

Settlement Conference: proposal.

\$8,789,000 for 366 days plus the plus first initial 5 hours 8789 hours total confinement of emotional distress seeking at trial \$1000, 00 per each hour of arrest.
For emotional distress

3/4/2025

Re: Muhammad Nathaniel Wilson Pro se V Hanahan Police Department
C/A no. and Jurisdiction: 2022-CP-08-02508, Berkeley CP
Appellate Case No.2023-001837

RECEIVED

Mar 04 2025

SC Court of Appeals

Rick Gebhardt Chief of Hanahan Police Department
1255 Yeamans Hall Rd, Hanahan, SC 29410

Via email South Carolina Court of Appeals
1220 Senate Street, Columbia, SC 29201
803-734-1890
E-filing: ctappfilings@sccourts.org

Catherine S Harrison, Chief Deputy Clerk
The South Carolina Court of Appeal Post Office Box 11629

Cc[Via E-mail
Ms. Ellore A Gains Esquire
Hood law firm
172 Meeting Street,
Charleston, SC 29401
email:info@hoodlaw.com

Dear: Chief Rick Gebhardt Chief of Hanahan Police Department

August 14 2018 Sgt Ellen Lanphere an officer who Works for Your Department Discriminated against me for being Mentally Disabled ;by Refusing to Respond to my 911 call for help at my Residence. I was held for 5 hours inside Hanahan Police Department for Breach of peace! During that time your officers refused to contact Child Protective Service or Investigate the Victims Mother Bernadette Owens for her involvement! I was coerced while I had a Panic attack & mental Break Down then Kidnapped & placed in Berkeley county Housing with a warrant obtained by Vagueness as Probable cause when the Minor Clearly Said I didn't Expose Myself so there clearly was no unlawful Conduct Towards a Child, During The Investigation The Officers in Charge Clearly Knew that the Minor Did Not Sleep in the Room of the Dispute & Child protection Laws would Not Approve of a Mother Sleeping Naked and Doing indecent things with her Daughter your Officer Displayed Wanton Behavior & complete Disregard For Police Procedures & Civil Rights
The court of appeals may review the factual findings made by the trial court or agency, but generally may overturn a decision on factual grounds only if the findings were "clearly erroneous."

Burden of proof: Overview

-

To overturn a decision based on judicial misconduct, the party seeking to do so must present compelling evidence demonstrating the misconduct and how it affected the outcome of the case.

- **Factors considered:**

Courts will evaluate the severity of the alleged misconduct, whether it was intentional or negligent, and the potential impact on the fairness of the original proceedings when deciding whether to overturn a decision.

Examples of judicial misconduct that might lead to overturning a decision:

- **Bias or prejudice:** A judge exhibiting clear bias towards one party in the case.
- **Ex parte communication:** A judge engaging in private discussions with one party without the knowledge of the other.
- **Failure to disclose conflicts of interest:** Not disclosing a personal connection to a party in the case.
- **Improper influence:** A judge being influenced by outside factors that could affect their decision.

Defendants/respondents attorneys indisputable proved to be a malicious & not only **Deceitful**: but clearly unethical attorneys by not only failing to disclose conflicts of interest, making false statements the court but engaging in fraudulent activity, and representing clients despite a known conflict of interest. Hood law Firm represented both Berkeley County & Hanahan police without failing to disclose conflicts of interest both parties have **Conflict of interest** violations: Representing clients with conflicting interests without proper disclosure and informed consent can compromise a lawyer's...Berkeley county Judge Young made a judgement that sided with Berkeley county Co/defendant Hanahan police department the plaintiff/appellate was insane at the time of proceeding so was unaware of rights.

When a conflict of interest is illegal

- When the conflict is not disclosed
- When the individual continues the activity despite disapproval
- When the individual tries to influence the outcome of a decision for personal benefit
- When the conflict violates an employment contract

Consequences of a conflict-of-interest Job loss, Being sued by an employer, Legal liability, Suspension, and Prosecution.

How to handle a conflict of interest

- Disclose the conflict to allow others to evaluate the matter
- Handle the conflict transparently and ethically
- Consult with an agency ethics counselor

- Remove the person from the situation or decision

Examples of conflicts of interest

- A public official whose personal interest's conflict with their professional position
- A person who has a position of authority in one organization that conflicts with their interests in another organization

[Learn more](#)

A "conflict of interest lawsuit" is a legal action filed against an individual or organization when their personal interests or relationships with another party create a situation where their professional judgment or actions could be compromised, potentially harming the party they are supposed to be representing, leading to a breach of ethical duty and grounds for legal action.

Key points about conflict-of-interest lawsuits:

- **Nature of the conflict:**

This could involve financial interests, family ties, business relationships, or other situations where loyalty is divided between different parties.

- **Who can sue:**

Depending on the situation, the party who is potentially harmed by the conflict of interest can file the lawsuit, such as a client against their lawyer, a shareholder against a company director, or a citizen against a government official.

- **Common examples:**

- A lawyer representing two clients with opposing interests in the same case.
- A government official making decisions that benefit a company they have personal financial ties to.
- A company executive approving a contract with a company where a family member is employed.

- **Legal arguments:**

- **Breach of fiduciary duty:** This is often the primary legal argument, where the individual in a position of trust failed to act in the best interest of the other party.
- **Negligence:** If the conflict of interest led to poor decision-making that caused harm.

- **Potential remedies:**

- Monetary damages to compensate for losses incurred
- Injunctions to prevent further actions based on the conflict of interest
- Restitution to return any improper gains

What qualifies as a conflict of interest for a judge?

Judges may not hear cases in which they have either personal knowledge of the disputed facts, a personal bias concerning a party to the case, earlier involvement in the case as a lawyer, or a financial interest in any party or subject matter of the case.

Section 1.110.010 of the AICPA's Code of Professional Conduct addresses conflicts of interest for licensed tax practitioners. A conflict of interest can occur when a practitioner's personal interests could impact their judgment or actions.

What is a conflict of interest?

- A conflict of interest can be financial, personal, or non-financial
- It can also occur when a practitioner has competing loyalties
- A conflict of interest can arise when a practitioner is asked to represent multiple clients with conflicting interests

How does the AICPA address conflict of interest?

- The AICPA's Code of Professional Conduct requires practitioners to be free from conflicts of interest and bias
- The code requires practitioners to act with integrity and objectivity

Examples of conflicts of interest

- A CPA firm representing two clients in the same legal matter

• Recusal Requirements

- An official with a disqualifying conflict of interest may not make, participate in making, or use his or her position to influence a governmental decision. When appearing before his or her own agency or an agency subject to the authority or budgetary control of his or her agency, an official is making, participating in making, or using his or her position to influence a decision any time the official takes any action to influence the decision including directing a decision, voting, providing information or a recommendation, or contacting or appearing before any other agency official. When appearing before any other agency, the official must not act or purport to act in his or her official capacity or on behalf of his or her agency.
- Certain officials (including city council members, planning commissioners, and members of the boards of supervisors) have a mandated manner in which they must disqualify from decisions made at a public meeting (including closed session decisions) and must publicly identify a conflict of interest and leave the room before the item is discussed.
- What is a 177 conflict of interest?
- 177Duty to declare interest in proposed transaction or arrangement. (1)If a director of a company is in any way, directly or indirectly, interested in a proposed transaction or arrangement with the company, he must declare the nature and extent of that interest to the other directors.

In this case, the average retail value is \$8,789,000 for 366 days plus the 5 hours 8789 hours total confinement of emotional distress seeking at trial

And the average "value is \$1000, 00 per each hour of arrest. This would reveal a total of

\$8,789,000 with an addition for \$25,000,00 for ransom paid court fees & punitive damages

07/15/2024 DSM-IV Psych Diagnoses: 296.80-Unspecified bipolar and related disorder

Bipolar disorder is a mental illness that causes extreme mood swings. Symptoms include manic episodes, which are characterized by feelings of euphoria, and depressive episodes, which are characterized by feelings of sadness.

Manic episodes

- **Mood:** Feeling extremely happy, elated, or irritable
 - **Energy:** Having more energy and less need for sleep
 - **Thoughts:** Having racing thoughts, talking quickly, or having trouble concentrating
 - **Behavior:** Being more impulsive, making risky decisions, or spending more money
 - **Psychotic features:** Having hallucinations, delusions, or disorganized thinking
- Depressive episodes
- **Mood:** Feeling very sad, hopeless, or worthless
 - **Energy:** Having less energy or sleeping too much or too little
 - **Thoughts:** Having trouble concentrating or making decisions
 - **Behavior:** Feeling lonely, isolating yourself, or having a lack of interest in activities

300.00-Unspecified anxiety disorder

Unspecified anxiety disorder is a diagnosis for people who have anxiety symptoms that are distressing or impairing, but don't fit the criteria for other anxiety disorders. Symptoms include:

- **Excessive worry:** An overwhelming and persistent worry about many things, even when there's no specific threat
- **Sleep disturbances:** Difficulty falling or staying asleep, or restless sleep
- **Irritability:** Short temper, difficulty tolerating frustration, or outbursts of anger
- **Difficulty concentrating:** Mind goes blank or has trouble focusing on anything other than the worry
- **Muscle tension:** Increased muscle aches or soreness
- **Sweating:** Sweaty palms or night sweats
- **Restlessness:** Feeling on edge or having a sense of impending danger
- **Fatigue:** Feeling weak or tired
- **Avoidance:** Avoiding situations or people that trigger anxiety
- **Panic attacks:** Experiencing panic or doom

301.7-Antisocial Personality disorder Note in spite of symptoms I have been completely Honest & Cooperative with Law Enforcement I have Shown No Signs of Violence or Manipulation I just don't have the desire to be around people I am unable to maintain steady employment or get Help Antisocial personality disorder (ASPD) is characterized by a pattern of disregard for the rights of others. Symptoms include:

- **Lawbreaking:** Repeatedly breaking the law or disregarding social norms
- **Deceitfulness:** Lying or conning others for personal gain
- **Impulsivity:** Acting without thinking or planning ahead
- **Aggression:** Being hostile, violent, or threatening to others
- **Irresponsibility:** Failing to fulfill financial or work obligations
- **Lack of remorse:** Feeling no guilt about harming others
- **Manipulation:** Using charm or wit to take advantage of others
- **Sense of superiority:** Feeling more powerful or better than others
- **Lack of empathy:** Being unable to understand or connect with other people's feelings
- **Difficulty with relationships:** Having trouble maintaining long-term relationships
- **Blaming others:** Holding others responsible for problems in their life

780.52 Insomnia disorder

Insomnia is a sleep disorder that makes it difficult to fall asleep or stay asleep. Symptoms include:

- **Sleep disturbances:** Having trouble falling asleep, waking up frequently, or waking up too early
- **Daytime sleepiness:** Feeling tired, drowsy, or having low energy during the day
- **Mental health issues:** Feeling anxious, depressed, irritable, or moody
- **Concentration difficulties:** Having trouble focusing, paying attention, or remembering things
- **Physical aches and pains:** Experiencing headaches, stomachaches, or other physical discomfort
- **Irritability:** Feeling frustrated, tense, or aggressive
- **Work and social disruptions:** Having impaired performance at work, or experiencing disruptions in social activities or hobbies
- **Worrying:** Being preoccupied with lack of sleep, or worrying about sleeping
- **Poor sleep quality:** Not feeling refreshed when you wake up

298.9 Unspecified psychosis not due to a Substance or Known physiological condition
AI Overview

[Learn more](#)

Unspecified psychosis is a category of psychotic symptoms that don't meet the criteria for a specific psychotic disorder. Symptoms include:

- **Delusions:** False beliefs that are difficult to change, such as believing others are trying to hurt you
- **Hallucinations:** Sensory experiences that others can't share, such as hearing voices or seeing things that aren't there
- **Disorganized speech:** Speech that is illogical, confused, or abrupt
- **Disorganized behavior:** Behavior that is unpredictable or inappropriate
- **Negative symptoms:** A decrease or loss of normal functioning, such as lack of emotion or motivation
- **Flat affect:** A lack of emotional expression
- **Catatonic behavior:** Grossly disorganized behavior

Other symptoms of psychosis include:

- Suspiciousness
- Trouble thinking clearly
- Withdrawing socially
- Unusual or intense ideas
- Strange feelings
- Decline in self-care
- Difficulty sleeping
- Emotional disruption
- Anxiety
- Difficulty functioning

Psychotic disorders can be caused by a number of conditions, including schizophrenia, bipolar disorder, and post-traumatic stress disorder (PTSD).

NORTH CHARLESTON, S.C. (WCSC) - The South Carolina Insurance Reserve Fund has paid a Charleston County resident thousands of dollars after filing a lawsuit against the City of North Charleston for unlawful arrest.

Jahmere Squire says in the lawsuit he was standing in his yard at his North Charleston home in April 2022, when officers arrived looking for a suspect in a domestic disturbance, possibly involving a firearm.

Emotional pain and suffering is calculated using the multiplier method or the per diem method. Both methods consider the severity of the victim's injuries and losses.

Multiplier method

1. Add up all economic damages, like medical bills and lost wages
2. Multiply the total by a number between 1.5 and 5, called the multiplier
3. The result is the settlement proposal

Per diem method

1. Assign a daily value to the pain and suffering
2. Multiply the daily value by the number of days the victim experienced pain
3. The result is the settlement proposal

Factors that affect the calculation

- **Severity of injuries:** The more serious the injuries, the higher the multiplier
- **Duration of pain:** How long did the pain and suffering last?
- **Impact on life:** How did the pain and suffering affect the victim's life, career, and relationships?
- **Treatment:** How extensive was the medical treatment?
- **Recovery:** How long did it take for the victim to make a complete recovery?

A personal injury attorney can help demonstrate the victim's losses to a judge or jury.

Note Due to Discrimination I was unable to get a personal injury attorney to represent me

However, cases involving extreme emotional trauma or intentional infliction of emotional distress (IIED) can result in settlements of **\$500,000 or more**.^{Sep 27, 2024}

WHEREFORE, the Plaintiff prays that this Court of appeal Grants an order that accommodates the Plaintiff/appellate Disabilities: If the Defendant/Respondent Refuse to Schedule a Settlement Conference

Exhibit a Plaintiffs only accommodations for courts

1. **Section 15-3-40:** Exceptions as to persons under disability.
2. Rules 38 - Jury Trial of Right, S.C. R. Civ. P. 38
3. Notification of any discrepancy's & time to Process information

Exhibit B Accommodations Hanahan Police Department & Berkeley County Court House Refuse to Accommodate

1. Section 22-5-320. :
2. Rules 38 - Jury Trial of Right, S.C. R. Civ. P. 38
3. **Section 15-3-40:** Exceptions as to persons under disability

Exhibit C Civil right Violations & Procedures disregarded

- 1. Section 63-7-10. Child welfare service principles; purpose.
- 2. Section 22-5-320. : Defendant's demand for preliminary investigation
- 3. *Coercive control - South Carolina 2019-2020 Bill 5271*

- 4. **Section 8-14-60: Filing false or fraudulent statement or report**
- 5. 18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant

6. **Section 16-3-910. Kidnapping**

To prove malicious prosecution in South Carolina, a civil plaintiff must show:

1. The institution or continuation of judicial (civil or criminal) proceedings;
2. By, or at the insistence of, the defendant;
3. Termination of such proceeding in plaintiff's favor;
4. Malice in instituting such proceedings;
5. Lack of probable cause, and
6. Resulting in injury or damage.

In South Carolina, malice is defined as "the deliberate intentional doing of an act without just cause or excuse.

- Probable exists when "the facts within the prosecutor's knowledge would lead a reasonable person to believe the plaintiff was guilty of the crimes charged." To decide whether there was probable cause, the court must consider the facts from the officer's point of view. In other words, the question isn't what the facts were, but what the officers (the prosecuting party) honestly believed them to be.
- 1# Sgt Ellen Lanphere Knew without a Doubt that Bernadette Owens was unfit, Mentally disturbed Violent & Required Investigation
- The Victims Statement Corroborated that she did not see the Plaintiffs Penis so therefore there was no unlawful conduct towards a child

Vagueness doctrine

The vagueness doctrine is a **Constitutional** requirement **criminal laws** must explicitly state and define what conduct is prohibited and punishable. Under the vagueness doctrine, a criminal law cannot be too obscure for the average American citizen to understand and follow. Criminal laws that violate this requirement are then **void for vagueness**. The vagueness doctrine is commonly associated with **overbreadth**.

Vagueness doctrine rests on the **due process** clauses of the **Fifth** and **Fourteenth Amendments** of the **U.S. Constitution**. The Supreme Court stated in *Winters v New York*, that U.S. citizens should not have to speculate the meaning of a law due to its vagueness, the law should be clear on its face.

The vagueness doctrine protects due process because a law that is too vague does not provide adequate direction to law-abiding citizens or the justice system resulting in unfair trials. By requiring fair notice of what is punishable and what is not, vagueness doctrine also helps prevent arbitrary

enforcement of the laws. Under vagueness doctrine, a **statute** is also void for vagueness if a legislature's delegation of authority to judges and/or administrators is so extensive that it would lead to arbitrary **prosecutions**.

▪

SECTION 15-3-40., (*S.C. Code Ann. § 22-5-320*) *S.C. R. Civ. P 382019-2020*
Bill 5271: Coercive control

- a. and its accompanying regulation;
- b. award the complainant compensatory damages, including damages for emotional distress, for injuries suffered as a result of Defendant's failure to comply with the requirements
- c. enjoin Defendant and its agents, employees, successors and all persons in active concert or participation with it, from engaging in discriminatory arrest towards
- d. award the complainant compensatory damages, including damages for emotional distress, for injuries suffered as a result of Defendant's failure to comply with the requirements of Title I of the ADA pursuant to and within the statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a; and
 - e. black men who are mentally disabled
- f. Order such other appropriate relief as the interests of justice require.
- g. ADA Title II: State and Local Government Activities**
- h. Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).
- i. State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature

of the service, program, or activity being provided.

- j. Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:
- k. U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section
Washington, D.C. 20530
800-514-0301 (voice)
1-833-610-1264 (TTY)
ADA.gov
- l. Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the Department of Justice (DOJ) or any other Federal agency, or to receive a “right-to-sue” letter, before going to court.
This Settlement Proposal is My Final attempt to resolve this matter before filing a Complaint under title II I have Submitted Proof of my Disabilities & the **cognitive impairment** the reason for accommodations

In this case, the average retail value is \$8,789,000 for 366 days plus first initial 5 hours of kidnapping 8789 hours total confinement of emotional distress seeking at trial

And the average “value is \$1000, 00 per each hour of arrest. This would reveal a total of \$8,789,000 with an addition for \$10,000,00 for ransom paid court fees & punitive damages if the Respondents Wish to Prolong this case & listen To Their Attorneys Greedy Hood Law Firm I will be seeking additional settlement from Berkley county Court for Discrimination & refusing to Accommodate a Mentally disabled Black Man Due To Extenuating Circumstances I am Trying to settle for Enough to Relocate & continue my Mental Health Treatment My Amended Final Brief Brakes Down & articulates this case to Prove it is Not Frivolous my Mental Health Cover Sheets Prove why I made So Many Mistakes & was incoherent .

The Motion for an Amended Final Brief will contain this settlement proposal. As proof to the ADA I tried to resolve this Matter through South Carolina Courts & Requested Accommodations of a Trial in front of Impartial Peers an Unbiased Jury Sympathetic to My Mental Disabilities.

Sincerely, Muhammad N Wilson Pro se

8082 Rivers Ave Inn Town Suites room 309
North Charleston S C 29406
(843-468-3432) creyolab@gmail.com