

#1

10-11-13  
DATE

The Supreme Court of South Carolina

BEN NABORS, petitioner

Appellate Case No:

2013-001797

Low Court Case No: 2011-CP-30-308

Judge Jean Toal, Chief Justice  
Supreme Court of South Carolina

This is Appeal from order on  
October 9, 2013, received by

appellant

on October 10, 2013, such

order denying this appeal the  
justice he has sought since

his arrest based on charges of car  
jacking and armed robbery which he

was forced by threats and coercion

into stop in his jury trial and entering

guilty plea on or about 10-19-10  
in Lauren County General Sessions  
with son cop hunt he was there gun

#42) Staring me down very scared intimidated  
at GENERAL SESSIONS CONT ON of about 10-18-10  
10-19-10. It's appealants believe  
that the Supreme Court of S.C. has  
apparently misunderstood. petitioners  
appealants attempts to try his  
best to explain to that honorable  
Court, that the P.C.R. Court  
ON 3-13-13 did deny him a  
fair and full P.C.R. proceeding  
by refusing to allow the  
P.C.R. applicant his right to  
call forth witnesses (several)  
of which are expert psychiatrists  
all who have diagnosed and treated and

~~1111~~ = 93

This applicant/petitioner as  
being paranoid schizophrenia, and  
probable brain damage, as cited  
in State vs. Hartfield AND actual  
authority defenses and since 7-9-09  
beg courts for investigator's services  
and the p.c.R. court denied me,  
the p.c.R. applicant from entering  
into evidence over his objections  
such testimony from those witnesses  
(7) who several which as stated above are  
expert psychiatrist, psychologist, as  
well as from having such  
witnesses subpoenaed to  
be present at such p.c.R.  
proceedings on or after at any  
my earlier or later p.c.R. proceedings.

~~46-5-12~~ = 46-5-12, 11-14-12, and the 3-13-13  
p.c.R., OR from allowing the p.c.R.

applicant his (trial discoveries)

of even his p.c.R. case filed  
which <sup>superseding</sup> ~~can be~~ <sup>can be</sup> ~~6-10-12~~ <sup>6-10-12</sup> ~~can be~~  
Rodney W. Richey - E.O.S.

a on courts record interpreted and was  
(hostile) to this applicant, court  
appointed attorney, Judge

Clifford B. Newman told Mr.  
Richey at beginning of p.c.R. 3-13-13  
proceedings to "go on back

to Greenville, S.C. your  
office, you got better  
more important things  
sure, Mr. Nabors to do  
himself etc..." ~~can~~ <sup>can</sup> represent  
p.c.R. courts record on 6-5-12  
11-14-12, and 3-13-13 and (trys) tells

~~the~~ 5  
the courts

That in order to get a fast  
and full bite of the P.C.R. apple  
(must have) expert witnesses  
All subpoenaed, and sworn  
affidavits collected by private  
(investigative services) which  
for over 4 1/2 years (since)  
(pre-trial) ~~we~~ have (motioned)  
all courts involved thus far  
with these issues, for (funds)  
so that such (investigative  
services) would be hired (to  
add) me in my (defense)  
then my (appeal) then my  
P.C.R. proceedings, now in  
my P.C.R. appeal! But (all)  
state courts ignore my pleas  
for hearings oral arguments

#=6 Cause ~~of~~ mental ill pool white trash (11)  
But these courts state courts  
of S.C. All keep ignoring  
the facts of my case, which  
is clear for anyone to  
see, that my federal and  
state constitutional rights and due  
process rights prior to events

cases of 6-10-09 at <sup>at</sup> (63) of events  
on 6-10-09 then at (pre-trial)  
(trial) and (post trial)  
beens seriously (violated) have  
The G.S.D., The G.C.D. the and

1-19-10 court which ordered the dim. H.  
1-19-10 exams (without) me being (represented)  
(by counsel) then the trial court  
which denied me a Blair  
hearing to contest and prove

A-7

That such D.M.H. reports)  
"which were entered into evidence  
used to harm me" (Thus such July  
2010 D.M.H. reports did prejudice  
me greatly) That such D.M.H.  
exams reports were based over  
half on (false and incomplete data)  
testimony, even and had of  
trial court allowed me to exercise  
my rights to contest such  
D.M.H. reports) (It could easily  
been proven by (preponderance  
of evidences) that such  
D.M.H. reports, as well as  
exams, were the products  
of illegally obtained info.  
① denied fundamental rights but  
NOS ONE'S CARES CARES am 'defector.

Q=8

ALSO, ~~Q~~ WAS IN FACT  
INCOMPETENT AT ~~Q~~ OF GUILTY/PCB  
CAUSE ~~Q~~ WAS "OVER MEDICATED"

SUFFERING FROM (MEDICAL INDOCTRINATION)  
AND REQUESTED OF INEFFECTIVE  
EVIDENCE LATER'S ALLEN STAMMERED  
TO HAVE ME (EXAMINED PRIOR TO

(FRISK AND PLEA) CAUSE ~~Q~~  
WAS OVER MEDICATED ON OVER  
(8) DIFFERENT HIGH POWERS

(PSYCHOTROPIC) AND (PAIN MEDICATIONS)  
MORPHINE AND COCAINE 10-18-10 / 10-19-10 - ETC.  
ETC AND ~~Q~~

MUST HAVE  
AN ORAL ARGUMENT TO  
RECEIVE FAIRNESS BY THIS  
MOSTES HONORABLE SUPREMACY

#=9 State cont to correct  
This (miscarriage of Justice)  
which thus far has been  
allowed to run amock /  
I am innocent of Arme's  
robbery I was forced by  
L.A.S.D. Narcotic cops of actual  
authority to be their under  
cover Narcotic agent, and  
as a direct result on  
6-10-09 I was exposed  
to toxically chemicals used  
to make meth - "Ice"  
at 836 Hellams Road, <sup>Featuring</sup> Grey  
cont #1-29645 - a meth  
cab on 6-10-09 meth (Ice)  
Labodory Grey 836 Hellams Rd.

#FO cont s-a 29695 which is a  
a meth cab, which ~~is~~ had on  
NUMEROUS OCCASIONS BEEN ORDERED  
by C.C.S.D. NARC cops. of actual  
authority to SPY ON AND  
COLLECT INFORMATION ON  
Such cops of actual authority  
had for months prior to

6-10-09 events having on  
NUMEROUS OCCASIONS sent me  
with their spy devices cameras on me  
a paranoid schizophrenic and  
without mental health treatments  
OR with medications <sup>into</sup> ~~into~~ those  
into meth cab, crack house,  
to make buys from drug  
dealer's numerous ~~ops~~ <sup>ops</sup> 's and  
that the C.C.S.D. NARC cops  
cops of actual authority

7-11 kept making me ~~at~~ ~~them~~ ~~they~~ ~~are~~  
had guns & knew ~~it~~ was mentally ill

Schizophrenic paranoid human  
brain of low intelligence

and they preyed off of facts

~~it~~ was chronic addicted to  
narcotics and alcohol since

childhood, age 7 or 8, and they  
"L.C.S.D. narc-cops of actual authority"  
prey off fact that ~~it~~ and my wife

were homeless on and off due  
to our addictions, and ~~they~~ (off cops)  
as long as we (followed their orders)  
would put "house" us in ~~motels~~  
and give us money to support our  
addictions, also, they "cops" of  
L.C.S.D. narc-cops actual authorities

12 C.C.S.D. actual authority. cops  
made me drive their snitch

(B camera) cars wear their spy  
cameras, scan my car, scan my  
glasses, scan buttons on my  
body, clothes, etc.

(AT) (PUG) and allowed me to keep and  
do some of some things, each  
with. they gave me money marked  
cop money to make those buys with  
influence... PROVE cops cars, licenses, was under  
Chief Justice P

(CF)  
Button  
camera  
spy!

Fennell seems not to  
(understand) or (acknowledge)  
The facts that these (issues)  
are of direct importance  
to the public at large in  
that if such police practices  
these (public interest issues)

# = 13

if are allowed to continue  
to go unchecked, corrected by this court  
That many more innocents  
mentally ill persons such as  
myself will be allowed to  
be abused by and look advantage  
of by officers of actual authority  
Such as L.A.S.D. Narcotics cops  
did so infringe upon my state  
federal const. rights and  
process rights prior to and  
and on 6-10-09, which contributed  
greatly to these illegal convictions of  
25 years for a crime ~~to~~ did not  
commit at all and was forced

19-14

(swayed) (tricked) (manipulated)  
into pleading guilty to on 10-10-10

OR thereabouts by victims son,  
Deputy Jamie Lee Edwards of  
The C.C.S.D. as well as investigators  
over my cases, Lt. Robert Planno  
and Lt. Wilkie as well as

many others of the C.C.S.D.  
victims sons coworkers friends (All of em)  
who and C.C.D.C. who (assaulted)

me, (coerced me) (threatened)  
(threatened me to plea  
guilty, not to make Mrs.

Toni Edwards" testify - etc. ! SO

now ~~the~~ (appeal chief Justice  
Jean Pauls order)

"attached" and want  
this attached order reviewed  
for ERRORS / harmfuls.

#=15

STOP FOR CONTINUING MY PUBLIC  
appeal, as well as this  
appeal, as pro se counsel.

~~I~~ do not trust chief Deelate  
defenders office ~~not~~ <sup>not</sup>  
other court appointed lawyers  
from this state. BECAUSE  
OF MY WRONGFUL CONVICTIONS  
~~I~~ have been sexually assaulted  
Broom handle shoved up my  
ass, raped, beat, and  
cut. now a same  
officer choked me on

8-6-13- there hours as well /  
AND ~~I~~ still have not received  
(TRIAL TRANSCRIPTS) OR 6-5-12 (3-13-75)

#16. P.C.R. transcripts which do support  
All some my current issues in  
① filed of my federal

State const. rights being  
ignored snored violated and  
my due process rights being  
ignored and violated as well

by the officers of the  
State of SC, along the  
police in SC and the  
ineffective court appointed

lawyers of this state  
as well as S.C.D.C. This is very

bill (MS Carriage Justice!) Respectfully submitted

10-11-13  
LDATES



BEN NABORS #233844  
B.R.C.I. mdt-1042  
4460 Broadwaters Road  
Columbia, SC 29212

A-1

PROOF OF SERVICE OF NOTICE APPEAL

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM CAUTION COUNTY J.  
COURT OF COMMON PLEAS.

CLIFTON B. NEWMON'S 7-16-13  
ORDER DISMISSAL 59 ET. THIS CASE,  
CASE NO. 2013-021797

LOW CT. NO. 2013 CP 30-308, AND  
I'M APPEALING C.J. TOAL'S ORDER OF 10-9-13  
WHICH IS ATTACHED HEREBIN.

BEN R. NABORS APPELLANTS  
VS

STATE OF SOUTH CAROLINA

PROOF OF SERVICE.

I CERTIFY THAT ON 10-11-13-

THAT I SERVED THIS APPEAL, APPEALING  
C.J. TOAL'S ORDER "ATTACHED"  
ON 10-9-13, BY SERVING SUCH →

BB-2

NOTICE OF APPEAL ON THE SUPREME  
COURT OF S.C. BY HAND DELIVERING  
SUCH INTO THE HANDS OF  
B.R.C.T. S.C.D.C. MAKE ROOM  
SUPERVISOR'S HANDS ON 10-11-13  
POSTAGE PREPAID, ADDRESSED TO:  
THE HONORABLE DANIEL G. STENHOUSE  
SUPREME COURT S.C. AT  
PO BOX 11330  
COLUMBIA S.C. 29211 USA EIGHT.

I SWEAR UNDER ALL PENALTIES OF  
PERJURY THE FOREGOING IS  
TRUE TO THE BEST OF MY  
KNOWLEDGE AND HUMBLY PREY FOR RELIEF  
HEARBEING ~~IN~~ DO SEEK TO HELP ME  
SIN.

10-11-13

D. STE



BEN R. NABORS #233894  
9460 BROADSMITH'S ROAD  
COLUMBIA S.C. 29211

The Supreme Court of South Carolina

RECEIVED

Benjamin Nabors, Petitioner,

OCT 18 2013

v.

S.C. SUPREME COURT

State of South Carolina, Respondent.

Appellate Case No. 2013-001797

RECEIVED

OCT 10 2013

ORDER

Petitioner has filed a *pro se* document with this Court dated September 17, 2013. This document was received by this Court on September 30, 2013.

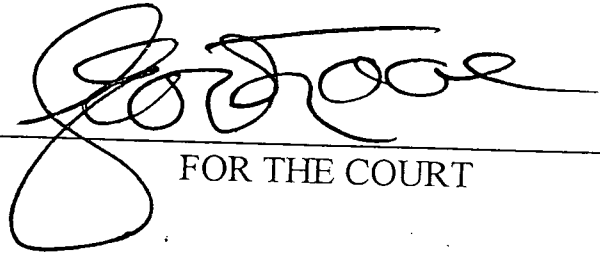
In this document, petitioner indicates that he has a conflict of interest with his counsel. To the extent that this may be a request to relieve his counsel, this request is denied.<sup>1</sup>

<sup>1</sup> In part, petitioner appears to be dissatisfied that his counsel from the Division of Appellate Defense has not provided funds for an investigator and has not ordered various transcripts, including a family court transcript. This Court reminds the petitioner that this matter is an appellate proceeding and the sole issue before this Court is whether the post-conviction relief (PCR) judge committed error in denying relief. In making that determination, this Court will only consider evidence or materials that were part of the record before the PCR judge. Rule 243(f), SCACR (appendix shall include an index, the order(s) on appeal and the entire record before the lower court).

Since evidence or materials that were not before the PCR judge cannot be considered by this Court, there is simply no need for investigative services in this appellate proceeding. Further, except for the transcript of the hearings held in this PCR case (which appear to have been ordered by Appellate Defense), the transcripts from any other hearings cannot be considered by this Court unless they were part of the record before the PCR judge.



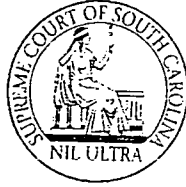
To the extent that this document may be seeking any other relief from this Court, no action will be taken on it since petitioner is represented by counsel in this matter. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

  
\_\_\_\_\_  
FOR THE COURT C.J.

Columbia, South Carolina  
October 9, 2013

cc: James Rutledge Johnson, Esquire  
Robert Michael Dudek, Esquire





# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
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October 9, 2013

Mr. Benjamin Nabors, #233844  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia SC 29210

Re: Benjamin Nabors v. State  
Appellate Case No. 2013-001797

Dear Mr. Nabors:

This responds to your correspondence dated September 17, 2013. Enclosed is an order issued on that correspondence.

As to the costs of providing the documents that have been filed with this Court in the above matter and in 2013-001195, I can provide a copy for the following amounts in each case. This represents the cost of copying at 25 cents a page plus a mailing fee.

Case	Number of Pages	Cost (including mailing fee)
2013-001797	488	\$141.20
2013-001195	1156	\$335.00

If you would like a copy, please send a check or money order payable to the South Carolina Judicial Department in the appropriate amount. Since I do not find that

**RECEIVED**

OCT 10 2013

BRCI  
MAIL ROOM

providing these documents would primarily benefit the general public, I decline to provide copies without charge.

Very truly yours,

*David L. Shearouse*  
BS

CLERK

Enclosure

cc: James Rutledge Johnson, Esquire  
Robert Michael Dudek, Esquire



