 493 U.S.
1, 2 (1989) (similar);
Ward vs. Commissioners of
Love County, 253 U.S.
17, 22. (1920) ("It therefore
is within our province to
inquire... whether the
(federal) rights, were thus
denied (by the state courts)
in substance and effect, as
by putting forward non federal
[procedural] grounds of decision
that were with out any (fail)
of substantial support);

P9 = 30

(31)
Pg. # = 31

Also, see U.S. vs.
moore, 24 F.3d 624, 625-26,
(4th Cir, 1994).

Also, see "prosecutorial
suppression of exculpatory
evidence" walker vs. lockhart,
763 F.2d 942 (8th Cir, 1985)
(en banc) cert denied, 478
U.S. 1020 (1986).

(*) The court cannot find that
petitioner (failed) to
adequately develop the facts
of his claim in state court,
"because he (was denied)
requested (discovery)"

(32)
Pg. # = 32

Requested (INVESTIGATIVE
SERVICES), THE FUNDS)
(FOI), et c. See Caro
vs. Vasquez, 1996 U.S.
DIST. LEXIS 20840 at
15 (N.D. Cal. Aug 19, 1996).
FOI "Public Authority" See ↓
(*) See U.S. vs. Achter, 52
F3d 753, Crim. Law 36.6.
(1995) and this pro
se appellant (did) FILE
"Severd" PRO SE MOTIONS
with both trial court,

#32

33

P1# = 33

"GENERAL SESSIONS" THE
8TH, "EIGHTH" CIR. OF
LAUREN COUNTY - S.C.
ALSO FILED MOTIONS
WITH THE P.C.R. COURT,
COMMON PLEAS, ALSO IN
8TH CIR. SUCH MOTIONS
DID INCLUDE, MOTIONS
FOR FUNDS FOR INVESTIGATOR
SERVICES, WHICH IS AN
FEDERAL, STATE, CONST,
ISSUE IN THIS APPEAL,
AS THAT IT WAS, →

P-33

(39)
p. 34

(impossible) for this
pro se party to gather,
collect, locate witnesses,
testimonies, evidences (from
INSIDE
PRISON) etc. which this

pro se party swears,
would have by a
preponderance of
such gathered evidences
(witnesses), some, several,
EXPERT PSYCHIATRIST, etc.

#34

(35)

P9# = 35

WHO have diagnosed, treated
this prose party for over
(30, years) for both
CHRONIC ALCOHOL, substance

abuse, ISSUES, which
have caused (They say)

* (brain damage) see
Hartfield vs. STATE

AND (paranoia) and
(Schizophrenia, etc.)

(NOTE) THE BRAIN DAMAGE ISSUE WAS RAISED
at 6-5-12 PICR Hearing and I have
also BEN DENIED that transcript, also,

#35

36

P 27-36

① NO TRANSCRIPTS, DISCOVERIES, FUNDS,
(NOTHING) AS RULE 15 clearly

(attempts) to explain,

"RULE 15, SRCP. THIS

PRO SE PARTY'S

HAD RIGHTS) TO HAVE

EVIDENCES, ON MOTIONS)

TO "AMEND, ALTER, AMENDMENT

TO CONFORM, Relation back

TO ORIGINAL PLEADING

WRIGHT VS. AMERICAN BANKERS

LIFE ASSUR. CO. OF FLORIDA,

2008-586, F.Supp.2d

464. (Though NONE) →

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Pg. ~~4~~ = 37

Pg. ~~4~~ = 37

OF THIS PRO SE APPELLANTS
CLAIMS, AL (NEW)
I need this courts help
badly. I am in fear
of life and safety,
hear in prison, cause
victims sons, (cops)
of L.C.S.D. and state
 Hwy. patrol, have had
me attacked, hurt
did assault me in
(A) Jail, pre-trial

9-37

pg-~~7~~³⁸=38

VICTIMS SON, JAMES L. EDWARDS
COP DID ASSAULT ME, COHERSED

ME TO PLEA "DON'T MAKE

~~MY MOM GO THROUGH TESTIFYING~~

~~ETC~~ ~~Ⓢ~~ KEEP GETTING

LAWYERS WHO REFUSE

MY REQUEST WHICH

ARE "REASONABLE".

SUCH AS COLLECTING AFFIDAVITS,

MY WITNESSES STATEMENTS,

TESTIMONIES, ETC.

I.C. INVESTIGATIVE SERVICES

(39)

PJ # = 39

Respectfull submitted,

8-12-13

DATE:

~~BNA & DM~~

BEN R. NABORS,

PRO SE PARTY.

RESPONDENT:

ALAN WILSON, S.C. AG.
P.O. BOX 11549
COLE, S.C. 29211-

BEN R. NABORS #233844
B.R. CT. SAL-141-
4460 BROADSMEAD'S
COLE, S.C. 29212

COUNSEL FOR
RESPONDENT S:

ALAN WILSON, STATE ATTORNEY GENERAL
OF SOUTH CAROLINA,

P.O. BOX 11549, COLE, S.C. 29211-1549

CC. Clerk Court, SUPREM COURT.

ZIP → 29211-1549

HONORABLE D. E. SHEAROUSE

CC. HONORABLE CLIFTON, B. NEWMAN, KING'S FREE S.C.

#39

→

(40)
P~~2~~ = 40. 8-12-13 DATE.

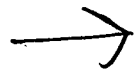
PROOFS OF SERVICES
THE STATE OF SOUTH CAROLINA
IN THE COURT APPEALS
[IN THE SUPREME COURT]

Appeal from, LAUREN COUNTY, S.C.
COURT OF COMMON PLEAS
CLIFTON B. NEWBOM, CIR. COURT JUDGE,

CASE NO: 2011-CP-30-308
APPELLAT NO: 2013-001195
BEN R. NABORS, PRO SE APPELLANT,
VS.

STATE OF SOUTH CAROLINA, LAUREN COUNTY, S.C.

8-12-13
DATE



~~P~~ = 40

PJ. ~~4~~⁴¹ = 41

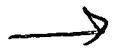
8-12-13

DATE

PROFOF SERVICES

⊙ This prose appellant swears he has served this motion for direct verdict on all parties, the respondents, ALAN WILSON, S.C. ATTORNEY GENERAL, J. Rutledge JOHNSON, ES. ASSI. ATT. GEN. by hand delivering the same into the HANDS OF BIRACIT MADE ROOM STAFF.

MR. KITT, MR. COX,
MRS. FRIE. ON THIS



41

~~P.O. #~~
P.O. # = 42

DAY, 12TH, AUGUST, 2013

AND CORRECTLY ADDRESSED AS
FOLLOWS:

RESPONDENT
ALAN WILSON, A.G.,
ATTORNEY GENERAL SOUTH CAROLINA,
P.O. BOX 11549,
COLE, S.C. 29211-1549

ON THIS DAY AND YEARS
MONTHS OF AUGUST 12, 2013

→

#42

43
Pg. # = 43

AND ALSO THIS PROSE PARTY
SWEARS PENALTY PERJURY HE
HAS PROPERLY ALSO
SERVED COPIES OF THIS
MOTION/PETITION FOR DIRECT
VERDICT/JUDGING, TO THE
FOLLOWING PARTIES.

* CLERK COURT, THE HONORABLE
DANIEL E. SHEPPOUS HOUSE
MAN SUPREME COURT, S. C.
P.O. BOX 11330, COLUMBIA, S. C.
ZIP: 29211

8-12-13

DATE

#43

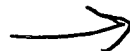
(44)
P.O. # = 44

also,

THE HONORABLE:
CLIFTON B. NEWMAN,
P.O. BOX 516
KINGS FIRE, S.C. 29556-0516

AND:

ALAN WILSON, A.G. FOR S.C.,
J. RUTLEDGE JOHNSON, EDS. ASSI-ATT. GEN.
P.O. BOX 11549
COTE, S.C.



8-12-13

DATE

#44

(45)
Pg # = 45

Respectfully submitted on
this day - AUGUST 12, 2013

8-12-13
today date.

~~BEN R. NABORS~~

Appellant Address is:
BEN R. NABORS #233844
B.R.C.I. SAC-141
4460 BROADS RIVERS ROAD,
COTE, S.C. 29210

cc: ADAN WILSON, A.G. FOR S.C.
cc: DANIEL E. SHEPHERD - SUPREM COURT, S.C.
cc: Lyn W. Lancaster Honorable Clerk
8th Cir. compiled - S.C. LAUREN - 29360

= 45

PJ. A=1

8-8-13

TO: Honorable C.B. NEWMON,
Circuit Court Judge,
P.O. Box 516, Kings Cross
S.C. 29556

DATE

FROM: BEN NABORS #233844, pro se
party, B.R.C.I. SAL-141
4460 Broad Rivers Road
Cole, S.C. 29210

RE: 2011-CP-30-308, and the
refusal of this court's
acknowledgment, ruling,
on my motion to amend
and expand record (Filed)
on April 16, at Lauren
County Court House, Common
Pleas, 2013.

Your Honor, your officers
have not responded (yet) to my

A=96

L

pg. #7-2

(Several) pro se communications,
sent to you, regarding
(amongst other things)

the (motion) in which was
by Law/Rules, timely filed
with your court, such motion
being (motion to Amend
and Expand Record) which
as stated above, (was timely
filed) on (4-16-2013) (and
was properly served upon
(all party's) the court, the
clerk, and the respondents.)

The above mentioned motion,
(copy of) has been included

#47

m

Pg. ~~1111~~ = 3

Within this envelope, communication,
for his honors appraisal, "RE: my
(6th, and 14th Amendment violations ~~of~~ suffered,)
as result," your Honor, it will be
my assertion that this
pro se party (was) denied a
fair and full p.c.r. proceeding, "on
3-13-13," and will motion the Supreme
Court for a (direct verdict),
seeking a new p.c.r.
hearing. Thank you for
your attention to this
matter of, "at least to me"
(an innocent man, wrongfully
convicted and sentenced.)
"Importance."

Respectfully,

8-8-13

DATE:

BEN NABORS

BEN NABORS

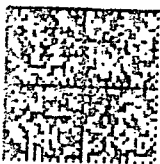
#48
CC: DANIEL E. SHEAROUSE, the HONORABLE CLERK COURT, (N)
Suprem Court, of S.C.

* ON 4-16-13 pro se
 petitioner/appealant, did file
 this motion to the p.c.R.
 COURT, SEEKING SUCH COURT
 Judge C.B. NEWMON, to
 Rule ON. Such motion was
 for COURT Respectfully to
 alter/expand/amend
 3-13-13 p.c.R. Record by
 finally allowing pro se
 applicant/petitioner/appealant,
 to receive fairness by
 allowing me to enter into
 COURT'S Record, p.c.R. 3-13-13
 Record vital documents
 Evidence which would
 show COURT by preponderance of
 Evidence I deserve relief
 new criminal trial,
 That I am INNOCENT!
 Judge C.B. NEWMON
 Refused to rule ON OR
 address my motion,
 attached, which he was
 properly served, all parties
 by me
 8:1243 *Bennabors*
 DATE → BENNABORS, MO SE

AFTER FIVE DAYS RETURN TO
LYNN W. LANCASTER
 CLERK OF COURT—LAURENS COUNTY
 P. O. BOX 287
 LAURENS, S. C. 29360

Ben Nabors #233844
 Broad River Correctional Institution
 4460 Broad River Rd.
 Columbia, SC 29210

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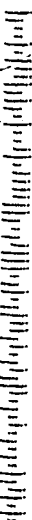
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STATE OF SOUTH CAROLINA
COUNTY OF LAUREN

COURT OF COMMON PL

BENJAMIN RAY NABORS

CA No: 2011-CP-30-30

Applicant

vs.

Motion to Amend
and Expand Record

State of South Carolina

pro se
Emergency
Motion

P.C.R. HEARING RECORDS
REGARDING MY P.C.R. HEARING
ON ~~3~~ 3-13-13, IN JUDGE NEWMAN'S
COURT, AS FORCED PRO SE COUNSEL
IF IT PLEAS THIS HONORABLE COURT,
I NEED TO AMEND THE P.C.R.
APPLICATION AND NEED TO EXPAND
THE RECORD TO HAND UP DOCUMENTATION
TO SUPPORT MY SEVERAL REAL WORLD,
P.C.R. ISSUES WHICH DUE TO
MY HANDS BEING SHACKLED AT
3-13-13 HEARING I WAS UNABLE
TO HAND UP CAUSE KEPT
KNOCKING OVER EVERYTHING WATER

7-50

~~##~~

pitcher water papers

evidence documentation on
floor mixing everything up
confused on medication
oxybutynin was on over
medicated p.c.p. counsel

Rodney W. Richey, ESQ
was ineffective for
refusing to follow my
instructions to order

trial transcripts and
other relevant transcripts
and probation parole records
and school mental health
special education records
Rodney W. Richey ESQ. called
me names made fun of at
me cause of my mental illness.
Rodney W. Richey, ESQ

~~###~~
3

was very very Blueberry
ineffectualations and
Judge Newman and A. G.
Rutledge were kind to me
both sorry @ made every
one mad at me did only
want I'm INNOCENT

Alex Stalvey. ESQ (trial
counsel was ineffective
didn't hire my investigator
and call witnesses

Rodney W. Richey ESQ
didn't do these things
- either. I'm INNOCENT
AND NO affidavits from
DR. Martin my psychiatrist
nor doctor Heaton my psychologist,
nor several other psychiatrists

8-52

(R)

4
~~4000~~

who have diagnosed as well as
as well as treated me as
paranoid schizophrenic etc.
Please clock, stamp and
return copy of this pro
se motion at once to
both me, COAT, Judges
Newman Addy Russo
Hill Cole Griffith
as well as A.G. office
Rutledge Johnson, ESU.
Thank you Amen.

4-10-13

Sincerely

~~O ALES~~

~~Ben Nabor~~
BENJAMIN RAY NABORS

7-53

(5)

CLERK CONT
CYNU CASSTIS ⊕

THE MOTIONS
TO AMEND EXPAND
P.C.R. HEARING
RECORDS FROM 6-5-10
11-14-12 and 3-13-13.

PLEASE SEND STAMPER!

Checked copies X

Judge's NENMEN OTHER
AND RETURN STAMP
COPY b6. J. MY.

Thanking you,
Amanda

BR

65-4

59-A 29

BENNA BARS #233844

BROADS RIVERS COM. INST. M.L.T. 1035-13

4460 BROADS RIVERS RD.

COLA, S.C. 29210

Honorable Judge NEWMAN

P.O. Box 516, Kingstree, S.C.

29556

mailed on

4-10-13

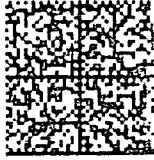
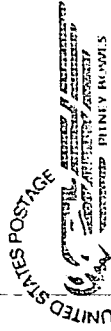
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BEN A BARS #233899

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1460 BROAD RIVERS RD.
COLA S.C. 29210

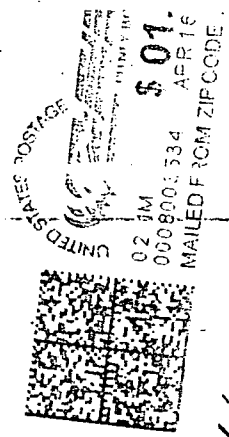
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Judge Mr. Clif B. NewmAn -
Honorable P.O. Box 51
Kingsree, S.C. 29556
29556

Mail/ds than

41513

PM



(V)

F5-A

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BUNNABOYS 233844
BOADS AVENUE RD. CORP. INST. MC T. 10035
4460 BOADS AVENUE R.D.
COLA S.C. ~~2360~~

29210 DYN LANCASTERS

maileds then

4-15-13

BW

CLERKS COAT

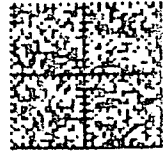
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5-6-13

Two Judge Newmans
P.O. Box 516 Kings Tree
S.C. 29556

From: BEN NABORS #233844
B.P.C.I. MLT. 1035-B
4460 Bread Rivers Road
Cola, S.C. 29210

RE: PCR 2011-CP-30-308
motions too expansion of
recordings enter documentations
evidence to support ISSUES
FACTS.

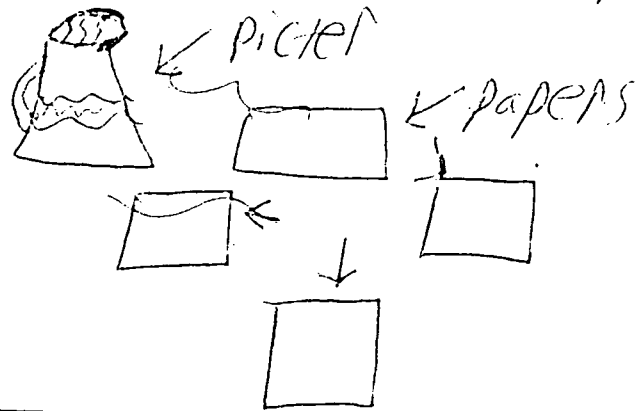
Dear Judge Newmans Sir
Your Honor's sorry botherin you
again NO but NO ONE tell will
me if ~~it~~ can plea intertain
into records the documentations
supporting records) evidences
to prove to thise honorable court
by a preponderance of evidences

7-58

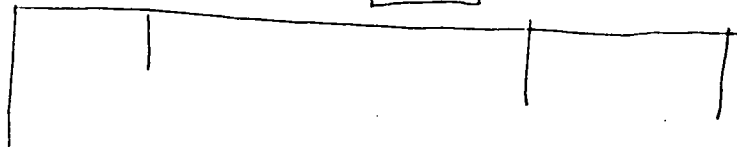
~~244~~

(Y)

My PCR ISSUES THAT DUE TO
 CIRCUMSTANCES AT ON 3-13-13
 HEARINGS WAS SHACKLED HEAVENLY
 AND KNOCK OVER THE DOCUMENTS
 SIR THINK YOU JUDGE NEWMAN
 FOR LET IN ME TRIED TO TALK
 BOUT HOW LCSD NARCOTICS COPS
 FORCES ME BE THERE UNDERCOVER
 AGENT FOR THEM THE WATER



Sir plea



LET'S ME GET THESE DOCUMENTATION
 ENTERED IN 2 PARTS RECORDS IN
 SUPPORT MY PCR ISSUES AND
 PLEA GRANT MY MOTIONS FOR

7-59

~~***~~

(2)

3

Payments of Fundations
the O.I.D. For my trial
TRANSCRIPTS 10-18-10 and
for my PCR TRANSCRIPTS FOR
5-6-12 and 3-13-13 SO

⊙ can fairly present my case
2011-cp-30-308 also these
TRANSCRIPTS PLUS ALL MY PROHIBITION
PAROLE RECORDS ARE ALSO NEEDED
AND HAVE BEEN SOUGHT BY ME FOR
4 YEARS NOW AND ⊙ STILL
HAVE NOT GOT MY COMPLETE
TRIAL DISCOVERY TO AID ME
MY EFFORTS TO GET COURTS
CONSIDERATIONS FOR RELIEF.
IT VERY BLUE BERRY HARD
FOR ME TO COMPETE WITH COURTS

~~7-6-13~~

~~###~~

AXX

Your Honor's plea dont mad
with me cause IT wrongs how
LCSO and 8th Cir. Solicitors
OFFICERS did me @ honestly feel
@ deserves new trial.

Thank you Judge Newman

SINCERLY

5-6-13
DATE

Ben Nabors

BEN NABORS #233894
B.R.C.I. mt. 1035-B
4460 BroadStivers Road
Cola SC 29210

CC: Judge FRANK R. Adm. J.R. 8th Cir. S.C.
Attorney Generalization Ritholys 2011 25x. S.C.
Clerk Court LYN W. Lan Cater 8th Cir. S.C.
S.C. Court ADMIN

P#0F6

~~6~~ (B) (B)

C/O: LYN W. LANCASTER 5-6-13
CLEAN OF CONT

FROM BEN NABORS #233844

B.R.C.I. MCT. 1035-B

4460 BROADS NIVERS ROAD

COLA S.C. 29210

RE: my motions/request
to both this CONT as well
as your office files

Dearest Ms. Lancaster
I have not heard here
from CONT of your steps
concerning my motion prose
s for CONT transcripts
from 9-22-09 July 11
CONT. CAURENS WILLIAMS A.
Mayor defense CO wan.

P-62

#2

(C-47)

Your offices to
hand over in mediation,
at last my for inspection
of entire CONT Record,
including following

(1) ALL prose communic.

(2) ALL CONT app. cases,
pre trial motions, ^B HEARING TRANSC.
for 9-22-09 as well as

P.C.R. TRANSCRIPTIONS FOR 5-6-10
AND 3-13-13, as well as

TRIAL TRANSCRIPTS FOR 10-18-10

am indignant's possible
P.M. for such periods transcripts
THAT SAID BUT NOT

P-63

(P)

~~Page 3~~

AND THIS OFFICE HAS OF
UP REPEATEDLY OBSTRUCTED JUST
PREVENTED DISCLOSURES AND
HAS ~~IT~~ STRONGLY BELIEVE LEAK
VITAL INFORMATION TO THE

L.C.S.D. AS WELL AS TO
THE VICTIM TONI EDWARDS
OF HER FAMILY OR REPRESENTATIVE
IN RELATION TO THOSE PROCEEDING
HEARINGS AND PRIVILEGED. ~~IT~~
HAVE REPEATEDLY REQUESTED
THEN LUNCH WAS HAD
YOU REFUSE TO PROCESS
MOTION'S OF RETURN REPAIRS
REGARD THESE TRANSCRIPTS

7-64

~~7-65~~

I was forced to proceed
 with my P.R. 2011 CP-30-308
 as pro se without vital core
 records transcripts of my
 trial & opening statements
 etc. July selection, objection
 etc. on 10-18-10 - Then
 your state office refused to
 supply me with discoveries
 transcripts for 9-22-09
 hearing in Judge Hills Court
 there on 9-22-09

* which you do have in on file
 now no one your office

(F44)

~~REPLY~~ 5

will inform answer
 process deliver my
 propose MOTIONS concerning
 motion to Judge Newman
 to expand P.C.R. record
 Amend ISSUES allow
 INTO ductionable rate
 of importation evidence
 documentation was unable
 to hand up at 3-B-B

P.C.R. HEARING due to Shacker
 due to CONFUSION over what
 due to office of L.C.S.D. C.C. (C.
 TURNER) obstructing just
 refusing to hand my evidence
 to the court

F-66

~~*****~~ 6

(67)

threats hpldn cellation and no
 judg addys court house
 medication over med on
 oxy but mins etc L.G.S.P.
 of structure justice malice
 prosecut pleas provide me w/
 copy of EN TIRE cor
 record(s) pro seeding
 and trial transcripts
 for 9-22-09, 10-18-10
5-6-12 and 3-13-13

cc Rutledge Johnson 5507A NW 11th

cc Scott Admin 5-6-13 Singer

~~67~~
 cc SCA 9th Cir 5-6-13
 cc [unclear]
 cc [unclear]

cc [unclear]
 cc [unclear]

176-11

STATE OF SOUTH CAROLINA)
COUNTY OF LAURENS)

IN THE COURT OF COMMON PLEAS

HAB

C/A No. 2011-CP-30-308

Benjamin Ray Nabors, #233844)

Applicant,)

v.)

State of South Carolina,)

Respondent,)

MOTION FOR EXPENDITURE OF FUNDS
FOR INVESTIGATIVE SERVICES PURSUANT
TO §17-3-50(B)

Applicant Benjamin Ray Nabors, #233844 by and through counsel hereby moves, pursuant to S.C. Code §17-27-50(B) for Expenditure of Funds for expert services. In support of this motion, Applicant apprises the Court of the following facts and legal principles.

(1) Applicant is presently serving a twenty-five year sentence for Armed Robbery and a consecutive sentence of twenty years suspended to to five years probation upon release, imposed on October 19, 2010, by the Laurens County Court of General Sessions following his trial where he ultimately pled guilty. No direct appeal was taken. Applicant's initial application for Post-Conviction Relief was filed on March 30, 2011.

(2) Applicant believes in good faith that an independent investigation services are needed due to the extreme circumstances of this case.

(3) On the day of the alleged incident herein, the Applicant was working as an informant for investigator Moody of Laurens County Narcotics Division; and was sent to a resident on Hellams Rd. in Grey Court, South Carolina also known as "The Creek."

(4) Upon Applicants arrival at the residents the subjects were cooking/Manufacturing Methamphetamine and Applicant was exposed to the fumes.

F-68

127

Handwritten signatures and initials at the bottom right of the page.

Oct 26-11

(5) Applicant started Hallucinating and thought that the subjects was killing his wife he ran from that residents through the woods to a mans house who called 911.

(6) After 911 was called to the residents Applicant was taken to jail on an outstanding warrant for Grand Larceny and released on a PR bond and left walking and was denied mental health treatment or hospital services.

(7) The victims picked up the Applicant and his wife up walking.

(8) Applicant believes in good faith that he needs funds for an independent private investigator services.

(9) Mr. Glen Bradley; private investigator services of Lexington, South Carolina spoke with trial counsel several times, but counsel ultimately refused to hire him.

(10) Applicant believes in good faith that the investigator services are needed and are pertinent to his defense of ineffective assistance of Counsel; Prosecutorial Misconduct and investigative misconduct within the Applicants case herein.

(11) See: State v. Bailey, 424 S.E.2d at 506; also see: Ake v. Oklahoma, 470 U.S. 68 (1985).

(12) With good cause shown herein Applicant believes in good faith pursuant to S.C. Code Ann §17-3-50(B) upon a finding in exparte proceedings that investigative exparte, or other services are reasonable necessary for the representation for the Defendant, the Court shall authorize the Defendants attorney to obtain such services on behalf of the Defendants and shall order payment, from funds available to the Office of Indigent Defense, of fees and expenses not to exceed five hundred dollars as the Court considers appropriate.

[Handwritten initials]

P69

[Handwritten initials]

STATE OF SOUTH CAROLINA)

COUNTY OF LAURENS)

Benjamin Nabors, #233844)
Applicant,)

vs.)

State of South Carolina)
Respondent,)

IN THE COURT OF COMMON PLEAS

C/A No: 2011-CP-30-308

MOTION OF DISCOVERY PURSUANT

TO §17-27-150(A)

Applicant, Benjamin Ray Nabors, #233844, by and through counsel, hereby moves, pursuant to §17-27-150(A) for Production of Documents for good cause that was presented in Applicant's Motion for Leave to Conduct Discovery.

Applicant believes in good faith that his necessary Discovery is imperative to his defense of his application for Post-Conviction relief Evidentiary hearing to protect his Constitutional rights, to Due Process of Law. Applicant will now list Discovery requested and who it's in belief that's in possession of said Discovery.

Requests for Production

Applicant request that the Attorney General produce the following documents:

- 1) The Solicitor's entire file related to the prosecution of Applicant for Armed Robbery & Carjacking.
- 2) All documents concerning the investigation of the armed robbery & carjacking, including but not limited to police reports to be in belief of Laurens County Sheriffs Office, supplemental reports, of any and all involved agencies entities, or persons hired or used by these agencies or who have rendered services to any of these agencies whether paid

1 B
P

JTB

#70

[Handwritten signature/initials]

or not, as regards to this case in any way whatsoever.

- 3) Audio copies of any and all radio transmissions on any frequency and/or any recorded telephone calls via 911 or any other telephone call to and/from any involved law enforcement agency regarding events contemporaneously associated with the occurrence of the incident forming the basis of Applicant's prosecution and/or contemporaneously associated with Applicant's arrest; also to belief is in possession of Laurens County.
- 4) Any written or recorded statements made by Applicant.
- 5) All documents concerning any results or reports of physical or mental examinations of Applicant; (State Hospital Columbia)
- 6) All written or recorded statements made by any witness or potential witness in connection with Applicant's case in any way.
- 7) Mental Health files within the South Carolina Department of Corrections.
- 8) Mental Health files from Greenville County Jail; to include Hospitals where Applicant was treated for Mental Health while awaiting trial; medical records to include dates; "medications prescribed."
- 9) Narcotic Agent Moody within Laurens County Narcotic Unit reports associated with Applicant; to include; 911 tapes; any all of Agent Moody's notes regarding any and all incidents and transactions performed by Applicant for Moody.

Page 1 of 3 MR. KICNEY & COMMUNICATIONS TO
SOLICITORS about subject of NARC, PROOF
INSANITY DEFENSE public Authority DEFENSE
C/O: ASSISTANT SOLICITOR GENERAL GIBSON
From: BEN NABORS
CLERK OF COURT

P.O. Box 329, Laurens, S.C. 29360
2010 JAN 15 A 10:45

Dear Sir,

As you are aware of, I intended on entering an insanity and of guilty "but" mentally ill at the time of the crime. as have been set down by Rule 5 (f) SCRPC.

I need access to a law library so that I may prepare for my defense, concerning my charges, J-616454, J-616455. my court appointed lawyer has filed motion and has given your office notice, that he has relieved himself as my attorney of record.

THE LAURENS COUNTY JAIL REFUSES ME USE OF A WELL STOCKED AND UP TO DATE LAW LIBRARY. I DO NOT WANT THE USE OF OUTDATED, TORN, OR OBSOLETE LAW BOOKS. I WANT ACCESS TO WHAT ANY ATTORNEY WOULD DEEM- BOTH APPROPRIATE AND ACCEPTABLE, IN REGARDS TO LAW TOMBS.

Sir, I KNOW I'M NOT A LAWYER. I KNOW THAT A PERSON WHO HAS HIMSELF FOR A LAWYER, HAS A FOOL FOR A CLIENT. I KNOW THE DICTUM OF SUCH. BUT WHAT AM I EXPECTED TO DO? YOU KNOW I'M NOT BEING GIVEN THE REPRESENTATION I DESERVE, NOT CONCERNING MY CHARGES.

#72

(LAP)

P92 of 3

You know I was released from police custody when IT WAS VERY APPARENT THAT I SHOULD NOT HAVE BEEN PUT BACK INTO THE PUBLIC SPHERE AT TIME. YOU KNOW THAT I WAS BEING USED BY THE NARC UNIT AS A CI. I WAS BEING ALLOWED TO KEEP AND DO SOME OF THE DRUGS I WAS BEING INSTRUCTED TO PURCHASE AS A CI. I WAS ALSO BEING ALLOWED AN EXPENSE ACCOUNT. I WAS BEING ALLOWED TO RUN ALL OVER LAURENS COUNTY IN A CAR OWNED BY THE NARC UNIT AND THEY KNEW I DID NOT HAVE A LICENSES ETC. AND THAT I WAS CONSTANTLY UNDER THE INFLUENCE OF DRUGS WHILE DRIVING THEIR CAR, ETC. I HAVE MADE ALL OF THIS PUBLIC KNOWLEDGE. IN THE EVENT SOMETHING BEFALLS ME, THE TRUTH WILL STILL BE EXPOSED. MY WIFE IS INNOCENT, AND I BELIEVE A JURY, "ANY JURY", WILL FIND IN HER FAVOR. I'M TIRED OF OUR RIGHTS BEING VIOLATED BY THIS JUDICIAL CIRCUIT'S OFFICERS OF THE LAW. RIGHTS RIGHTS RIGHTS!!! WE STILL HAVE RIGHTS!!! "AND RIGHT IS RIGHT AND WRONG IS WRONG. AND IT'S WRONG TO KEEP SOMEBODY IN JAIL FOR ANY LENGTH OF TIME WHEN IT'S OBVIOUS THAT THAT PERSONS INNOCENCE IS IN QUESTION AND THAT THEIR CONSTITUTIONAL RIGHTS ARE BEING INFRINGED

P-73

(MVP)

106

3 of 3 (13)

UPON. MY WIFE IS INNOCENT. AND I AM
TOO TO A CERTAIN °, WHETHER OR NOT
YOUR OFFICE IS PREPARED TO ADMIT THAT
"FACT" OR NOT, YOU DO NOT RELEASE A
DRUNK DRIVER UPON ARREST AND ALLOW HIM
TO HAVE THE KEYS TO HIS CAR. SO WHY
WAS I RELEASED ON A PIR BOND,
WHEN "EVERYONE" KNEW I WAS AT THE
TIME, MENTALLY UNFIT
I WANT ACCESS TO THAT LAW
LIBRARY, PLEASE SIR

Sincerely,

³⁰
Ben Nabors

1-10-10
DATE

BEN NABORS
PRO SE DEFENDANT

7-74

(NAB)

105

ABORS# 233844

I. SAL-141-

BROADS RIVERS ROADS
S.C. 29210

C/O: Honorable DANIEL E. SHE
CLERK COAT, SUPREME COAT
P.O. BOX 5 11330 COLE

OPTION, ENCLOSURES,
W. 8-12-13

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AUG 12 2013
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AUG 14 2013
BRCI
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