

RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper, Circuit Court Judge

Case No. 2013-001072

RECEIVED
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SC Court of Appeals

City of Columbia,

Respondent,

v.

William K. Wilson,

Appellant.

RECORD ON APPEAL

William K. Wilson
7106 Sunview Circle
Columbia, South Carolina 29209
(803) 776-5594
Appellant

David Amado Fernandez, Esquire
Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
Attorney for Respondent

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Appellant's Exhibits

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Transcript of trail

STATE OF SOUTH CAROLINA	1	IN THE COLUMBIA MUNICIPAL COURT
COUNTY OF RICHLAND	2	
CITY OF COLUMBIA,	3	
VS.	4	TRANSCRIPT OF RECORD
WILLIAM WILSON,	5	Ticket No.: 37201GA
DEFENDANT.	6	

BENCH TRIAL HELD BEFORE THE HONORABLE MICHAEL F. BURLEY,
PRESIDING JUDGE IN THE COLUMBIA MUNICIPAL COURT, COLUMBIA, SOUTH
CAROLINA, ON SEPTEMBER 03, 2012.

APPEARANCES:

OFFICER (UNIDENTIFIED)
APPEARING FOR THE CITY

DEFENDANT APPEARING PRO SE

TRANSCRIBED BY:
NANCY S. AHREN

1 COURT CLERK: YOUR HONOR, IF WE CAN WRITE IN JENIGA, LAST
2 NAME WILSON, FIRST NAME WILLIAM, TOO FAST FOR CONDITIONS.
3 DEFENDANT WILSON: I'M HERE.
4 COURT CLERK: COME FORWARD, PLEASE
5 THE COURT: THIS IS AN ACCIDENT CASE?
6 UNIDENTIFIED OFFICER: YES, MA'AM.
7 THE COURT: ARE THERE ANY WITNESSES HERE IN AN ACCIDENT
8 AGAINST WILLIAM WILSON?
9 UNIDENTIFIED OFFICER: ANTHONY LOGAN.
10 THE COURT: ANTHONY LOGAN, COME FORWARD.
11 DEFENDANT WILSON: IS OFFICER RIVERS GOING TO BE HERE?
12 COURT CLERK: OH, WAIT A MINUTE - IT'S UNDER RIVERS, IT'S ON
13 THE PAGE BEFORE YOUR HONOR. IT'S BEEN VOIDED BUT WE CAN JUST WRITE IT
14 IN. SEE, YOU HAVE BEEN CHARGED WITH "TOO FAST" FOR CONDITIONS. HOW DO
15 YOU PLEAD?
16 DEFENDANT WILSON: NOT GUILTY.
17 COURT CLERK: RAISE YOUR RIGHT HANDS, PLEASE
18 (OFFICER, WITNESS AND DEFENDANT ARE DULY SWORN BY THE
19 COURT)
20 THE COURT: THANK YOU, OFFICER.
21 UNIDENTIFIED OFFICER: YOUR HONOR, I WAS DISPATCHED IN
22 REFERENCE TO AN ACCIDENT AT HAZELWOOD AND GARNERS FERRY ROAD ON
23 JUNE 22ND, 2012, IN THE CITY OF COLUMBIA. I MADE CONTACT WITH MR. WILSON
24 AND MR. LOGAN. MR. LOGAN WAS MAKING A RIGHT-HAND TURN INTO THE
25 PARKING LOT OF THE - I BELIEVE IT WAS THE HARDEN'S - OH, THE BELONGERS -

1 TO GET SOMETHING TO EAT WHEN MR. WILSON HIT HIM ALONG THE BACK END
2 OF THE VEHICLE FOR HIS TESTIMONY.

3 THE COURT: MR. LOGAN? ARE YOU MR. LOGAN?

4 MR. LOGAN: YES, MA'AM.

5 THE COURT: TELL ME YOUR FIRST NAME, MR. LOGAN?

6 MR. LOGAN: ANTHONY.

7 THE COURT: MR. LOGAN, IS THERE ANYTHING YOU WERE
8 DRIVING THE VEHICLE?

9 MR. LOGAN: YES, MA'AM.

10 THE COURT: IS THERE ANYTHING YOU'D LIKE TO ADD TO THIS?

11 (INAUDIBLE)

12 THE COURT: YOU DON'T HAVE TO. YOU ARE A WITNESS. SINCE
13 HE HIT YOUR CAR, IS THERE ANYTHING YOU WANT TO SAY?

14 MR. LOGAN: I WAS DOING WHAT I WAS SUPPOSED TO DO AS I
15 DRIVE EVERYDAY.

16 THE COURT: MR. WILSON?

17 DEFENDANT WILSON: WELL, FIRST I'D LIKE TO KNOW WHAT THE
18 CHARGE IS BECAUSE WHEN OFFICER ROBINSON EXPLAINED THE CHARGE TO ME
19 SHE EXPLAINED THAT I WAS FOLLOWING TOO CLOSE BUT THE TICKET I WAS
20 GIVEN THE OFFENSE CODE IS 6- WHICH I HAVE RESEARCHED AND APPEARS TO BE
21 A RECKLESS DRIVING CHARGE OF DRIVING TWENTY-FIVE MILES AN HOUR
22 ABOVE SPEED LIMIT WITH A POINT VIOLATION OF SIX. WHEN I WENT DOWN TO
23 THE POLICE STATION AND GOT A COPY OF THE TRAFFIC REPORT, IT SAYS I WAS
24 DRIVING THIRTY MILES AN HOUR IN A THIRTY-FIVE MILE AN HOUR SPEED ZONE
25 AND IT IS CODED 23 WHICH I THINK IS EXCEEDING THE STATE LIMIT BY TEN

3 MILLS AN HOUR. IT'S A TWO-POINT VIOLATION. SO I'D LIKE TO KNOW WHAT
4 THE VIOLATION REALLY IS

5 UNIDENTIFIED OFFICER: IT'S TOO FAST FOR CONDITIONS.

6 DEFENDANT WILSON: WHICH ONE?

7 UNIDENTIFIED OFFICER: WHICH CONSTITUTES YOU WERE GOING
8 TOO --

9 DEFENDANT WILSON: I MEAN ONE OF THEM SAYS ONE THING
10 AND

11 THE COURT: SIR, LET HER EXPLAIN IT TO YOU.

12 DEFENDANT WILSON: ALL RIGHT. I'M WAITING.

13 UNIDENTIFIED OFFICER: WHICH CONSTITUTES THAT YOU WERE
14 GOING TOO FAST FOR THAT AREA AT THAT TIME.

15 DEFENDANT WILSON: WHICH ONE? 64 OR 21? WHICH VIOLATION?

16 UNIDENTIFIED OFFICER: SIR, IT'S 56 5-1320. THE STATUTE UNDER
17 TOO FAST FOR CONDITIONS IS THAT YOU WERE GOING TOO FAST AT THAT TIME
18 IN THAT AREA PERTAINING TO YOU DID NOT HAVE ENOUGH TIME TO MAKE THE
19 STOP IN WHICH HE MADE A RIGHT-HAND TURN.

20 DEFENDANT WILSON: WHICH CODE IS IT? 64 OR 21?

21 UNIDENTIFIED MALE: CAN I INTERJECT YOUR HONOR?

22 THE COURT: ABSOLUTELY. PLEASE DO.

23 UNIDENTIFIED MALE: HE'S REFERRING TO THE OFFENSE FOUND
24 ON THE BOTTOM RIGHT-HAND SIDE OF THIS FORM. CITATIONS FOR THE TOO
25 FAST CONDITIONS IS ACTUALLY OFFICE CODE 21 WHICH JUSTIFIES THE POINT
VIOLATION AND I BELIEVE THAT WAS POSSIBLY JUST A CLERICAL ERROR. SOME
HAS 21 ON THEIRS. APPARENTLY IT WAS JUST (INAUDIBLE).

1 THE COURT: MR. WILSON, IS IT NOT TRUE THAT YOU RAN INTO
2 THE BACK OF MR. LOGAN'S CAR?

3 DEFENDANT WILSON: NO, I DIDN'T RUN INTO THE BACK OF HIS
4 CAR.

5 THE COURT: WHAT HAPPENED?

6 DEFENDANT WILSON: WHAT HAPPENED IS THERE'S A TRANSITION
7 AREA AND I'VE GOT PICTURES OF A LOT OF IT. I'LL BE GLAD TO PASS IT UP TO
8 YOU.

9 THE COURT: EXPLAIN TO ME WHAT YOU ARE TALKING ABOUT?

10 DEFENDANT WILSON: THERE IS A TRANSITION AREA. THERE WERE
11 THE HIGHWAY DEPARTMENT HAS WIDENED THE AREA FROM ONE LANE TO
12 THREE LANES. AND STATE LAW SAYS THAT WHEN YOU ARE PREPARING TO
13 MAKE A RIGHT TURN. AND I'VE GOT THOSE LAWS QUOTED HERE. YOU ARE
14 SUPPOSED TO MOVE YOUR VEHICLE AS FAR RIGHT AS POSSIBLE IN PREPARATION
15 FOR A RIGHT TURN. AND I MOVED MY VEHICLE TO THE RIGHT. HIS VEHICLE
16 STAYED ON THE CENTER LANE. I WAS WELL BEHIND HIM WHEN HE DECIDED
17 THAT HE WANTED TO TURN IN. HE TURNED IN AND I STARTED TRYING TO STOP
18 AND I HIT OR HE HIT ME. HE HIT THE FRONT OF MY VEHICLE WITH THE SIDE OF
19 HIS VEHICLE. HE WAS PERPENDICULAR TO ME. I'VE GOT PICTURES OF THE
20 DEBRIS IN THE STREET WHERE THE ACCIDENT HAPPENED AND WHERE HE CAME
21 TO A STOP SHOWING THE DIRECTION OF HIS VEHICLE. WHERE THE IMPACT WAS
22 AND WHERE HIS VEHICLE CAME TO A STOP. I TOLD ALL THIS TO OFFICER
23 RIVERS. OFFICER RIVERS WOULDN'T EVEN TALK TO ME. THEY NEVER
24 INTERVIEWED ME. AND AFTER THE INTERVIEW WAS OVER, WHEN OFFICER
25 ROBINSON CAME OVER AND HANDLED ME THE TICKET SHE ASKED ME DID I

1 UNDERSTAND WHY I WAS BEING CHARGED AND I SAID NO. AND OFFICER RIVERS
2 CHIMED IN AND SAID, WELL ANY TIME YOU HIT SOMEBODY IN THE REAR END
3 YOU ARE AUTOMATICALLY GUILTY. AND I SAID I DIDN'T HIT ANYBODY IN THE
4 REAR END. IT WAS AT THAT POINT THAT OFFICER RIVERS WENT OVER AND
5 STARTED LOOKING AT THE OTHER VEHICLE AND THEY WERE CHATTING. I
6 DROVE OUT THE PARKING LOT WITH HIM CHATTING. WITH OFFICER RIVERS
7 CHATTING WITH MR. LOGAN AND LOOKING AT THE SIDE DAMAGE TO THE
8 VEHICLE. I GOT THE DAMAGE TO THE VEHICLE AND IF YOU CAN LOOK AT THE
9 DAMAGE TO THAT VEHICLE AND TELL ME IF IT IN THE REAR, I DON'T BELIEVE
10 YOU CAN DO THAT. THAT VEHICLE WAS NOT HIT IN THE REAR. IT WAS HIT IN
11 THE SIDE BECAUSE IT WAS PERPENDICULAR. HE WAS IN - WHERE THE ROAD
12 HAD EXPANDED TO THREE LANES HE DIDN'T MOVE TO THE RIGHT AS SOUTH
13 CAROLINA LAW REQUIRES. HE THEN DECIDED - HE SAW WHERE HE WANTED TO
14 TURN AND HE MADE HIS TURN ACROSS IN FRONT OF ME.

15 THE COURT: WHAT PICTURES DO YOU HAVE?

16 DEFENDANT WILSON: NO MORE.

17 THE COURT: WHICH PICTURES DO YOU HAVE?

18 DEFENDANT WILSON: I'LL BE GLAD TO PASS THEM UP.

19 UNIDENTIFIED OFFICER: YOUR HONOR, IT DOES CHANGE INTO
20 FIVE THREE LANES TO MAKE A RIGHT-HAND TURN, TO MAKE A LEFT-HAND TURN
21 OR TO GO THE STRAIGHTAWAY. HE HIT PRIOR TO THE LINES CHANGING.

22 DEFENDANT WILSON: THAT'S WHAT THEY KEPT TELLING ME.

23 THE COURT: LET ME SEE YOUR PICTURES.

24 DEFENDANT WILSON: ALL RIGHT. NOW WE ARE GETTING
25 SOMEWHERE.

1 THE COURT: HAND THEM TO THE OFFICER. HAND THEM TO THE
2 OFFICER.

3 DEFENDANT WILSON: ONE FOR YOU, ONE FOR THE JUDGE.
4 THAT'S THE AREA WHERE IT HAPPENED. YOU CAN KEEP ONE, PASS ONE TO HER.

5 UNIDENTIFIED OFFICER: THEY ARE NOT OF THE COLLISION. IT'S
6 JUST --

7 DEFENDANT WILSON: THAT'S JUST WHERE IT HAPPENED. THAT'S
8 WHERE IT HAPPENED. AND HERE'S ONE FOR THE DEBRIS LOCATION SHOWING
9 THE DIRECTION OF HIS CAR. THE DAMAGE TO HIS CAR.

10 THE COURT: OKAY. LET ME ASK YOU A QUESTION.

11 DEFENDANT WILSON: ALL RIGHT.

12 THE COURT: WHERE IS THE ENTRANCE TO THE PARKING LOT?

13 DEFENDANT WILSON: THE ENTRANCE TO THE PARKING LOT IS AT
14 -- IT WILL BE ON THIS ONE.

15 THE COURT: IS IT RIGHT HERE?

16 DEFENDANT WILSON: IT WILL BE POINTED OUT ON HERE.

17 THE COURT: SHE CAN POINT IT OUT TO ME.

18 DEFENDANT WILSON: ALL RIGHT. THIS ONE RIGHT HERE SHOWS
19 YOU WHERE --

20 THE COURT: OKAY. MR. WILSON, IT APPEARS IT DID OCCUR PRIOR
21 TO THE LANES CHANGING TO THREE LANES. I AM GOING TO FIND YOU GUILTY. I
22 AM GOING TO FINE YOU FIFTY-ONE DOLLARS AND EIGHTY-THREE CENTS OR
23 TWO DAYS. THANK YOU.

24 DEFENDANT WILSON: CAN I SUBMIT THIS ONE THING RIGHT HERE
25 BEFORE YOU --

1 THE COURT: WHAT'S THAT, SIR?

2 UNIDENTIFIED OFFICER: THAT'S STILL APPLICABLE TO THE LANE
3 CHANGING.

4 DEFENDANT WILSON: SOUTH CAROLINA -- THE LAW DOES NOT
5 SAY ANYTHING ABOUT LANE CHANGING. YOU DON'T HAVE TO WAIT UNTIL THE
6 LANE...

7 THE COURT: I'VE MADE MY RULING. IT OCCURRED BEFORE THE
8 LANES CHANGED TO THREE LANES. YOU COLLIDED WITH MR. LOGAN'S CAR. I
9 FIND YOU GUILTY. I FINE YOU EIGHTY-ONE EIGHTY-EIGHT OR YOU CAN SPEND
10 TWO DAYS IN JAIL.

11 DEFENDANT WILSON: GRAY. I ASSUME I CAN APPEAL THAT SINCE
12 IT'S A RULING ON THE LAW, THAT LAW -- ON SOUTH CAROLINA -- YOU'VE
13 INTERPRETED SOUTH CAROLINA SECTION 16-3-01 THAT I CAN'T MOVE TO THE
14 RIGHT --

15 THE COURT: I CANNOT GIVE YOU DAYS IN JAIL BUT I AM GOING
16 TO FINE YOU EIGHTY-ONE EIGHTY-EIGHT FOR TOO FAST FOR CONDITIONS.

17 DEFENDANT WILSON: SO YOU ARE INTERPRETING --

18 THE COURT: YOU CAN APPEAL IF YOU LIKE, SIR.

19 DEFENDANT WILSON: YES

20 THE COURT: YOU CAN APPEAL IF IF YOU LIKE. THANK YOU VERY
21 MUCH.

22

23 (ADJOURNED)

24

25

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE MUNICIPAL COURT FOR
THE CITY OF COLUMBIA

CITY OF COLUMBIA,

VS

WILLIAM WILSON,

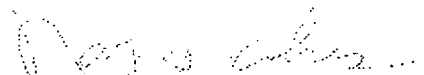
DEPENDANT

CERTIFICATE

THIS IS TO CERTIFY THAT THE WITHIN BENCH TRIAL, CONSISTING OF SEVEN (7) PAGES, IS A TRUE AND CORRECT TRANSCRIPT OF RECORD FOR THE TRIAL ON SEPTEMBER 20, 2012. SAID TRANSCRIPT BEING PREPARED TO THE BEST OF MY ABILITY FROM A RECORDED DISC PROVIDED TO ME WITHOUT THE BENEFIT OF MY BEING PRESENT AT THE PROCEEDING.

I FURTHER CERTIFY THAT I AM NOT RELATED TO ANY OF THE PARTIES IN THIS MATTER OR THEIR COUNSEL, NOR DO I HAVE ANY INTEREST, FINANCIAL OR OTHERWISE, IN THE OUTCOME OF THE SAME.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND SEAL ON THE 20th DAY OF SEPTEMBER, 2012.



NANCY S. ASHRENS
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 06-26-19

State of South Carolina

Court of Common Pleas

County of Richland

2012-CP-10-08803

City of Columbia :

-VS :

TRANSCRIPT OF RECORD

William K. Wilson :

February 8, 2013

Columbia, South Carolina

B E F O R E:

The Honorable G. Thomas Cooper, Jr., Judge.

A P P E A R A N C E S:

David A. Fernandez, Esquire
Attorney for the Plaintiff

Pro Se Defendant

Daphne D. Helms
Circuit Court Reporter

1 The Court: William Wilson. All right. There's a
2 fairly lengthy return in this one. Mr. Wilson, tell me what
3 the basis for your appeal is.

4 Mr. Wilson: My appeal is because I think the case was
5 decided on the wrong statutes.

6 The Court: Okay.

7 Mr. Wilson: The officer supplied the judge with the
8 wrong statute, and the judge just said, "Guilty," and I think
9 it should have been decided on SS 5 2120 and---

10 The Court: SS what?

11 Mr. Wilson: S 2120.

12 The Court: Let me look at it.

13 Mr. Wilson: And I was never given the opportunity to
14 present that. I had that with me that day, and the officer
15 just simply said I moved to the right too quick.

16 The Court: Okay.

17 Mr. Wilson: And the judge said, "Guilty," and I think
18 the law says you must move to the right.

19 The Court: Tell me what happened. Just give me a
20 little...

21 Mr. Wilson: Well, the -- on the street I was on, the
22 street widens from one lane to three lanes.

23 The Court: Okay.

24 Mr. Wilson: And when the street widens from one lane to
25 three lanes, I moved to the right.

1 The Court: To get in the right-hand lane?

2 Mr. Wilson: In the right-hand lane in preparation for a
3 right-hand turn. The vehicle in front of me stayed on the
4 center lane, and then they saw a restaurant they wanted to
5 turn in to. They made a right-hand turn.

6 The Court: Right in front of you?

7 Mr. Wilson: Right in front of me.

8 The Court: Yeah.

9 Mr. Wilson: Went in to the restaurant and I tried my
10 best to stop and I almost stopped, and as they came across in
11 front of me, there was a very small collision. The officer
12 came out and wrote me a ticket for driving too fast for
13 conditions.

14 The Court: How about the other car?

15 Mr. Wilson: Didn't write them a ticket, didn't look at
16 the debris in the street, didn't look at anything. The
17 explanation he gave to me was that they had to start
18 marking -- there were three -- the lines for three lanes at
19 that point.

20 The Court: Right.

21 Mr. Wilson: I don't think that has anything to do with
22 it because the statute says in your preparation for a turn,
23 you must move as far to the right as possible, which that
24 vehicle didn't do, and I had already done that.

25 The Court: All right.

1 The Court: To get in the right-hand lane?

2 Mr. Wilson: In the right hand lane in preparation for a
3 right-hand turn. The vehicle in front of me stayed on the
4 center lane, and then they saw a restaurant they wanted to
5 turn in to. They made a right hand turn.

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9 Mr. Wilson: Went in to the restaurant and I tried my
10 best to stop and I almost stopped, and as they came across in
11 front of me, there was a very small collision. The officer
12 came out and wrote me a ticket for driving too fast for
13 conditions.

14 The Court: How about the other car?

15 Mr. Wilson: Didn't write them a ticket, didn't look at
16 the debris in the street, didn't look at anything. The
17 explanation he gave to me was that they had to start
18 marking -- there were three -- the lines for three lanes at
19 that point.

20 The Court: Right.

21 Mr. Wilson: I don't think that has anything to do with
22 it because the statute says in your preparation for a turn,
23 you must move as far to the right as possible, which that
24 vehicle didn't do, and I had already done that.

25 The Court: All right.

1 Mr. Wilson: Wouldn't be any purpose for widening the
2 street for a right turn if you weren't going to move to the
3 right.

4 The Court: Give me that code section you cite again.

5 Mr. Wilson: 58-5-2120. I can hand it---

6 The Court: 2120. All right. No, I just didn't hear
7 you properly. I got it. Okay. And you were -- you didn't
8 have a jury trial. You had a bench trial in front of Judge
9 Curley?

10 Mr. Wilson: That's right.

11 The Court: Okay.

12 Mr. Wilson: And on page two of the report it says,
13 "Estimated speed: 30 miles an hour." The speed limit was
14 35. It doesn't say I was speeding, but I was charged with
15 too fast for conditions because "I had moved to the right, and
16 that's a maneuver---

17 The Court: Did you give a signal?

18 Mr. Wilson: I hadn't got to where I was going to turn
19 yet because I was going to turn a block down the street.
20 That person was the one making the turn. They were turning
21 in to a restaurant.

22 The Court: All right. Mr. Fernandez?

23 Mr. Fernandez: Thank you, Your Honor.

24 The Court: You can have a seat, Mr. Wilson.

25 Mr. Fernandez: I'd like to begin by pointing out to the

1 Court that the grounds for appeal are essentially what Mr.
2 Wilson has argued here today, that they were not preserved at
3 the trial below. Never once did he mention 56-8-2129, the
4 statute. Now, I know I heard him say that he didn't have an
5 opportunity to bring it up, but if Your Honor will review the
6 record, it would clearly show that Mr. Wilson had actually
7 quite a bit of testimony to provide to the Court, multiple
8 pages worth, and certainly had every opportunity to raise
9 anything he wanted to do the judge. At no point did the
10 judge cut him off or tell him he needed to hurry up.

11 It appears to have been, as far as bench trials go,
12 relatively long. There were pictures that were shown to the
13 judge, and there was some back-and-forth between the officer
14 and Mr. Wilson about where exactly the accident occurred.
15 The officer elected to cite Mr. Wilson for too fast for
16 conditions. It doesn't require a speed or speeding. It
17 requires that the -- the standard is simply that you were
18 traveling too fast for conditions present, and the conditions
19 present would be that there's a car in front of you turning
20 and he was going too fast to slow down. That's what the
21 officer determined.

22 There was an independent witness, the victim, who
23 corroborated what the officer was saying and -- and that's
24 what the judge was presented with, the factual dispute. The
25 judge was clearly presented the issue of where the accident

1 took place, whether it occurred in the three-lane separation
2 area that Mr. Wilson discussed or whether it occurred before.
3 The officer was very clear that it occurred before that with
4 the pictures that Mr. Wilson claims show that it didn't, but
5 the judge clearly just didn't believe that.

6 The officer was very clear on page - I'm sorry page 5,
7 lines 19 through 21, that the accident occurred prior to
8 where the lanes separate. All of this is a factual dispute.
9 The judge weighed the evidence, heard from three different
10 witnesses, and elected to find guilty.

11 The Court: Yes, sir.

12 Mr. Wilson: That's not quite the way it happened, Your
13 Honor. I was not allowed to finish, and if you go to page 7,
14 line 11, I was trying -- after the judge had cut me off and
15 not let me finish. I was trying to tell him that I had the
16 statute, the correct statute, although they don't give the
17 full thing on line 13. I wanted to present the correct
18 statute, and I was not allowed to. She made the ruling based
19 on what the officer told her what -- that I moved to the
20 right too quick.

21 The Court: Okay. All right. I tell you what I'm going
22 to do, Mr. Wilson. I'm going to take your case under
23 advisement. I'm going to have to read this transcript.

24 Mr. Wilson: All right.

25 The Court: It's rather long. I can't do it right here.

1 Some of these other ones have been very short cases. Yours
2 is a little bit longer. I'll let you know.

3 Mr. Wilson: Okay. And you have my...

4 The Court: 7108 Sunview Circle?

5 Mr. Wilson: Right, and you have my photos of how it
6 happened.

7 The Court: Yes, sir, I do.

8 Mr. Wilson: Thank you. I appreciate it.

9 The Court: Yes, sir.

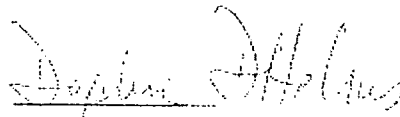
10 Mr. Fernandez: Thank you, Your Honor.

11 (Whereupon, the proceedings were concluded. There were
12 no exhibits introduced.)
13
14
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25

I, the undersigned Daphne D. Helms, official court reporter for the Fifth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the circuit court for Richland County, South Carolina, on the 8th of February, 2013.

I do further certify that I am neither an attorney, counsel, nor interest to any party hereto.

September 23, 2013

A handwritten signature in cursive script, appearing to read "Daphne D. Helms", written over a horizontal line.

Daphne D. Helms, court reporter

Order of Circuit Court

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

William K. Wilson,

Appellant,

City of Columbia,

Respondent.

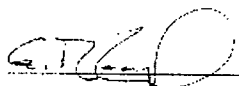
IN THE MAGISTRATE'S COURT
2012-CP-10-06303

Order Affirming Magistrate's
Judgment and Denying Appellant's
Appeal

FILED
2013 APR 25 10:36
JULIE M. MORRIS
C.C.R. & C.S.

On February 8, 2013, this Court heard arguments regarding Defendant's Appeal of the City of Columbia Municipal Court finding William K. Wilson's guilty of driving too fast for conditions on June 22, 2012. Present were Appellant William K. Wilson and Defendant City of Columbia. After considering the documents filed with the Court and the argument of counsel and pro se Appellant, the Court denies Appellant's Appeal and affirms the lower court's finding the Defendant guilty based on a factual finding and no error of law.

IT IS SO ORDERED.



G. Thomas Cooper, Jr., Judge
Fifth Judicial Circuit

Columbia, South Carolina

April 24, 2013

SCANNED

Description of collision and collision site

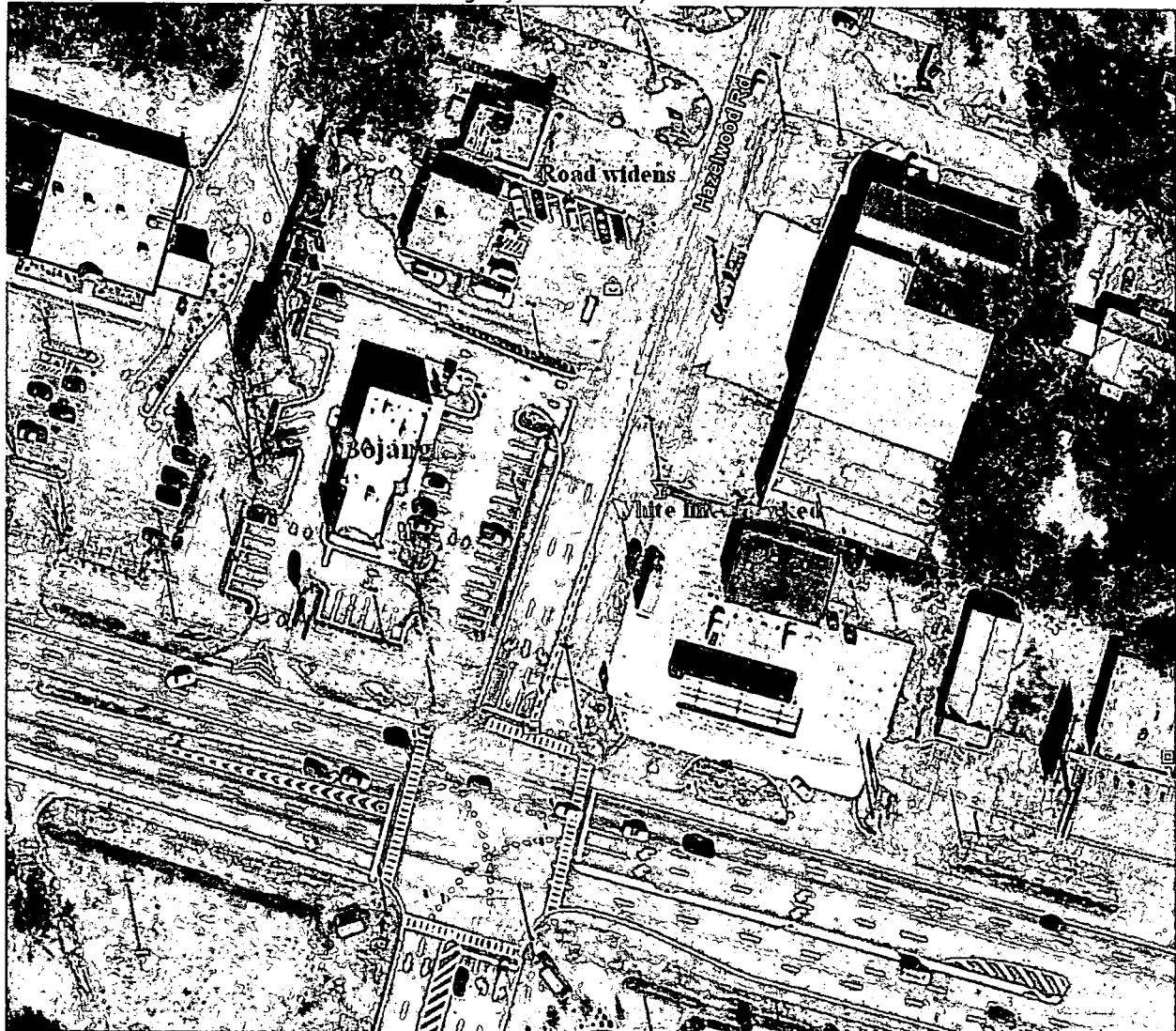
Description of how the collision occurred and the collision site.

The photo below shows the location on Hazelwood Dr. where collision occurred and the lane changes from one lane to three at intersection on Garner's Ferry Road.

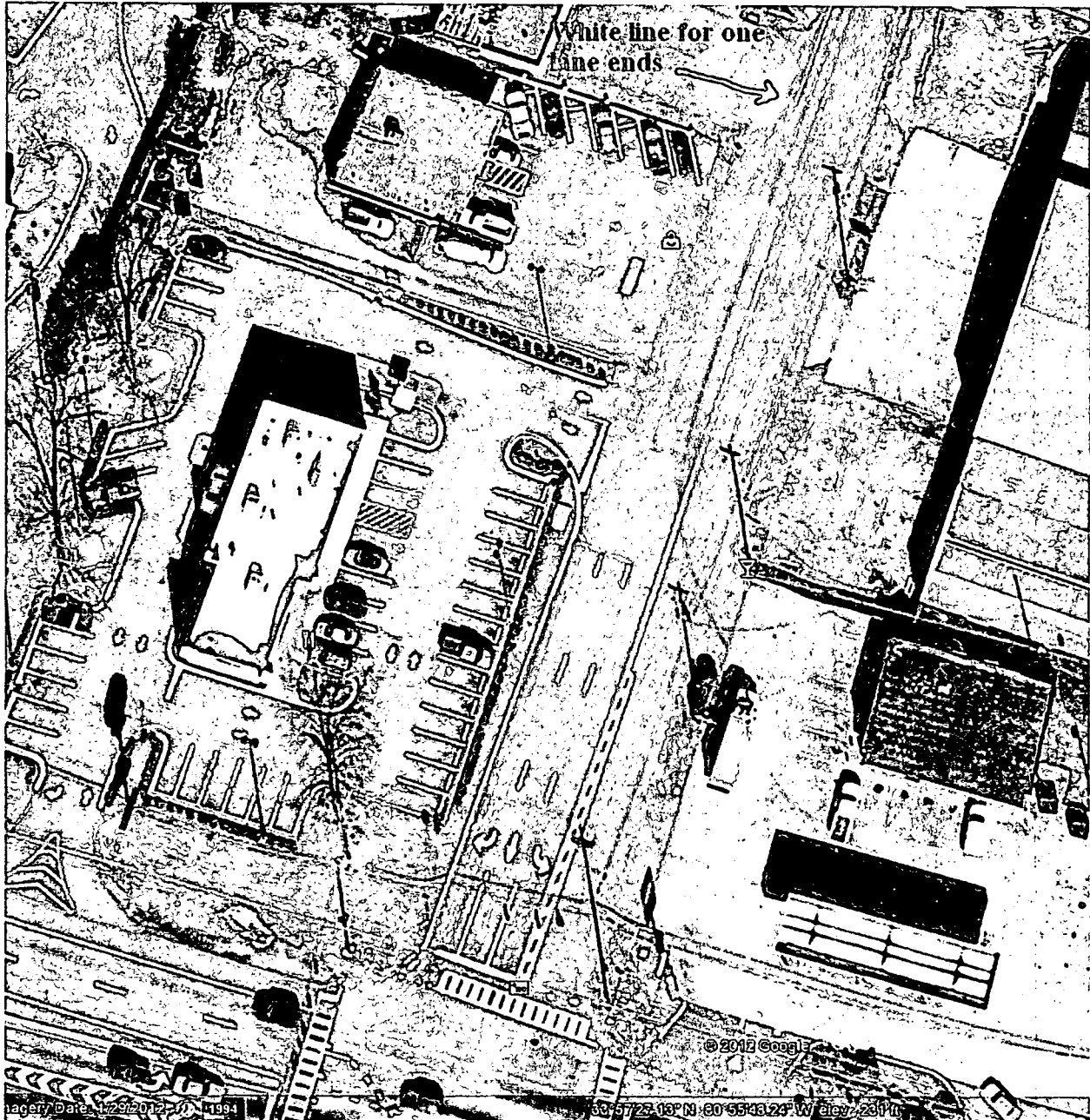
One lane turns right, one lane goes straight across the road and one lane turns left.

There is a short transition area where the road widens from one to three lanes and drivers can select one of the three lanes and prepare to shift into those lanes.

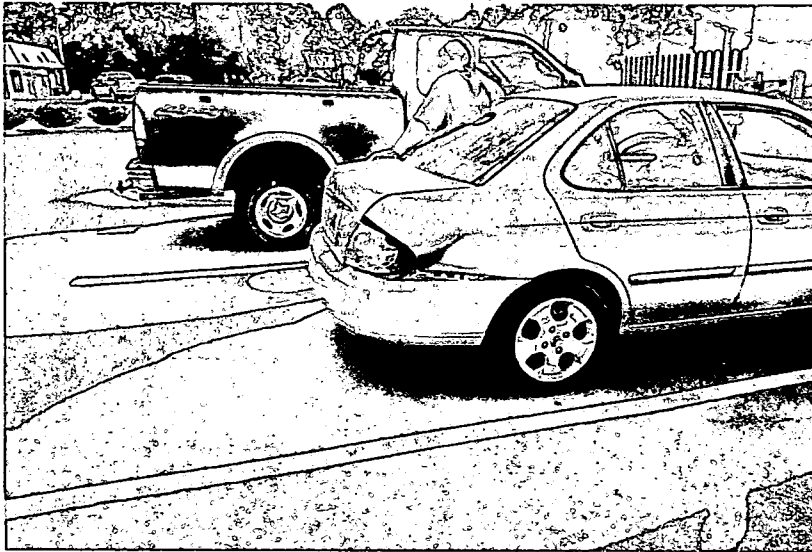
I believe that any right turn must be made from the right lane and *"the approach for the turn should be made as close as practicle to the right-hand curb or edge of the roadway"*.



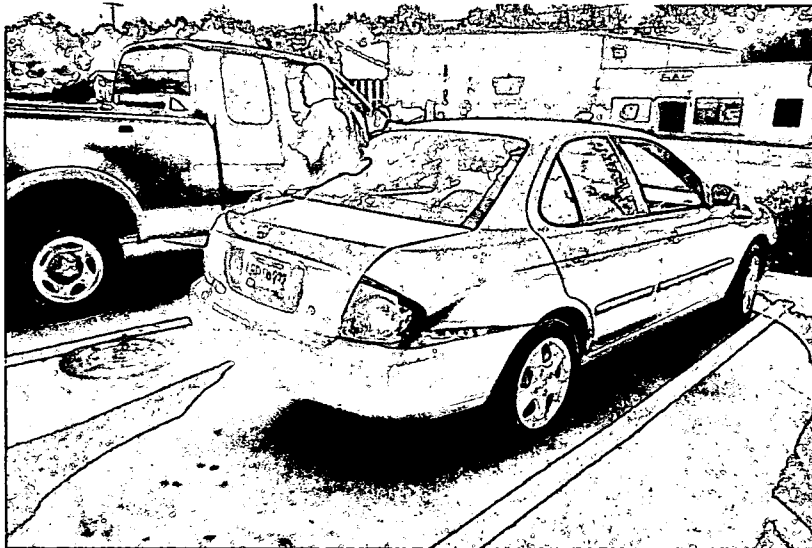
The photo below shows where the white line for one lane stops and you can see where three lanes are marked past the entrance to Bojangles. Once the white line for one lane disappears and the road begins to widen everyone that is going to turn right begins to move to the right in preparation for that turn. It is approximately 105 feet from where the white ends marking one lane to the driveway of the restaurant where the collision occurred.



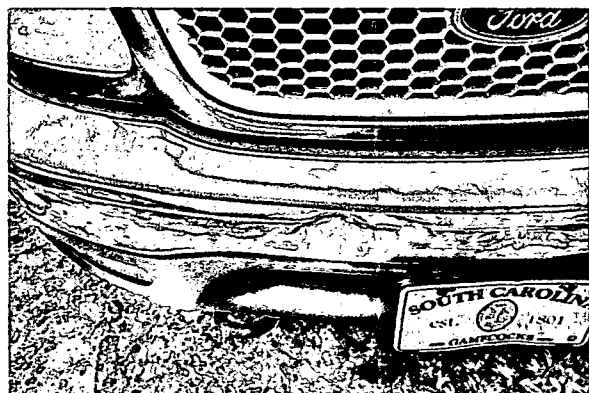
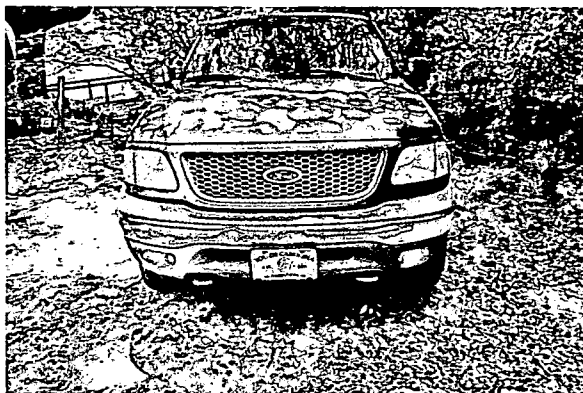
Description of Vehicle Damage



Side View (impact)



Rear View (no impact)



No impact on the corner of the bumper.

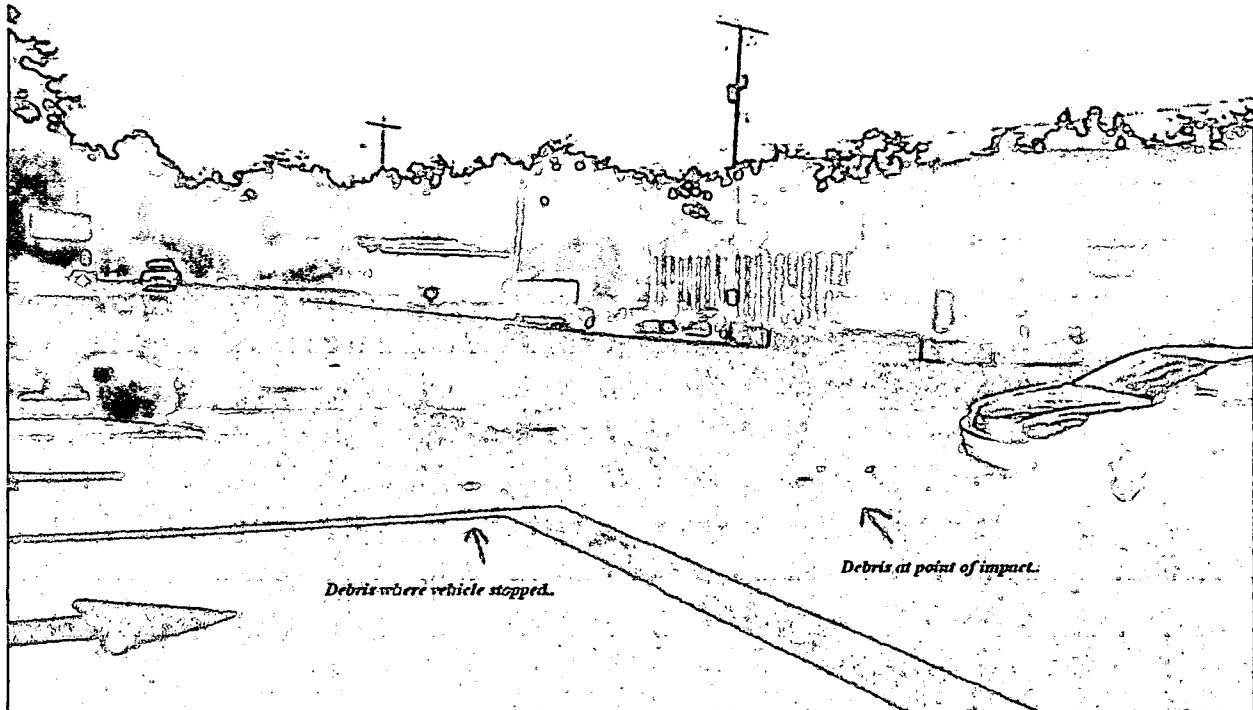
Description of debris location

The debris is marked showing the direction vehicle one was moving.

The vehicle in the photo is trying to avoid the debris but is traveling almost the exact same path as the vehicle which left the debris because the debris came from the passenger rear quarter panel.

One pile of debris at the point of impact and one pile of debris where the vehicle stopped and waited for the highway patrolman. The highway patrolman who arrived first moved the vehicles into the restaurant parking lot and Officers did not ask him about the location of the vehicle or look at the scene.

Since the impact was on the passenger side of the vehicle it shows that his vehicle was not going to make the in lane for the restaurant. The driver of the other vehicle in the collision had already missed the entrance lane before trying to make the turn from the center lane.



Notice that the vehicle that is trying to approach the entrance lane from the other direction is trying the passenger side of that vehicle is in about the same position as the passenger side of the vehicle in the accident which left the piles of glass.

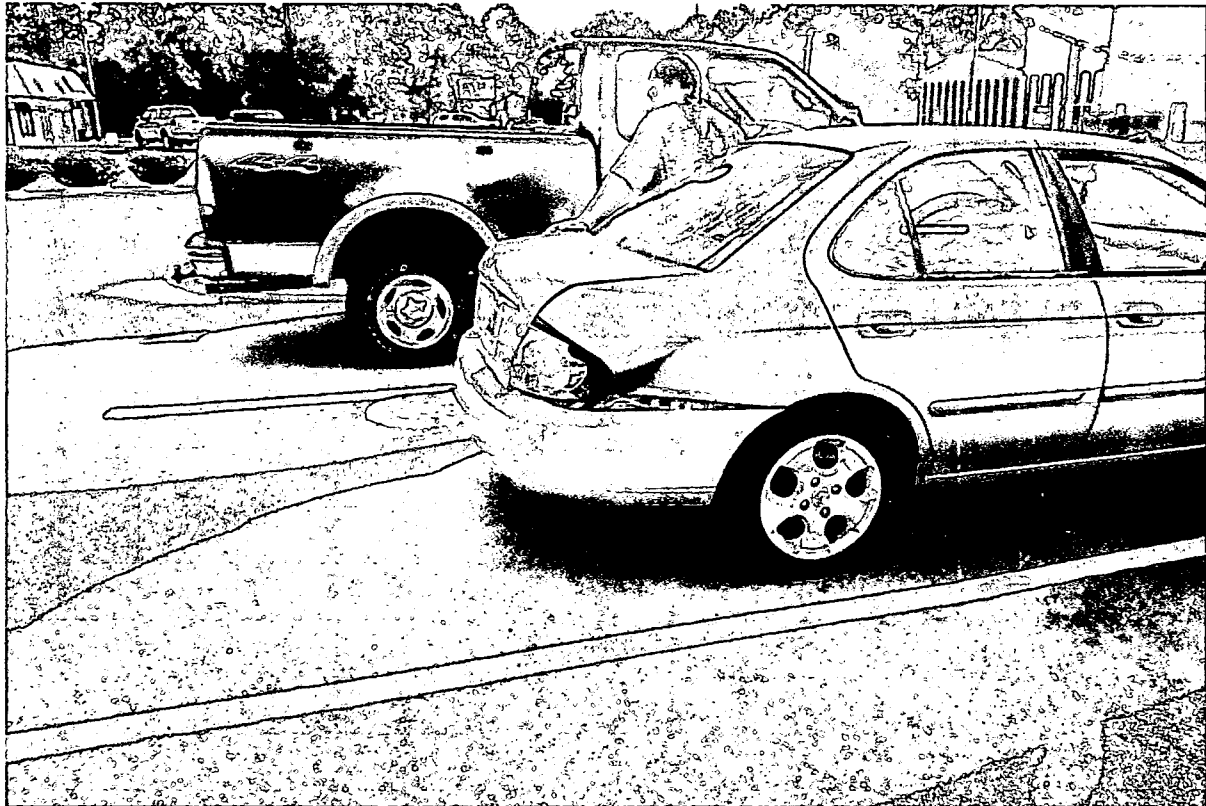
The piles of debris shows that the other driver was driving in the center lane and had missed the entrance to the restaurant and was circling back into the driveway.

I think that the location of the debris clearly shows that the first vehicle was traveling perpendicular two the second vehicle at impact. The second (my vehicle) was traveling straight. The damage to the two vehicles also supports this claim.

I don't think that Officer's drawing on the accident report fairly represents the collision since neither vehicle was at an angle. Vehicle two was going straight and vehicle one was perpendicular to vehicle one at the point of impact.

Remember he was trying to enter the driveway from the top of the picture and was circling back into the driveway.

There is not a lot of damage to the side of his vehicle so there was not a lot of glass in the road for the picture and other vehicles crushed it into small pieces.



Traffic ticket and officer's collision report

STATE OF SOUTH CAROLINA
UNIFORM TRAFFIC TICKET

CITY OF COLUMBIA

WILLIAM KEMPER VERSUS WILSON

7106 SUMMIT LAKES COLA. SC 29209

SC 601168240

EWING SC FORD CO. OF SC

YOU ARE SUMMONED TO APPEAR BEFORE THE TRAIL COURT

CITY COURT 811 WASHINGTON ST

09/20/12 0800 COLA SC 29201

TOO FAST FOR CONDITIONS 54-5.1520

SAME 06/22/12

SAME 06/22/12

ROBINSON, R.S. RIVER, J.L. MPO

RICHLAND 40

13269

0500 CLEAR

HAZELWOOD RD

GARRETT FERRY

COLA

3357 2590

180 55 4960

64

37201 GA

SEE INADVERTENT INFORMATION ON THE REVERSE SIDE OF THIS TICKET

VIOLATOR'S COPY 81.88

STAPLE HERE

Mail Stop, SC Department of Mail
PO Box 1431
Richmond SC 29218

Unit	Date of Birth	Sex	Race	INI	SSN	DOB	AAO	Effect	LAI	Trans	Name	Street Address	Zip Code
1	07-27-1949	F	B	03	13	49	1	1	2				
1	03-10-1971	M	B	01	13	71	1	1	2				
2	06-10-1940	M	M	01	13	40	1	1	2				

Race		Sex		Religion		Marital Status		Education		Occupation		Employment Status		Residence		Vehicle		Insurance	
1. Asian/Pacific Islander	2. African American	1. Male	2. Female	1. Christian	2. Other	1. Single	2. Married	1. High School	2. College	1. Self-employed	2. Employee	1. Full-time	2. Part-time	1. Own	2. Rent	1. Make/Model	2. Year	1. Policy No.	2. Insurer

Air Bag Deployment / Switch		Ejection		Head Injury		Location After Impact		Transported to Medical Facility		Restrained Safety Device	
1. Deployed	2. Not Deployed	1. Ejected	2. Not Ejected	1. Head Injury	2. No Head Injury	1. Location After Impact	2. Not Known	1. Transported to Medical Facility	2. Not Transported	1. Seat Belt	2. Other

Sequence of Events		Collision		Collision Point		Collision Direction		Collision Force		Collision Damage	
1. Collision	2. No Collision	1. Collision	2. No Collision	1. Collision Point	2. No Collision Point	1. Collision Direction	2. No Collision Direction	1. Collision Force	2. No Collision Force	1. Collision Damage	2. No Collision Damage

Vehicle Type		Vehicle Use		Vehicle Condition		Vehicle Damage		Vehicle Identification	
1. Passenger Car	2. Other	1. Vehicle Use	2. Other	1. Vehicle Condition	2. Other	1. Vehicle Damage	2. Other	1. Vehicle Identification	2. Other

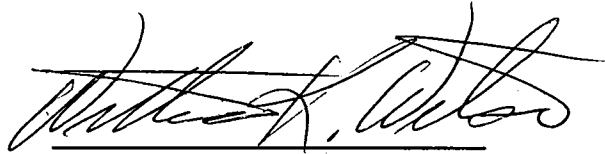
Weather Condition		Light Condition		Road Condition		Traffic Control	
1. Clear	2. Other	1. Day	2. Night	1. Road Condition	2. Other	1. Traffic Control	2. Other

Contributing Factors		Roadway		Non-Motorist		Environmental	
1. Contributing Factors	2. Other	1. Roadway	2. Other	1. Non-Motorist	2. Other	1. Environmental	2. Other

Certificate of Appellant

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

October 15, 2013



William K. Wilson
7106 Sunview Circle
Columbia, South Carolina 29209
(803) 776-5594
Appellant

RECEIVED

OCT 15 2013

SC Court of Appeals

PROOF OF SERVICE OF A RECORD OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas, Cooper, Jr, Circuit Court Judge

Case No. 2013-001072

The City of Columbia,

Respondent,

v.

William K. Wilson,

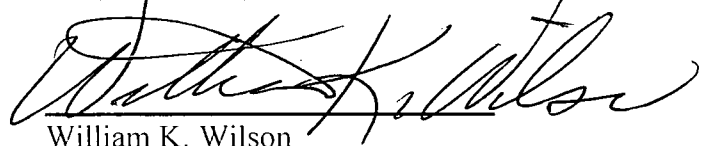
Appellant.

RECEIVED
OCT 15 2013
SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the record of appeal on the City of Columbia by depositing a copy of it in the United States Mail, postage prepaid, on October 14, 2013 addressed to David A. Fernandez, Office of City Attorney, Post Office Box 667, Columbia, South Carolina 29202.

October 15, 2013



William K. Wilson
7106 Sunview Circle
Columbia, South Carolina 29209
(803) 776-5594
Appellant

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Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
Attorney for Respondent