

EXHIBIT M-A = 1 pages

NABORS v. STATE OF **RECEIVED**

CASE # 'S

JUN 24 2013

S.C. SUPREME COURT

Appellate case NO.

* 2013-001195

Lowest court case NO.

* 2011-CP-30-00308

X COMMUNICATIONS EXPANDED
TOOS 8TH CIR LOWE COURT
IT'S OFFICERS, AND COURT
APPOINTED COUNSEL APPOINTED
TOOS REPRESENT ME ON
CAR JACKING, ARM ROBBERY
COBENY CRIMINAL CASE.
THE MAINS OF ALL THESE
FILED COMMUNICATIONS IS →

V.

WHEREFORE, having made its Return, the State requests that an evidentiary hearing be held.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

HARRISON D. BRANT
Assistant Attorney General

By: 
ATTORNEYS FOR RESPONDENT

Office of the Attorney General

EXHIBIT A → ~~A~~ = 2 ^{CONTINUED}
pages

my demands on the
COPS and IT'S OFFICERS
FOR INVESTIGATOR SERVICES
too prove my DEFENSES
OF PUBLIC ACTUAL AUTHORITY
INSANITY, GUILTY OF MENTALLY
ILL by collecting
vital evidence in forms
OFF LAW ENFORCEMENTS
RECORDS, MENTAL HEALTH
RECORDS, EXPERT WITNESSES
OFF SEVERAL TREATING
PSYCHIATRIST WHO OVER
CAST 30 YEARS →

27

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX
1100 EAST MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219-3517
WWW.CA4.USCOURTS.GOV

PATRICIA S. CONNOR
CLERK

TELEPHONE
(804) 916-2700

April 10, 2013

Larry W. Propes, Clerk
U.S. District Court
District of South Carolina
901-Richland-Street
Columbia, SC 29201

Re: Benjamin Ray Nabors v. Deputy Timmons, et al.
0:12-cv-03301-DCN

Dear Mr. Propes:

Review of the district court docket discloses that the district court is considering a motion under Fed. R. Civ. P. 50(b) for

Exhibit A → ~~A~~ = 3 ^{CONTINUED} pages

Diagnosed treated me
for such severe mental
illnesses as paranoid
schizophrenia -
impulse control disorder -
chronic alcohol substance
abuse which had caused
very probable severe
Brain damage.

* which was in fact
defense under
Heartfield.

discussed on cont lower
to conts record at

in damage 'trial',
field defense's
trial expert
psychiatrist
opinion, etc.

→

my → U / attempt / help / we

FILED: April 30, 2013

X3

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-6585
(0:12-cv-03301-DCN)

BENJAMIN RAY NABORS

Plaintiff - Appellant

v.

DEPUTY TIMMONS; DEPUTY GARRISON; SGT. KURTA; INVESTIGATOR
R. PLAXICO, ID # 2022 Investigator LCSD; SHERIFF RICKY CHASTAIN,
DEPUTY SHERIFF RICKY CHASTAIN, ID # 2022 Investigator LCSD

4

MAILED FROM ZIP CODE 29210
FIP

1035

RECEIVED

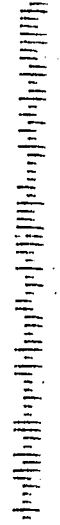
APR 12 2013

BRCI
MAILROOM

MLT

Benjamin Ray Nabors
233844
Broad River Correctional Institution
4460 Broad River Rd
Columbia, SC 29210

9210404799



26

(#1) TRANSCRIPT P.C.R. 11-14-12 PUT ON
RECORD IN CASE # 2011-CP-30-308
HOW ADD CONT APPOINTED LAWYERS
TO MY CASES, BOTH TRIAL AND
P.C.R. ACTIONS, REFUSED TO PUT
FORTH MY REPEATED PLEAS FOR
PUBLIC AUTHORITY - ACTUAL
AUTHORITY DEFENSES, AS
WELL AS MY HUNDREDS
OF MOTIONS, PETITIONS
ETC. TO BOTH THE 8TH CIR.
COURT, IT'S MANY OFFICERS
MY LAWYERS, FOR FUNDS
FROM O.F.I.D. TO HIRE INVESTIGATOR
SERVICES TO FULLY INVESTIGATE
MY CLAIMS OF PUBLIC AUTHORITY
ACTUAL AUTHORITY ON DAY IN
QUESTION, 6-10-09, WHICH CAUSED
MY ACTIONS WHICH LED TO THESE
CURRENT SENTENCES CONVICTIONS, AS
WELL AS TO GATHER MUCH SOUGHT
AFTER FACTUAL EVIDENCE IN FORMS
OF BOTH EXPERT WITNESSES AND ~~THE~~ MHA
RECORDS THAT WOULD INDISPUTABLY PROVE
I HAD BEEN DIAGNOSED NEEDED FOR SEVERE
MENTAL ILLNESS FOR 30 YEARS →

pp#1

CASE# 2013-001240

6-20-13

C100.

HONORABLE D.E. SHEARHOUSE

CLERK CMT.

U.S. SUPREME COURT SC.

PROMS: BEN NABORS #233894

B.R. CI-Sal-148-A

4460 BROADSIVENS ROAD

CALIF. 92210

RE: MY URGENTS NEED

FOR COMTS ACTION

RE: BENJAMIN NABORS
VS

STATE OF SC.

APPEAL CASE NO:

2013-001240

RECEIVED

JUN 24 2013

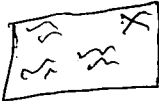
S.C. SUPREME COURT


* PLEASE CHECK & FILE
RECALL THIS. →

①

pg# = 2

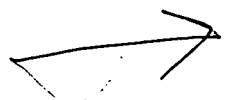
Case # 2013-001240

⊙ Got your  today and yesterday and it says you got MR. RICHY DOING MY ~~⊙~~ appeal? MY GOD!

He was not even at hearing, he left went home! took entire  case file, etc. AND took it!

he reason #1 why sky day CRYS TAINS! he HURTS my p.c.R. case BAD DAB! SO NOW MY 59 (C) BLOCKED INNOUT! THIS IS URGENT S

⊙



PT#PT=3

CASE# 2013-001240

PLEA TO THIS COURT,
SO PLEA GRANT MY INJUNCTION
INJUNCTION FUNCTION PETITIONS
DO NOT MORE 8TH CIR COURT;
ALL INVOLVED PART P.A.R
CAMERAS, INVOLVED C.C.S.D.
NARC. OPS WHO MAKE ME
GO INTO METH LAB ON 6-10-09
CAUSES OFF THESE
CONVICTIONS!
PLEAS GOD NO ONE
UNDERSTOOD ME
GOT NO WIFE!

(3)

P~~27777~~ = 4


CASE # 2013-001240

⊙ GOT TO GET THESE
THINGS BEFORE MORE
EVIDENCES IS "LOST"
DESTROYED OR WITNESSES
DIE OR MEMORIES FADE
N OUT. HEAR PROOF
OFF WHAT ⊙ CAN PRESENT
OFF 1% COULD HAVE PRESENT ⊙ AND
CAT TRIAL AND P.C.R.,
PREPONDERANCES OFF
GUIDENCES DO
PROVE MY ISSUES →

⊙

PG ~~####~~ = 5 CASE# 2013 001240

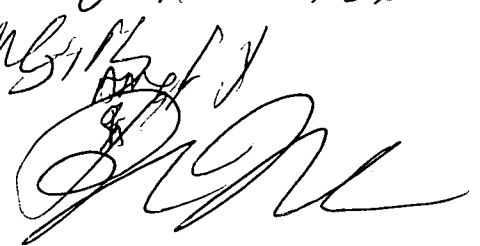
DO, DIN, DESERVE
COURTS ALL COURTS
LOWER CASE AND HIGH
CASE COURTS ATTORNEYS.

NOTES *  have repeatedly been
denied due process
and CONSTITUTIONAL CIVIL RIGHTS.
Pleas checked - FILE and
SEEK PER PART COURT REVIEWS
ALL CONTACTS. This evidence

6-20-13
DRAFTS

PH INT YOU AND GOD DO BLESS

BEN NABOB ~~####~~
4460 BRONX RIVER ROAD
CUL, SE 2013





public Authority Defense

3-11-13

POITNEY W. RICHY EAS,
BRING ON RECORD AS

⊙ told everyone involved with my the case(s), the 4-count appointed lawyers ⊙ was all together given the 8th Cir Sol. office, and the 8th Cir court, that the L.C.S.D. NARCOTICS UNIT was making me be their undercover narcotic agent, that they had numerous ⊙¹²³₆'s placed & concealed spy cameras on my person, and ordered me to drive "an unlicensed and uninsured ^{driver} and white, under the influence of narcotics, mentally ill person, with a chronic alcohol and substance abuse problem, to areas within Laurens County, "crack houses" to make undercover narcotic buys for them. The L.C.S.D. NARCOTICS UNIT instructed me to find out all the information ⊙ could for them about crack dealers and meth labs and the sellers in Graycourt as well. AND ON 6-10-09 while at the location of a crystal meth lab located at 836 →

2 Hellams Rd. Gray Court, S.C. 3-11-13

Gathering in formation for the Narc. UNIT of Laurens County. I became severely ill after I was exposed to toxic chemicals while at this location, under the impression by the C.C.S.D. Narc. Cops that my presence there in the capacity as their informant was perfectly legal.

After my exposure to the toxic crystal meth fumes, ~~and after~~ I began suffering from severe auditory, as well as visual hallucinations. My schizophrenia and paranoia, which at that time I was NOT under a psychiatrist care for, was triggered. After I seen what I thought were Mexican drug dealers shoot my wife and start running towards me, I fled blindly through the woods as they gave chase, shooting at me. I came across a house and began pounding on the front door,

~~3~~

3

3-11-13

A man opened up the door a few inches and started ~~to~~ guess asking what the heck ~~to~~ wanted, ~~to~~ pushed by him into his living room ~~to~~ guess it was his living room. ~~to~~ started trying to hide myself behind his TV. Entertainment center and at the same ~~to~~ ~~to~~ was trying to explain to him that ~~to~~ was an uncover agent and that my cover had got blown and there were people "out there" tryin to shoot and kill me and "they" had killed my wife ~~to~~ thought etc. Long but very true story short ~~to~~ called 911 and the gentleman who's house ~~to~~ had barged into, ~~to~~ later learned his name Mr. Stan Smith, he also called 911. A lot of police came. The first to arrive was officer Edwards. He placed me into handcuffs and put me in the back of a unit, and ~~to~~ stayed in the back of that police car hallucinating badly the entire length of ~~to~~ ~~to~~ was in it while all the officers mounted up in SWAT gear with assault rifles etc. and then stormed the property that the meth lab

~~****~~
4 was located on being 836 3-11-13
Hellams Rd. After what seemed like hours,
they put someone in the car with me
an officer who tried to calm me down;
I was hearing a lot of gun fire and
thought that they were having a shoot
out with the drug dealers down at
the meth lab and I ^{was} seeing a
helicopter hovering over the area
with its spot light pointed down
at the area of the meth lab
down in the woods and I seen
cops with guns everywhere and I
knew my greatest fear had come
true that my sweet little wife had
been killed as a result of me being
the L.C.S.D. NARC. cops undercover
agent. The officer who was in
the car told me that Jennifer was
okay and that she was fine and
no one had been shot and I needed
to calm down etc. He told me that
they were going to take me to jail
on the Grand Larceny warrant and
I told him that I was there as an
undercover agent for the L.C.S.D.
NARC. cops unit. I asked him could I

3-11-13

~~****~~

5 please see my wife Jennifer to make sure she was in fact actually alive. He drove me down to the meth lab and rolled down the window. Deputy Rhodes told my wife that [redacted] would get some help, she told him [redacted] needed help and he said they would get me some help. Then we left and headed toward the detention center and [redacted] was trying to explain to him that [redacted] was a undercover narcotic agent working for Capt. Stephen Williams narcotics officers and they would verify such. So he called Capt Williams on his "Deputy Rhodes" cell phone but couldn't get him in person so he left the Capt. voice mail

telling him that he was in route to the detention center with me and [redacted] was claiming [redacted] was working for him, his narcotics officers Lt. Brian Bridges, Sgt. Justin Moody and Officer Pager. Long story short [redacted] was not given medical or mental health treatment but instead was told to shut the fuck up by the jailers as [redacted] continued to hallucinate in the holding cell of they would gas me and hit me with the stun gun. Then Lt. Fogare came

(10)

~~*****~~

3-15-13

6 and told me to stop acting crazy, that they wanted me to go back to the location of the lab, 836 Mellams Rd Gray Court and try to find out what happened to all those meth cookers who were there prior to my 911 calls but who were gone by the (823/6) police finally searched the property.

(1) was then carried before Judge W. Copeland, who released me on a P.R. bond. Then me and Jennifer started walking towards Laurens City, trying to catch us a ride back to Gray Court, to the meth lab and my parents house. We were finally offered a ride by Mrs. Lou Edwards in the Food Lion parking lot. And after she started

talking openly about herself having had been an ex-cop and how both her sons were currently cops, and (1) started thumbing through pictures which were stored on a digital camera (1) found in her car, which showed pictures of cops in uniforms, guns visible, then she Mrs. Edwards started acting strange and →

(11)

~~*****~~

3-11-13

7 messing around, reaching
at her side, like she was trying
to hide something, by that ¹¹³⑥
we were on speedway drive, which we
asked her to TAKE, cause it comes
out at our property were we would
some ⁰¹³³⑥'s stay in a R.V. that belonged
to my pa. Anyway, ^⑥ ONCE AGAIN
started believing that people, the
cops this ^⑥, were trying to kill me
and she was in on it and had a
GUN and was about to shoot me.
^⑥ reacted up, put my arm around
her neck and told her NOT to shoot
me to stop and get out of her car.
My wife started SCREAMING at me
so let her alone that ^⑥ was
still tripping no one was trying to
shoot me for me to leave Mrs. Edwards
alone and let her finish taking us
the rest of the way home, which was
roughly 1/2 a mile. Mrs. Edwards
^⑥ told me not to hurt her and ^⑥ told her
^⑥ wouldn't, for her to JUST GET OUT →

~~XXXXXXXXXX~~

8 of the car. she did. Then ~~she~~ got out behind her. She asked could she have her pocket book, ~~she~~ told her no that there was probably a gun in it so, ~~she~~ think ~~she~~ told her to start walking up the road that her car would be left up the road somewhere that ~~she~~ only wanted to get safely away that cops were after me ~~and~~ and the methamphetamine had me "SPUN-OUT" NOT "STRUG OUT" like she later reported ~~she~~ was to look new ways, ~~she~~ jumped behind the wheel and took off. ~~she~~ went straight back to the meth lab located at 836 Hell ans Rd. and as ~~she~~ drove, ~~she~~ went through her pocket book looking trying to feel around for the gun ~~she~~ was sure of at the ~~836~~ must be in there. ^{Alot} more look place that night my paranoia and hallucinations further fueled by the crack cocaine ~~the~~ use that followed after ~~she~~ drove off with MRS. EDWARDS CAR. She MRS. EDWARDS had asked me what ~~she~~ had before driving off in her car. ~~she~~ didn't have

(13)

11-2

STATE OF SOUTH CAROLINA

ISSUED BY THE _____ COURT IN THE COUNTY OF _____

_____, Plaintiff

v.

_____, Defendant

SUBPOENA IN A CIVIL CASE

Case Number: _____

Pending in _____ County

TO: _____

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM _____

DATE AND TIME _____

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME _____

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents of objects:

PLACE

DATE AND TIME _____

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME _____

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

DATE _____

ATTORNEY/ISSUING OFFICER'S SIGNATURE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) _____

CLERK OF COURT/ISSUING OFFICER SIGNATURE _____

DATE _____

PRINT NAME _____

~~XXXX XXXX~~

3-11-13

I NO KNIFE OF ANY OTHER WEAPONS
OR REPRESENTATIONS OF A WEAPON
BUT @ GROSS SHE MUST HAVE THOUGHT
@ HAD HAD A KNIFE TO HER NECK
OR SOMETHING WHEN @ TOLD HER TO STOP
AND GET OUT OF HER CAR NOT TO SHOOT
ME, ETC. @ DIDNT HAVE NO WEAPONS.

~~@ TOLD TRIAL COUNSEL, ALL OF THEM,
CHRISTOPHER ESQ., BILL MITCHELL ESQ., AND
MIKE TURNER JR. ESQ. AND ALEX STARKES
ESQ., @ TOLD ALL OF THEM ABOUT
MY MENTAL HEALTH ISSUE, PARTICULARLY
THE SCHIZOPHRENIA, PARANOID, ETC.~~

~~THE EXPOSURE TO METH AT THE
TAB THAT DAY, MY HALLUCINATIONS,
MY BELIEF THAT MY ACTIONS
WERE CAUSED BY LUCIFER NARCOP'S
MANIPULATING ME INTO BEING THEIR
UNDERCOVER NARC. AGENT ETC. AND
HOW IT WAS MY COMPLETE UNDER~~

(19) ~~STANDING THAT @ WAS ACTING
IN SUCH A CAPACITY AS THAT
PRIOR TO AND ON THE DAY OF THE~~

~~XXXXXXXXXX~~

3-11-13

-10-

EVENTS ON 6-10-09 PTC.

At the ⁽²⁰⁰³⁾ of these proceedings, my trial, ⁽¹⁾ I didn't know nothing about case law, but process or exactly what my constitutional rights and such forth exactly meant. ⁽¹⁾ was at the ⁽²⁰⁰³⁾ ^{being} over medicated and ⁽¹⁾ feel thus not even competent at the ⁽²⁰⁰³⁾ of those proceedings. My trial counsel refused to put forth the type of defenses ⁽¹⁾ wanted. He failed to hire an professional investigator to collect all my witnesses statements and mental health records, etc. My trial counsel Mr. Stalley kept on going about how ⁽¹⁾ needed to enter a guilty plea, to stop my trial cause the judge was a known hanging judge, etc. and ⁽¹⁾ would end up with life and die in prison, being sentenced as a career criminal etc.

(5)

~~XXXXXXXXXX~~

3-11-13

11.

So while under the influence of several strong medications, I allowed my counsel to lead me out before the court and without even trying to object to the entrance into evidence of the D.M.H. report as he had been instructed by me to do, as well as the state, and the court already knew I strongly contested, and without so much as informing the court of me that there was present within the court, my psychiatrist, whose findings were extremely contrary to the D.M.H. report, Mr. Stalvey allowed me, and he knew I was suffering the strong side effects of my medications because I informed him of such. Mr.

Stalvey allowed me to waive all my rights, rights I didn't even comprehend and enter a plea of guilty. It's my sincerest wish today to prove to this honorable court by a preponderance of evidence that I do deserve all ~~that~~ ~~my~~ my convictions being set aside and granted a new trial, complete with change of

~~XXXXXXXXXXXX~~

3-11-13

12 venue, and a competent attorney
who will insure that my rights
are no longer violated or infringed
upon by either the state or the
C.C.S.D. ITS my sincere belief
that had trial counsel been effective
in his representation of my cases,
and that if the 8th Cir. SoH office ~~of~~
had not been malicious in its
prosecution of my charges, and if
the court would have allowed me
to have a Blair hearing, etc. ITS
my sincere belief that the outcome
of those proceedings would in
fact had of been much much
different and that by all the above
~~it~~ was prejudiced and do deserve
the granting of a new trial
at once. Thank you,

(17)

Alameda
page 1 of 3
MR. Richey & COMMUNICATIONS TO
Solicitors about Subject of NARC, PROOF
INSANITY DEFENSE public Authority Defense
C/O: ASSISTANT SOLICITOR GENERAL CADE GIBSON
From: BEN NABORS
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 TOOLS.

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.

(18)

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 C.I. I was being allowed to keep and do some of the drugs I was being instructed to purchase as a C.I. 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 license 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 CIRCUITS OFFICERS OF THE LAW. RIGHTS RIGHTS RIGHTS !!! WE STILL HAVE RIGHTS !!! AND NIGHT'S 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

10

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

(20)

8-24-09

88

18

C/O: Clerk of Courts Office,
From: BEN NABORS, LCDC

P.O. Box 329, Laurens, S.C. 29360

Re: J-616454 - J-616455

Concerning court appointed counsel;

→ I have been requesting the public defenders office repeatedly to send it's investigator to see me, or hire an investigator for my defense. That having one appointed to my case was imperative to me receiving a fair and impartial trial concerning the above charges.

I also have several reasons to believe that a real conflict exist between myself and the public defenders office. I request a bench hearing before a judge concerning my fears of not receiving adequate representation from the public defenders office.

I swear under penalties of perjury that the above is true and correct.

Sincerely, Ben Nabor
BEN NABORS

LAURENS COUNTY
CLERK OF COURT

2009 AUG 26 P 3:58

LYNN W I ANCASTER

18

19

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS
THE STATE

VS.

BENJAMIN RAY NABORS
pro se defendant

IN ~~THE~~ ^{A 10:21} COURT OF GENERAL
SESSIONS FOR 8TH JUDICIAL CIRCUIT
WARRANT ^{STED} NUMBERS
J-616454 J-616455
MOTION FOR APPROPRIATION
OF MONIES TO BE RENDERED
BY THE STATE, TO THE
DEFENDANT, FOR HIS DEFENSE
OF THE ABOVE CHARGES:

TO: THE HONORABLE JERRY W. PEACE,
SOLICITOR, 8TH JUDICIAL CIRCUIT,

today's date is: 11-28-09

I hereby make it known by and through
the solicitor's office, within the 8th Judicial
Circuit that I intend to hire the service
of both an investigator, as well as
expert witnesses, to aid me in my
defense of the above charges. I can show
support for such request. I also request
the use of the STATES LAW library
to help me prepare for my defense
of the above charges. I will be
considered pro se defense, until such
time as I can hire my own lawyer,
which will be sometime in the near
future. Please recognize and honor

20

NOTE



(20)

my request/motions, for the above in a timely manner. I have sought the services of an investigator as well as expert witnesses, ever since my arrest on 6-11-09. To deny my request/motion would be to deny me a fair and impartial defense/trial, concerning the charges in which the State has chosen to level against me, concerning the events which took place on 6-10-09 also in the early morning hours of the day in question, in which it was recorded and documented, that my mental faculties were in question. It is this reason that I seek to hire for my indigent defense, an investigator of my choosing, as well as expert witnesses who can lend support and testimony for my defense. Further delays will hinder my defense.

I swear that the above is true and correct against any and all penalties of perjury. Please respond directly to me, Michael Turner Jr. IS NO LONGER MY ATTORNEY

11-28-09

DATE

Benjamin Ray Nabors

Signature

BENJAMIN R. NABORS

(23)

I repeat. MR. TURNER IS NO LONGER RECOGNIZED BY MYSELF AS MY ATTORNEY OF RECORD.

PAGE 1 OF 5

1-29-10

C/O: Commission on Indigent Defense;
Office of the Executive Director,
P.O. Box 1143, Columbia, S.C. 29211-1433

From: BEN NABORS, PROSE DEFENDANT
P.O. Box 329, Laurens, S.C. 29360

Re: my Indigent Defense, of the following,
J-616454 J-616455, for the charges
of Carjacking and of Armed Robbery
which is said to have taken place
within Laurens County. "Did, in fact,
take place" on 6-10-09.

Dear Commission on Indigent Defense. 1-29-

I have written your office several
letters, asking for your offices "Help."

As you know, my current court appointed law
Michael Turner JR. # 864-984-6565

FAX # 864-984-5451, out of Laurens County,

has filed a motion with the clerk of
courts office to be "Relieved as Counsel
concerning my above charges. He has notified
the solicitor, Jerry W. Peace # 864-942-880

of the Eighth Circuit solicitors office also
that he "can not continue as my lawyer" in
connection with the above. MR TURNER, J
was my 3rd lawyer in eight months, who

either because of "CONFLICTS" or "SERIOUS DISAGREEMENTS" IN HOW MY CASE SHOULD BE REPRESENTED, HAS FILED FOR SUCH MOTION.

" I need help; very badly.

I have asked everyone involved, or who has had any involvement whatsoever, in my case's, THAT I wanted 911-RECORDINGS, POLICE REPORTS, WITNESSES STATEMENTS, ETC FROM AN INCIDENT WHICH OCCURRED "ONLY HOURS BEFORE" THE CARJACKING AND ARMED ROBBERY CHARGES TOOK PLACE, ON 6-18-05

THIS "EVIDENCE" FOR "MY DEFENSE", WILL PROVE THAT I WAS IN FACT, EITHER INSANE OR MENTALLY ILL, OR GUILTY BUT MENTALLY ILL, AT THE TIME OF THE CRIME. AND NONE OF THESE PEOPLE, ATTORNEYS BILL MAYER, THE PUBLIC DEFENDER, CLAUDE H. HOWE, III, OF LAURENS COUNTY, AS WELL AS, MICHAEL TURNER, JR, ALL OF LAURENS COUNTIES BAI NONE OF THESE PEOPLE WISH TO HONOR MY REQUEST, CONCERNING MY PRE-TRIAL INVESTIGATION, THE ABOVE REQUESTED EVIDENCE I HAVE BEEN "SEEKING", FOR "SEVERAL MONTHS NOW. NOT WILL ANYONE AGREE WITH ME & MY BEST DEFENSE, WHICH AS I HAVE MADE

page 3 of 5

6

mention of above, I FEEL would best
a defense of insanity and/or mentally ill.
at the time of the crime, which was
ON 6-10-09, The same day, 6-10-09
as when every law enforcement officer in
the county of Laurens, responded to a
3 911 calls for help, 2 of them placed
"myself", because I was having hallucina
very severe and very vivid" hallucination
I might add. Fox carolina news was
also live, on the scene, to cover what
unfolded. AND what unfolded was this:
IT was determined that after having
been "awake for eight days, no sleep,
food", while on crystal meth, I had been
"mentally ill". For 3 hours, while officers
investigated my calls to 911, "THE SWAT
team" was also dispatched and deployed to
the scene. I was "detained", in handcuffs
in the back seat of one of the police cars
where I still continued to have very severe
and very "vivid" hallucinations. AT one point
they became so bad, an officer was placed
inside the police car with me, to prevent
me from causing myself harm or other
Eventually, I was arrested and carried
to jail, because of an outstanding warrant
J-615016, for "Grand Larceny". IT WAS
told to the jailers at the detention center

p54 of 5

71

where I was booked, by the officer who arrested and transported me, IT WAS related to them that I was "hallucinating because of lack of sleep and drug use. I continued to have hallucinations while in the holding cell area; I was shortly released on a P.R. Bond and let go, the same day as all of the above on 6-10-09. A woman offered and gave me and my wife a ride home out of the kindness of her heart, "THE VICTIM" MRS. TONI EDWARDS, on 6-10-09; on the way home, I hallucinated that she had a gun beneath her seat, was in fact reaching for such, with the sole intent of causing me harm. I told her to stop her car, not to reach for her weapon, and to get out of the car. She did comply. My wife, codefendant Jennifer ANN Hughes boldly protested these actions, and in fact attempted to stop me, and to get away from me. I, however, beat her upon her body, and threatened to kill her, if she did "leave my side". THE NEXT MORNING I was pulled over in ~~the~~ ANDERSON S.C. "I surrendered. My wife has also been charged.

right along side of me, for the same crimes. carjacking and Armed Robbery. Every since arrest, 6-11-09, I have admitted to taking her hostage and beating her. "yet, she is still being detained for these bogus charges against her," and has been wrong fully detained for nearly nine months now.

"She Jennifer ANN Hughes, is very much so innocent of these charges." Her con. appointed Lawyer is: Elizabeth Wiygul 101 Whitsett St. Greenville, S.C. 29601 phone number, 864-235-2900

We both need help, "badly." please respond. I have written to your office requesting your help "several times" already. Concerning my need for the services of GLEN Brady, P.I. # 1328, out of Lexington, S.C. please respond.

C.C. Jerry W. peace
Eighth Circuit Solicitor
P.O. Box 516, Greenwood, S.C. 29648

GLEN Brady
4265 Augusta Rd. Suite N
Lexington, S.C. 29073

Sincerely,

1-29-10 BEN NABORS
DATE: BEN NABORS
P.O. Box 329
Laurens S.C. 29366

C.C. Elizabeth Wiygul
Attorney of Law
101 Whitsett St.
Greenville S.C. 29601

pg 1 of 7

~~EXHIBIT~~ PROOF ~~WANTED~~
a jury trial after
all necessary evidence come

C/O: THE Honorable, Jerry W. Peace,
Eighth Circuit Solicitor,
For Laurens County,

From: BEN NABORS, DEFENDANT,
P.O. Box 329, Laurens, S.C. 29360

2010 MAR - 3 D
RECEIVED
COURT

Dear Mr. Peace; 2-18-10
DATE

As you already are aware of Sir,
I'm NOT receiving the appointment of
adequate counsel by the courts,
concerning my indigent defense
against these charges, J-616454 J-616455,
such being for, carjacking w/o injury,
as well as armed robbery, which
occurred on 6-10-09, within the
County of Laurens, South Carolina.

Such County being within your
Jurisdiction, the Eighth Circuit.

As I have made known, in the
course of the last several months,
I have all in vain, it thus appears,
to have been seeking the collection
of evidence for my defense, which
concerning the above mentioned charges,
I feel is both mitigating, as well
as exculpatory to such, the defense

pg. 2 of 7

Thereof. Such evidence, that's now
"the subject of this communication.
At least in part, that is." The other
half of the issues addressed in
this communication to your HONORS
OFFICE, concerns the "inadequate
counsel" in which I keep receiving
from the court. So without further
ado, please allow me to continue.

MR. Peace, The evidence I'm
requesting the collection of is as
follows. AS big of an issue as
I have thus far created over such,
there is no doubt within my mind
that your office has taken possession
and for the present at least, control
over such. I humbly ask his honor
to please make such available to
my defense. The requested discovery
is as follows, but is NOT at all
limited to: 911 recordings/transcripts
from Laurens County's 911 system
concerning the dates of 6-9-09
and 6-10-09. myself, as well as
others, did call such 911 system
on these dates in relation to
events in which at that time because
of hallucinations for which I was

Pg 3 of 7

having, was reported by both my self, as well as others, i.e. "witnesses" to have taken place on Hellams Road, within Gray Court, The County of Laurens. As I have, on many numerous times, over the course of the last several months, made known to all parties currently involved in these proceedings.

This "evidence" i.e. "The 911 fapes, witnesses statements, etc." is I feel, both exculpatory, as well as mitigating to my insanity defense, in which I do intend on presenting before a court and jury. Having stated that issue, I would now like to move along to the "second half" of my little presentation before his honors attention.

As you're aware, I'm not receiving the appointment from the court of adequate counsel, to aid me in my defense of the above mentioned charges. Your Honor, as you are also aware of, I will not be able to receive "adequate" counsel, as long as such is appointed to me from the local Bar. There's just no way that

any lawyer from this pool, is going to present the type of defense I am requesting. We both know why, and I would like to make such reason known to the court as well.

MR. Peace, I need counsel as well as expert witnesses, etc. to aid me in my defense against these charges. I'm very aware of my past record, sir. AND I'm NOT trying to "justify" my actions on the evening of 6-10-09. NOT AT ALL, sir. Regardless of how your officer's perceives my "after thought" per se, I am deeply ashamed for having done what I did. "And that is taking Mrs. Edwards' car from her." Your Honor I really was hallucinating at the time of the crime. And I'm only asking that your office please allow me a fair trial to try my very best to prove that my wife Jennifer Ann Hughes Nabors ^{is} innocent of any wrong doings, and that I was in fact by definition, insane, or at the very least "mentally ill" at the time, in which "I" did take Mrs. Edwards' car from her. I really believed that

She had a gun, and was going to shoot me with such before arriving at my house, located less than 1 1/2 miles from the scene of the incident.

This "theft" was not premeditated in the least. Not was it a random act of violence. I simply believed within my mind, that Mrs. Edwards did in fact have in her possession a weapon, and was in fact intent upon using such on my person.

Whether or not his honor or a jury believes such is at this point moot. For it's the God's to honest truth. I'm no angel. I never claimed I was. I'm a dope addict, and a thief. As ashamed of these facts as I am, they can not be denied on my part. As much as I would love to "turn" my life around and to "become" an honest citizen

of my community, paying my taxes raising a family, etc. As much as I would love to have and live that kind of life, the cold hard truth is that I probably never will. So why lie and say otherwise right? All I'm asking his honor for is the chance to present my defense before

AN OPEN COURT AND A JURY OF MY PEERS. AND IF AFTER HAVING HEARD "ALL OF THE EVIDENCE" THE STATES, AS WELL AS THE DEFENSES, IF AFTER HAVING HEARD AND WEIGHED SUCH EVIDENCE AND CONCLUDED THAT I'M GUILTY AS CHARGED, THEN I CAN ONLY HOPE FOR BETTER LUCK ON AN APPEAL RATHER MY PRIMARY, AND REALLY MY ONLY IMMEDIATE CONCERN, IS MY WIFE'S INNOCENCE. SHE WAS IN ALL REALITY MORE OF A VICTIM THAN MRS. EDWARDS ACTUALLY EVER WAS. AS ABSURD AS THAT MAY SOUND TO YOU, IT'S NEVER THE LESS TRUE, SIR. AND GIVEN THE FACT THAT SUCH CAN AND EASILY WILL BE PROVEN, I ASK YOU TO PLEASE CONSIDER RELEASING HER AT YOUR OFFICES EARLIEST CONVENIENCE. THE ONLY THING SHE'S GUILTY OF, IS HAVING FALLEN IN LOVE WITH ME. WHAT'S THE OLD SAYING, "LOVE IS BLIND"? I GUESS IN HER DEFENSE, THAT DOES APPLY. YOUR HONOR, THANK YOU, SIR, FOR TAKING THE TIME TO GO OVER AND I HOPE CONSIDER THE QUESTIONS CONCERNING THE ISSUES IN WHICH I HAVE THUS RAISED WITHIN THIS COMMUNICATION TO YOUR OFFICES, SIR.

Pg 7 of 7

I do respect your position, in regards to the prosecution of this case.

As I have prayed your honor, all's I would like is the opportunity to present my defense fairly.

And for your office to release my wife, who as I have vehemently proclaimed, is in fact innocent.

Thank you, your Honor!

Respectfully Submitted,

2-18-10 Ben Nabors
DATE: BEN NABORS

(35)

★ pg. 1 of 2

DATE: 2-26-10

J-616454 J-616455

TO: Clerk of Court
Lynn W. Lancaster
Eighth Circuit Clerk of Court
P.O. Box 287, Laurens S.C. 29360

From: BEN NABORS, Defendant
P.O. Box 329, Laurens, S.C. 29360

RE: ENCLOSED COMMUNICATION
addressed to Lynn W. Lancaster,
Clerk of Court For The
Eighth Circuit.

2010 FEB -11 A 9:55

Dear madam:

please clock file, and
forward to the following
parties the enclosed communica-
tion, which has thus been
written and addressed to you,
Lynn W. Lancaster, The
Clerk of Court, For The
Eighth Circuit.

please make copies of,
and forward such copies
→

(30)

pg 2 of 2,

DATE-2-26-10
J-616454, J616455

TO, The following entities:
cc. Attorney at Law:
Elizabeth Wry Gud,
101 Whitsett St,
Greenville, S.C. 29601

cc. Susan K. Dunn
Staff Attorney, A.C.D.U.
P.O. Box 20998
Charleston, S.C. 29413-0998

cc. Jerry W. Peace
Eighth Circuit Solicitor,
P.O. Box 516
Greenwood, S.C. 29648

cc. Glen Bradley, "Investigator for defense",
4265 Augusta Rd. Suite N.
Lexington, S.C. 29073

please return a TRUE copy
back to the above named
defendant. Thank you!
Sincerely and respectfully submitted

~~2-26-10 Ben Nabors~~
DATE

BEN NABORS

(13)

200 MAR -4 A 9:55
FEDERAL COURT

Pg. 1 OF 5

DATE: 2-26-10

J-616454

J-616455

C/O: Lynn Lancaster,
Clerk of Court,

2010 MAR -4 A 9:55

From: BEN NABORS,
P.O. Box 329,

Laurens, S.C. 29360

LYNN LANCASTER

RE: Conflict of interest, and ineffective assistance of counsel, regarding court appointed counsel which has thus far been appointed to the defendant by the Clerk of Court, Eighth Circuit, from "Local pool" of Lawyers.

Dear madam,

DATE: → 2-26-10

for several months now, your office has NOT heeded warnings it has received from the above named defendant "Ben Nabors", concerning the conflict of interest, and the ineffective assistance of counsel from which such defendant feels he has intentionally been forced to receive from the Eighth Circuit Clerk of Courts Office of Lynn W. Lancaster.

THE above named defendant has on numerous occasions through motions and direct communications in the form of letters, etc. addressed

Pg. 2 of 5

2-26-10
DATE

J-616454
J-616455

and mailed to the eighth circuit
clerk's office, Lynn Lancaster,
tried his very best to convince
such clerk of court, of his belief
that he will not be afforded a fair,
adequate, or meaningful representation
from any court appointed lawyer
who has been drawn or "picked" from
the "local pool of attorneys," because
the defendant's defense, will call for
such representation from an attorney
who in no way is, has been or be
known to such attorney, will ever
begin the immediate future, engaged
within litigation for, or on behalf
of such parties as the following
entities. Such entities being, but
certainly not limited to:

THE LAURENS COUNTY SHERIFFS
department, it's officers, employees,
or family members or business
partners or associates thereof,
THE LAURENS COUNTY SHERIFFS
department's "Jail or Detention center
division" - it's Jail Administrators,
staff members, guards, employees,
or family members or business partners
or associates thereof.

PS. 3 OF 5

2-26-10

J-616454

DATE

J-616455

Magistrate Court Judges within the eighth circuit who preside within the county of Laurens, any officers of its court, employees, or family members or business partners and or associates thereof.

THE ABOVE NAMED DEFENDANT has on numerous occasions, made such conflict known to both the eighth circuit solicitors office, its court, and the clerk of courts office, concerning the defendants real fear and concern that no lawyer thus appointed to represent him who has been drawn or picked from the local lawyers pool, will be willing or capable to put forth such representation as the above named defendant has on many numerous occasions made it known to all such parties involved in the prosecution of the states charges against such defendant being but not limited to the following. J-616454

pg. 4 of 5

DATE: 2-26-10
DATE

J-616454
J-616455

J-616455, will require, if such prosecution, the defense thereof, call's for a July trial. which such above named defendant feels is possible. THE ABOVE NAMED DEFENDANT hereby, once again makes his concern known to the eighth circuit clerk of courts office it's clerk being "Lynn W. Lancaster," THE ABOVE NAMED DEFENDANT, once again, makes his request known, that he seeks "outside representation" such representation to be "appointed" from outside of the local lawyers pool, and before such appointment becomes thus finalized such lawyer will first have to undergo an evaluation put to him or her by the court to determine if they be free of conflicts, which might hinder the defendant from receiving fair and impartial representation concerning the defense of the above mentioned charges.

Pg. 5 OF 5 ~~2-26-10~~
DATE

3-616454
3-616455

THE above named defendant hereby respectfully asks of the Clerk's Office for the Eighth Circuit, to please motion such court for a hearing concerning the merits and worth of this request, at it's earliest and most convenient opportunity.

Sincerely and respectfully submitted,

~~2-26-10~~
~~DATE~~ ~~Ben Nabors~~

~~BEN NABORS~~
~~P.O. BOX 329~~
~~LAURENS, S.C. 29360~~

(2)

★ pg. 1 of 6

RE: J-616454
J-616455

TO: Chief administrative Judge;
FOR THE EIGHTH JUDICIAL CIRCUIT,
Lauren's County, S.C.
from: BEN NABORS, "defendant"
po Box 329, Laurens, S.C. 29360

RE: COURT order compelling the
EIGHTH CIRCUIT SOLICITORS OFFICE to
produce discovery, which the "defendant"
acting as pro se counsel, has on
NUMEROUS OCCASSIONS made such
OFFICE AWARE OF IT'S NEED FOR,

Your Honor:

2000 MAR 18 8 54 AM '08
CLERK OF COURT
3-310
DAT

For several months now, I have
tirelessly sought both the gathering
of and inspection of specific evidence
concerning my defense of J-616454 616455
"TO NO ADVANT" I might add, with
both humbleness and respect.

Your Honor, my greatest fear
is to be convicted for the above, without
FIRST having been allowed to present an
adequate defense. And so far, I have
NOT received either an adequate, nor
meaningful defense, I feel.
AND I am seriously, with respect,
beginning to wonder if I ever am,

32

Your Honor, I have for several months now, requested the following:

<1> Representation to be appointed by this court "who outside of the local bar, pool of lawyers, and whom can safely be guaranteed by this most honorable and respectful court to be "CONFLICT FREE" concerning my defense, which will be very adversarial to the county of Laurens, and many, many of its most trusted and respected county employees. to include but NOT to be limited to, Local Law enforcement, media, as well as officers of this circuit's court...

<2> I have for several months now also requested on numerous occasions, and can show this honorable court proof of such, that I have sought after the collection of, as well as the production of, specific evidence which I have repeatedly made known to all parties involved in the defense, as

Pg. 3 of 6

well as the prosecution of myself
the above named defendant in direct
relation to the above mentioned charges
for which I also have loudly expressed
"I feel as if though I'm being
maliciously prosecuted by the EIGHTH
CIRCUIT SOLICITORS OFFICE FOR
those charges being, J-616454, 455,
i.e. "Carjacking w/o injury, and
Armed robbery"

Your Honor, if it would please
this Court, I would humbly like to
ask of his Honor, to please at this
time compel the eighth circuit
Solicitors office to produce for "my"
inspection, the following items which are
of interest to the defendant's defense,
of the above noted charges:

(1) ALL police/officer reports, as well
as names / addresses / phone numbers etc
of any and all witnesses concerning
an incident which was in direct relation
to the defendant, on the date of
6-10-09 which did occur within
Lauren's County, and which will
be used by this defense to prove
that at the time for which the
above mentioned charges were committed. 10

"which was also on 6-10-09", that when these charges did take place, myself, the defendant, was in fact insane, and of mentally ill at the time they occurred.

Your Honor I know that this is a very bold accusation in which I now make, but it's my strong belief and conviction that the Eighth Circuit Solicitors office has ran rough shod all over my due process rights, by purposely and intentionally suppressing these and other sought after items in which I have on numerous occasions throughout the course of the last several months, made known to the solicitors office that I felt such discovery was both mitigating, as well as exculpatory, to my defense, of the above mentioned charges. ||

Your Honor, I once again motion for an order from this honorable court, compelling the

20

pg 5 of 6
8th

Eighth Circuit Solicitors Office to hand over and make available to me", BEN NABORS "the defendant NOT his UNRECOGNIZED or UNACKNOWLEDGED counsel, CURRENTLY OF RECORD" MR. MICHAEL TURNER JR OF THE LAURENS Bar", the evidence in which IT'S well aware of that I seek. please your Honor I feel that 24 hrs. from the time of your reading and most respected consideration of this request I FEEL THAT a time limit of 24 hours is even too much time to grant the Eighth Circuit Solicitors Office the chance to produce and hand over such requested materials, seeing as how the records show and prove that the defendant ~~has~~ asked such solicitors office for the exact same ~~items~~ ^{items} for the last several months. your Honor IT'S my fear that such evidence has or is likely to become "misplaced" or "lost" if such is not produced immediately.

(12)

pg 6 of 6

Thank you your Honor For granting
this formal communication to
this honorable court, "your time,
and most respected and most
reverent consideration" please for
give and accept my sincere apologies for any
inconvenience which this may have caused his honor,
Respectfully & humbly submitted,

3-4-10

DATE:

³⁰
Ben Nabors

BEN NABORS
P.O. BOX 329
Laurens, S.C. 29360



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pg. 2 of 2

3-4-10

J-616454
J-616455

C/O: Lynn Farcaster
Laurens County Clerk of Court
Laurens County Court House
PO Box 287, Laurens, S.C. 29560

From: BEN NABORS
Defendant

PO Box 329, Laurens, S.C. 29560

LAURENS COUNTY
CLERK OF COURT
2010 MAR - 8 AM 10:45

RE: enclosed communications
addressed to both The Clerk of
Courts Office for Laurens County,
as well as for The Chief
Administrative Judge for The
Eighth Judicial Circuit of
Laurens, S.C.

Dear madam, clerk. 3-4-10
DATE

Please insure the proper and prompt
delivery of the enclosed communications
to those parties in whom such enclosed
communications have been written for
and addressed to. Please clock
file and forward, and return
such copies of the enclosed
communications back to its sender,
The defendant "me", BEN NABORS

(10)

pg 2 of 2

at the listed return mailing address, which is for the county Jail, here in Laurens.

Please make sure that the letter I have addressed to the chief admin. Judge actually get's delivered into such judges hands "undelayed" if any way possible.?

Thank you, madam.

And I bid both you and your STAFF a warm and pleasant day. Filled with both promises and assurances of a brighter and more friendlier world for us all to live and abide within, forever and ever, Amen.

Sincerely,

3-4-10
DATE!

³⁰
Ben Nabors

BEN NABORS

50

1 of 4

RECEIVED

DEC 07 2009

RECEIVED

DEC 07 2009

OFFICE OF CHIEF JUSTICE

C/O: Chief Justice

S.C. SUPREME COURT

11-28-09

From: BENJAMIN R. NABORS, pro

OFFICE OF CHIEF JUSTICE

DEFENDANT

P.O. Box 329, Laurens, S.C. 293

RE: INDIGENT DEFENSE, pro se status request

Dear Chief Justice Todd.

11-28-09

I'm still experiencing trouble up here in Laurens county. I have asked that Michael Turner JR. be formally relieved as my court appointed counsel. He has refused to provide me with the defense I have requested. He has refused to hire an investigator or expert witnesses for my defense. My defense is not at all "voluntary intoxication" not at all. My defense is that I was arrested on 6-10 because of 911 calls I made while having severe and acute hallucinations. I had been up over a week on crystal meth. I reported to 911 that my wife/code defendant Jennifer Ann Hughes was abducted and murdered and that the "same people" were then trying to shoot me, etc. Long story short in a nutshell, the police knew I was suffering from sleep deprivation and crystal meth use/abuse. They arrested me on 6-10-09, for an out standing warrant. Then they released me on a P.R. Bond the same day, 6-10-09 while I was still very much suffering from the above. I didn't have a ride home.

②

20FY

11-28-09

And a lady was nice enough to give me and my wife a ride to our house. ON THE WAY TO OUR HOUSE SHE STARTED TELLING ME HOW SHE WAS AN EX-POLICE OFFICER, AND HOW HER TWO SONS WERE BOTH CURRENTLY POLICE OFFICERS HERE IN LAUREN. THEN SHE HANDED ME A CAMERA WHICH HAD PICTURES OF POLICE OFFICERS. IT WAS TOO MUCH FOR MY SLEEP DEPRIVED MIND TO TAKE IN I STARTED HALLUCINATING IN HER CAR, I THOUGHT SHE HAD A GUN AND WAS GOING TO SHOOT ME ETC. SO I SCREAMED AT HER TO STOP HER CAR AND GET OUT. SHE DID! THEN MY WIFE STARTED SCREAMING AT ME TO STOP IT TO LEAVE THE NICE LADY ALONE. SO I THEN ATTACKED MY WIFE, AND KIDNAPPED HER BECAUSE I REALLY BELIEVED SHE WAS OUT TO GET ME TO, YET WHEN I GOT ARRESTED THE VERY NEXT MORNING, ON 6-11-09 MY WIFE WAS CHARGED ALSO WITH CAR JACKIN AND ARMED ROBBERY. SHE'S MORE OF A VICTIM THAN THE ACTUAL VICTIM. MY WIFE IS INNOCENT. I NEED HELP. I CAN NOT GET ANY OF THE LAWYERS I KEEP GETTING APPOINTED TO GATHER THOSE 911 TAPES FROM THAT INCIDENT THAT TOOK PLACE EARLIER THE SAME DAY, ON 6-10-09. I CAN NOT

P30FY

11-28-09

get anyone to get police reports
 eye witness STATEMENTS etc. From
 that incident that I'm contending
 is related to my defense, since
 all of that evidence in which I seek
 will prove that I was mentally ill
 that day, and that the police knew
 I was mentally ill, yet they
 did nothing to help me, rather
 they just let me go on a 5000
 P.R. bond, with no ride home,
 while I was suffering from acute
 sleep deprivation etc mental illness,
 please help me, LAURENS COUNTY Jail
 and the Judge who released me are
 at fault, and they are trying to
 keep it from coming out. I mean,
 FOX CAROLINA NEWS even responded to
 my all calls, they called out the SWAT
 team and everything, ALL because I was
 hallucinating, yet they released me a
 few hours later on a 5000 P.R.
AFTER I ASKED FOR HELP!

I need help, and it's not going
 to come in the form of michael
 TURNER JR. I fired him. He has not
 tried to do any of the things I asked
 of him. He wanted me to get a
 mental evaluation. what good will
 that do, concerning the day in
 question 6-10-09, I had been
 up over a week, with no sleep.

(5)

Pg 40FH

11-28-09

83

Whatsoever! TO receive a mental
evaluation now, concerning what my state
of mind was THEN ON 6-10-09, is absurd!
I told MR TURNER to ask the court to
consider me PROSE UNTIL I CAN FIND
ANOTHER LAWYER. I have been denied
THE USE OF A LAW LIBRARY FOR
6 MONTHS. LAURENS COUNCIL REFUSES
TO LET ME USE A UPDATED LAW LIBRARY.
THEY WON'T ALLOW ME TO USE THE
PHONE TO CALL A LAWYER REFERRAL
SERVICE, LAJIS, EITHER.

I NEED HELP! please help me!

Sincerely,

Ben Nabors

11-28-09

BEN NABORS

NOTE:

→ please insure that I'm allowed the
USE OF A LAW LIBRARY, to study, research,
CASE LAW, etc. related to my defense
OF J-616454 J-616455. to keep denying
me the use of LAW BOOKS, etc. I FEEL
IS to deny me a right to receive a fair
defense trial concerning the above. I ALSO
REQUEST THE FUNDS appointed to my defense
to hire an investigator and expert witnesses
of my choice.

PLEASE PLEASE PLEASE HELP ME!

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS

IN THE COURT OF COMMON PLEAS

BENJAMIN NABORS,)
)
 APPLICANT,)
)
 -VS-)
)
 STATE OF SOUTH CAROLINA,)
)
 RESPONDENT.)

2011-CP-30-00308
TRANSCRIPT OF RECORD

NOVEMBER 14, 2012
LAURENS, SOUTH CAROLINA

BEFORE:

THE HONORABLE FRANK R. ADDY, JR.

APPEARANCES:

ATTORNEY FOR APPLICANT:

CAROLINA HORLBECK, ESQUIRE

ATTORNEY FOR RESPONDENT:

RUTLEDGE JOHNSON
ASSISTANT ATTORNEY GENERAL

Handwritten:
6-20-13
Supreme Court
S.C. of S.C.

Handwritten:
NOTE

Handwritten:
EXHIBIT FOR:

Handwritten:
APPEALS CASE NO 1

SUSAN W. HUDGINS
CIRCUIT COURT REPORTER

Handwritten:
2013-001240

INDEX

WITNESS

PAGE NO.

CERTIFICATE OF REPORTER

23

EXHIBITS

<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVIDENCE</u>
C-1	LETTER FROM MR. NABORS	22	

1 THE COURT: Okay. If we may, we'll go ahead and go on
2 the record on the matter of Ben Nabors versus the State of
3 South Carolina. And this is file number 11-CP-30-308. And
4 this is a PCR matter.

5 Mr. Nabors is present with his appointed counsel, Ms.
6 Horlbeck. The Attorney General is present. I'll be happy
7 to hear from you at this point in time.

8 MR. JOHNSON: Yes, sir, Your Honor. Rutledge Johnson.
9 I represent the Attorney General's Office.

10 Just a little bit of background information on this
11 case. Mr. Nabors was originally appointed Ms. Elizabeth
12 Wiygul. She happened to represent one of his co-defendants
13 in his guilty plea and, therefore, was a conflict. Ms.
14 Horlbeck was thereafter appointed.

15 This case was continued in June. And now, I believe,
16 he is here on his motion to relieve Ms. Horlbeck as counsel.
17 I'll ---

18 THE COURT: All right.

19 MR. JOHNSON: --- turn it over to Ms. Horlbeck, Your
20 Honor.

21 THE COURT: All right. Ms. Horlbeck, I know that this
22 matter, I think, had been docketed for the December term of
23 common pleas non-jury ---

24 MS. HORLBECK: No, sir.

25 THE COURT: --- or this was ---

1 MR. JOHNSON: Scheduled for November 27th at 9:30.

2 THE COURT: Oh, I'm sorry, November. Okay.

3 MS. HORLBECK: That's correct.

4 THE COURT: Close to December. What's your position?

5 MS. HORLBECK: Judge, just two things. I think that --
6 Mr. Nabors has not raised this in any letters, at least not
7 in the letters to me. However, I do think it's important,
8 just given his unhappiness with my representation, I think
9 it's important to put on the record that Ms. Wiygul did
10 represent the co-defendant. And at the time she was
11 representing the co-defendant she and I were actually
12 working for the same law firm.

13 Now, I don't -- I have not talked to her about her
14 representation. I have not discussed the case with her at
15 all. And I have not looked at her old file, but I do think
16 that the Court needs to be aware of that given Mr. Nabors'
17 unhappiness with my representation.

18 The other thing, Judge, that I would bring to the
19 Court's attention is that I've been given a letter that Mr.
20 Nabors mailed to the AG's Office. I don't know if the Court
21 wants it marked as a Court's exhibit or if you'd like me
22 just to hand it up. Mr. -- the -- Rutledge -- Mr. -- I
23 don't ---

24 THE COURT: Johnson.

25 MS. HORLBECK: --- want to call you Rutledge, but

5

1 anyway, Mr. Johnson has a copy of it already, Judge. He's
2 seen it. So I'm happy to proceed however you'd like, but I
3 do think the Court needs to be aware of it. I'll direct
4 your attention to page 4.



5 **MR. JOHNSON:** And just for the record, Your Honor, and
6 this is as to Mr. Nabors, I know that you have been writing
7 our office. And as you are a represented party, I have an
8 oath not to respond. And so every letter I get I have sent
9 to counsel. And then I have filed it in my file. But just
10 for Mr. Nabors' information, I cannot respond to his
11 letters, I can only send it to counsel.

12 (Pause)

> 13 **THE COURT:** All right. I've had a chance to review the
14 letters. And just so that the record is clear, Mr. Nabors
15 has also written my office on numerous occasions with
16 general complaints. He has also written the Laurens Clerk
17 of Court here with numerous complaints and requesting
18 filings and things of that nature.

19 The matters that he has sent to me, I have directed to
20 his court appointed attorney because, obviously, I'm in
21 somewhat of a similar situation as the Attorney General.
22 It's not proper for me necessarily to respond directly to
23 him when he has appointed counsel. And in an effort to
24 avoid any sort of *ex parte* conflicts or *ex parte*
25 communications, rather, that's the tact that I have taken.

S.E.
US v. Fulcher
250 F.3d 244 (4th Cir.
2001)

MY  ACTUAL AUTHORITIES
OLINE STIPES NOT MY OWN
NO GAME COLNS! 20-25
N →  DZENT?

1 But I have had a chance to review the letter that
2 apparently Mr. Nabors sent. And it was forwarded to Ms.
3 Horlbeck by Mr. Johnson sometime around November the 7th.

4 MS. HORLBECK: Yes, sir. Judge, I've had discussions
5 with Mr. Nabors about the proceeding at the end of November.
6 And I've assured him that I will subpoena whatever witnesses
7 that he wants me to subpoena.

8 However, I do think that the nature of that letter does
9 cross the line. And I think the Court is well aware, I have
10 pretty thick skin when it comes to representing just about
11 anybody. And I'm happy to proceed however the Court wants
12 to proceed. I am troubled by the nature -- by the
13 allegations in that letter.

14 And at this point I would join in Mr. Nabors' motion to
15 have me relieved. And he may -- he may have a few comments
16 that he'd like to address to the Court, Judge.

17 THE COURT: All right.

18 MR. NABORS: Yes, I would, Your Honor.

19 THE COURT: I'm happy to hear from you, Mr. Nabors.

20 MR. NABORS: First of all, I'm sorry for bothering
21 everybody and writing so much, but I didn't even know these
22 things they call constitutional rights, certain
23 constitutional rights. I mean, I wasn't even aware of them
24 at the time that the Laurens County Narcotics Office was
25 forcing me to go into crack houses and meth labs. And

SEE
1-25 ACTUAL CAL AUTHORITY FOR
US V. FULCHER 250 F.3D. 244
(4th Cir 2001)

1 that's how I ended up with these charges.

2 And that was my whole defense I wanted Alex Stalvey,
3 Bill Mayer, Chip Howe, Mike Turner, Jr. and others to
4 represent me on. And a couple of them point blank told me,
5 they said, no. They said, look, they said, your victim's an
6 ex-police officer, her son's a police officer. As a matter
7 of fact, he was the one that arrested me hours before I
8 stole his mama's car while I was exposed to them chemicals.

9 I asked for help. I got a history of being treated
10 with mental illnesses, but I don't believe there's really
11 nothing wrong with me. But they say that the people at the
12 law library's pointed out, they said, you diagnosed as a
13 schizophrenic anyhow, the cops should have never ever made
14 you go into crack houses and meth labs and made undercover
15 buys. They made me wear cameras and all that.

16 And I was hallucinating. I was exposed to toxic
17 chemicals at the meth lab. And then they tried to cover it
18 up and say that they wasn't no meth lab at 836 Hellams
19 (phonetics) Road, that I made all that up, but yet a couple
20 of months later the same narcotics officer that made me go
21 there, Narcotics Officer Moody, he goes back to the meth lab
22 a couple of months later at 836 Hellams Road and he busts a
23 meth lab while it's actively spewing out toxic smoke.

24 And he had to rescue two people out of the place where
25 I got exposed at. One was a paraplegic and was about to

* PUBLIC OR ACTUAL AUTHORITY
US V. FULCHER 250 F.3D. 244 (4th Cir 2001)

~~PUBLIC ACQUAINTANCE~~
~~COULD NOT GET NO ONE TO INVESTIGATE~~
~~PATIENT THIS DEFENSES?~~ 9

1 die. He had to drag him out of the chemical, two of them.

2 THE COURT: Mr. Nabors, I don't mean to interrupt you,
3 but we're -- what we're here today on is a very, very
4 limited question. And that is whether Ms. Horlbeck will
5 continue to represent you on this particular case. And what
6 you're talking to me now about goes more to the merits of
7 your application for PCR.

8 So let me ask you, apparently you've had some issues or
9 some difficulties with Ms. Horlbeck in your mind. Is that
10 what I'm hearing?

11 MR. NABORS: Yes, sir. Yes, sir.

12 THE COURT: Okay.

13 MR. NABORS: I believe -- I believe that the -- really
14 -- she's really trying to keep me -- and she's part of the
15 cover-up with Laurens County and the State just because I'm
16 a couple of times loser being in and out of prison and
17 mental health institutions my whole life, they want -- they
18 want to keep me locked up because I ain't got no money like
19 no rich person to get John Gott (phonetics) or whoever to
20 represent me.

21 So they like, well, he's a piece of shit, white trash,
22 drug addict, whatever, let's just keep him in jail. Never
23 mind the fact that they say I had my constitutional rights

24 violated, that nobody would appoint me an investigator.

25 I've asked her numerous times for an investigator. She told

I N V E S T I G A T O R R E P E A T E D L Y
R E Q U E S T E D S U C H A N D E R E V E R 9

1 me that she ain't going to do certain things for me.
 2 I said -- was the same problem I had with Alex Stalvey
 3 is I wanted him to hire an investigator. I got proof that I
 4 tried to get him to hire me an investigator. All my
 5 lawyers, they refused it. And, I think, one judge did give
 6 him money to hire me one, but then he didn't hire me one.
 7 And I can't go out of prison. I can't go out of jail to get
 8 this stuff, Your Honor.

TRANSCRIPT
 ALSO
 ISSUE
 ★

9 THE COURT: I understand. We're going to be dealing --
 10 we're going to be discussing a few things here, in the next
 11 five minutes, okay, Mr. Nabors?

12 [MR. NABORS:] Will I be able to have a copy of this
 13 record, sir? Please, sir? I'm poor. I'm indigent. Mr.
 14 Addy?

15 THE COURT: Mr. Nabors, let me tell you, first thing
 16 that I want to tell you is that I've got no problem based
 17 upon Ms. Horlbeck's representations to me and having read
 18 the letter that has been handed up, which I will make it a
 19 part of the record in this case, I am going to allow her to
 20 be relieved in this particular case. And we will be giving
 21 you another attorney.

22 MR. NABORS: You won't give me a real estate lawyer,
 23 will you, Judge Addy?

24 [THE COURT:] Mr. Nabors, I can't -- it will be the next
 25 person on the list. It'll be the next person on the list.

S # 123 PJ. 2 L LIONS 1-3
 H-447

1 And that's what -- I'm glad you said that because that's a
2 nice segue into what I was going to tell you here.

3 Understand, Mr. Nabors, I realize that you are indigent. I
4 realize that this case is extremely important to you.

5 MR. NABORS: Yes, it is, Your Honor.

6 THE COURT: And I don't blame you for feeling that way,
7 but here's the problem. When you have a lawyer representing
8 you, you need to let that lawyer do the leg work on this,
9 okay?

10 MR. NABORS: I'm trying.

11 THE COURT: Hear me out. Hear me out. The way you're
12 going about this is simply not productive. It's not useful
13 for you to continue to send reams and reams of paper, and
14 quite honestly, it's a waste of your time and whatever money
15 is in your Cooper Account for ---

16 MR. NABORS: None.

17 THE COURT: --- you to continue to mail stuff to the
18 Clerk of Court and ask her to file it and make copies. So
19 I'm telling her not to do that anymore, okay?

20 You're going to have a lawyer. I'm going to appoint
21 the next lawyer on the list. And I'm not sure who that is.
22 We may be able to find that out before you leave today, I
23 don't know. But that lawyer will then be responsible for
24 representing you.

25 And that lawyer, he or she, will contact you and will

Heart
59(e) [17]
ISSUE
OFF
COURT'S
ORDER
BANNIN
me FROM
FILIN
59(e)

1 discuss this case with you. The lawyer is responsible for
2 tactical decisions on this case as far as who the key
3 witnesses are. You communicate those to him.

4 It'll be his responsibility to determine if those
5 people need to be subpoenaed because I know in one of the
6 documents you sent me, you sent me about a list of eighty or
7 ninety names of people who needed to be subpoenaed. And I
8 have a hard time believing in all candor that all ninety
9 individuals needed to be placed under subpoena, Mr. Nabors,
10 all right? That's something you need to discuss with your
11 lawyer because if you continue to communicate with the
12 Clerk's Office and with my office like this, sooner or later
13 you're going to divulge information that's best left
14 divulged only to your attorney. Do you understand what I'm
15 telling you?

16 MR. NABORS: Your Honor, I'm sorry I made you mad at
17 me.

18 THE COURT: No, I'm not mad. I don't get ---

19 MR. NABORS: And I'm ---

20 THE COURT: --- mad, Mr. Nabors.

21 MR. NABORS: --- sorry I made Ms. Lancaster mad at me.

22 THE COURT: Ms. Lancaster isn't mad either. We've got
23 pretty thick skins. We're fine.

24 MR. NABORS: She's helped me a lot. And -- but I just
25 want somebody to understand that they made me go into that

1 methamphetamine lab. And I don't know nothing about the
2 law. I didn't know anything about a disabled person's --
3 something about a disable person's got special rights and
4 all that there. And they -- they was basically forcing me
5 to do these things.

6 THE COURT: And, Mr. Nabors, because you don't know
7 about the law, that's why you're going to need to trust your
8 next lawyer, which leads me into my next point, okay? This
9 is the last lawyer you get. This is the last lawyer you
10 get. Whoever the next one appointed is, that's the last
11 lawyer that you're going to receive.

12 If you're unable to work with them, if you're
13 suspicious about them, I'm sorry. There are ways that you
14 can waive your right to an attorney on a PCR action. You
15 understand that?

16 MR. NABORS: (Affirmative nod).

17 THE COURT: So your job is the next lawyer you get,
18 that's the one you've got to work with. You understand me?

19 MR. NABORS: I'm going to try my best, Your Honor.

20 THE COURT: All right. Very good. Very good.

TRANSCRIPT

*ALSO
ISSUE*



21 [MR. NABORS:] Can I -- can I please have you help me get
22 a copy of the record from the continuance in June?

23 THE COURT: I am ---

24 [MR. NABORS:] And this record here? I can't afford a
25 hundred and something dollars for a couple of pages of paper

TRANSCRIPT ISSUES

★ (LINES 1-25)

1 for ---



2 THE COURT: All right, Mr. Nabors,

3 [MR. NABORS:] --- a court reporter.

4 THE COURT: --- if your lawyer -- when you get your
5 lawyer, and if he feels like it's necessary to request that
6 record, because we're talking about just a continuance, I
7 believe, back in June. Is that right, Mr. Johnson? Is that
8 all we've dealt with?

9 MR. JOHNSON: Yes, sir.

10 THE COURT: I'm not even -- I'm not even sure there was
11 much put on the record back then.

12 [MR. JOHNSON:] It was put on the record in front of
13 Judge Russo.

14 THE COURT: I'm sorry?

15 MR. JOHNSON: It was in front of Judge Russo.

16 [THE COURT:] In front of Judge Russo? Was there any
17 record -- transcript made of it or was it just a consent?

18 [MR. JOHNSON: No, sir.]

19 [MR. NABORS:] Yes, there was. I got -- the lady,
20 Maryann Nevers, she made a transcript of it. I got paper in
21 my ---

22 THE COURT: All right.

[23] MR. NABORS: --- my legal work with me today. She told
24 me that it's thirty-two, fifty. And she estimated that it
25 would be ten pages.

★ STATE ADMITS IT WAS b-5-12 HEARING PUT ON RECORD IN FRONT OFF J. RUSSO.

★ TRANSCRIPT ISSUES ★ (LINES 1-6)

1 THE COURT: All right. Talk to your new -- talk to
 2 your new attorney about that. Talk to your new attorney
 3 about that. "If he feels" that it's necessary for you to
 4 obtain that record, I'm sure that he will be more than happy
 5 to request the funds to do it, okay? But that's his
 6 (decision.) Now, Mr. Nabors, you understand where we stand
 7 here on this?

8 MR. NABORS: I think so.

9 [] THE COURT: Okay. It's not doing you any good to
 10 continue to write the Clerk of Court. It's not doing you
 11 any good to continue to write me. And you've got a
 12 responsibility to cooperate with your lawyer.

13 MR. NABORS: So the only person I got to defend me in
 14 all this whole world is a lawyer that's not getting paid
 15 really no money to represent me and is just going to treat
 16 me like a free lunch, like, you know, just a regular crack-
 17 head, which is what I am?

18 THE COURT: Well, Mr. Nabors, I can't speak to that. I
 19 am sure whoever is appointed to represent you will represent
 20 you regardless of how much they are getting paid. It's my
 21 experience the people in the -- the people who are appointed
 22 on these cases are exceptional attorneys. And I'm quite
 23 certain that they will do you a very, very, very good job if
 24 you work with them, okay? If you work with them. And
 25 that's the key thing.

★
CORTS
▲

OPEN IN
COHERSION
NOT 2 []
FILE
MOTIONS,
PETITIONS,
OR COMDATE
WITH CLERK
OR JUDGES

1 MR. JOHNSON: Your Honor.

2 THE COURT: Yes, sir.

3 MR. JOHNSON: Just for the record, Ms. Horlbeck
4 actually has been working on his behalf. We ---

5 THE COURT: I know.

★
~~STATE~~ [6]
ALSO
MOTION
4-me
TOO NOT
COMULATE
WITH
STATE
FOR
MY EFFORTS
TOO OBTAIN
DISCOVERY.

[6] MR. JOHNSON: --- have had communication, just for the
7 record. Second of all, if you would also include me in that
8 Mr. Nabors doesn't write my office anymore because I can't
9 respond.

10 THE COURT: All right.

11 MR. JOHNSON: Are you granting a continuance ---

12 THE COURT: I will be granting a continuance because I
13 don't see how it's going to be possible for that lawyer to
14 get up to speed in three weeks or two weeks. So this ---

15 MR. NABORS: I'll represent myself ---

16 MR. JOHNSON: Just to put on the record, Mr. Nabors,
17 this will be called the week of March the 11th. And this is
18 going forward.

19 MR. NABORS: I'm ready to go forward right now. I'll
20 represent myself right now. Right now, today, right this
21 second, I will ---

22 MR. JOHNSON: That's in your ---

23 MR. NABORS: --- represent myself.

24 MR. JOHNSON: --- discretion, Your Honor.

25 THE COURT: Mr. ---

1 MR. NABORS: I'm ready. I'm ready. I got everything
2 here, all the proof, all the documentation to prove
3 everything. I've written you and everybody else. I even
4 wrote President Obama and told him about it.

5 THE COURT: Well, he's been busy lately. Mr. Nabors,
6 let me ask you this. How far did you get in school?

7 MR. NABORS: I dropped out in the ninth grade.

8 THE COURT: Can you read and can you write?

9 MR. NABORS: I can read and write very well, Your
10 Honor.

[11] THE COURT: Okay. You said that you had -- you were
12 alleging in many of the letters that you sent to me that
13 you're suffering from a mental illness, which is caused by
14 substance abuse, is that correct?

[15] MR. NABORS: They said something like that. I'm not --
16 I don't -- I really don't think there's nothing wrong with
17 me at all. I just think that they just like to pump me full
18 of these drugs. That day that I got tricked into pleading
19 guilty, they had me so pumped full of Haldol and stuff, I
20 didn't even know what I was doing.

21 I was second day of trial, and I wanted a jury trial.
22 And this man said, look, he's going to give you life if you
23 don't go out there and plead guilty. I didn't know nothing
24 about them sentences not carrying life. I took his -- his
25 advice, Judge Addy.

1 THE COURT: All right. Mr. Nabors, let me ask you,
2 have you ever been involved in a trial of any case?

3 MR. NABORS: No, sir.

4 MR. JOHNSON: Your Honor, may we put him under oath?

5 THE COURT: That's a good point. Mr. Nabors, I realize
6 you're shackled. You swear or affirm the testimony you're
7 about to give is the truth?

[8] MR. NABORS: I swear to God, hope to die.

9 THE COURT: All right. Mr. Nabors, all the answers
10 that you've given me previously, they're truthful?

11 MR. NABORS: Yes, sir, as far as I know, one hundred
12 percent, they are.

13 THE COURT: All right. You've never been involved in a
14 trial?

15 MR. NABORS: No, sir, I ain't.

16 THE COURT: And you made it to the ninth grade, but you
17 can read and you can write?

★ [18] [MR. NABORS:] They had me in special education all
19 through school, but I can read real good. I learned to read
20 in prison.

21 THE COURT: All right. Do you know what your IQ is by
22 any chance, Mr. Nabors?

23 MR. NABORS: No, sir, I don't.

24] THE COURT: Have you ever been treated for any mental
25 illness or any substance abuse?

LOCK NOC
EDUCATION
QUESTION

★
P.I.Q.
QUESTION

★
RM ENTAL
QUESTION [24]

★ DRUG ABUSE MENTAL ILLNESS/SCHIZOPHRENIA ★

[1] [MR. NABORS:] Well, ever since I was like seven or eight
2 years old, something like that, I got medical records. It
3 goes at least all the way back to when I was fourteen or
4 thirteen.

5 THE COURT: All right. Do you remember what the
6 diagnosis or what the doctors said ---

7 MR. NABORS: They keep -- they keep saying
8 schizophrenia. And it runs in my family, they said. But
9 I've read things about schizophrenia, and I don't agree with
10 that. I think -- I think what I suffer from is just drug --
11 I like drugs. I like to get high. I don't feel right
12 unless I'm high.

13 And I like to drink. And I think maybe I only had
14 drinking and alcohol problems. And maybe I need to get some
15 help like the twelve step group or something to address them
16 issues. I don't want to drink no more. I mean, I've been
17 doing pretty good. I haven't really had nothing to do as
18 far as drugs since I've been locked up. A little bit here
19 and there, but not very much.

20 THE COURT: All right.

21 MR. NABORS: I've been doing pretty good. On the
22 alcohol, I ain't had nothing.

23 THE COURT: Well, Mr. Nabors, you understand that if
24 you were to proceed to trial you'd have to obey the same
25 rules of evidence as any lawyer, a lawyer who's been to law

1 school for three years and practiced for a number of years.

2 You understand that, sir?

3 MR. NABORS: Can I have like books and stuff with me to
4 help me out?

5 THE COURT: Well, I don't know logistically how that
6 would work out because if we're talking about an actual
7 hearing, understand, Mr. Nabors, I don't know what the
8 issues are that would be raised in the application. What
9 I'm telling you is I think you'd be better served to have a
10 lawyer representing you.

11 MR. NABORS: You -- you really care about me getting
12 justice served, Your Honor?

13 THE COURT: Mr. Nabors, I care about everybody who
14 comes in here getting justice. And I would tell you that my
15 experience is simply this, that if somebody comes into court
16 and they're representing themselves, more often than not
17 they're on the losing side just because they're a fish out
18 of water, just because they don't know what they're doing.
19 And that's about nine times out of ten at the ---

20 MR. NABORS: I'm gonna go with ---

21 THE COURT: --- very least.

22 MR. NABORS: --- whatever what you say, Judge Addy.
23 What you think's the best. Just please don't let them give
24 me somebody that's going to just sell me out like everybody
25 else has.

★
ASK 4
PERSIMONS
BOOKS
ME WITH
AT PCR

SEP 10, CIONS 24-25
AT 11:00 AM 21

1 [THE COURT:] I'm confident that's not going to be the
2 case, Mr. Nabors. Mr. Nabors, I'm going to appoint you an
3 attorney to represent you on this case. And we're going to
4 move forward. It will be continued past the November term.
5 It will be placed on the docket in March. You understand
6 you only get one PCR, Mr. Nabors. And so I think it's best
7 that you have a lawyer representing you.

8 I believe that in all candor Ms. Horlbeck would have
9 done you an excellent job, but it's clear to me, especially
10 in light of the correspondence that I've recently seen, that
11 it's best for all concerned that perhaps we locate you
12 another attorney. I think that the relationship has broken
13 down to the point where it's not capable of being
14 rehabilitated. So ---

15 [MR. NABORS:] I think she was out to get me to start
16 with.

17 THE COURT: Well, I must disagree with you on that
18 point. I've known her for a number of years. And -- but
19 that's going to be water under the bridge since we're going
20 to get you a new lawyer.

21 MR. NABORS: (Affirmative nod).

22 THE COURT: That'll be the order. It'll be placed on
23 the docket for May or March. March?

24 MR. JOHNSON: 11th.

25 THE COURT: 11th. Am I doing that?

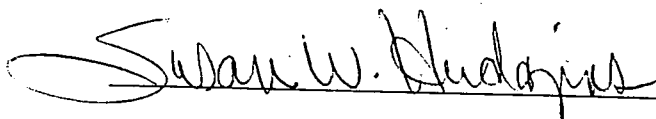
Notes
was shirked
them?

1
Certificate of Reporter

2 I, The undersigned, Susan W. Hudgins, Official Court
3 Reporter for the Eighth Judicial Circuit of the State of
4 South Carolina, do hereby certify that the foregoing is a
5 true, accurate, and complete transcript of record of all the
6 proceedings had and evidence introduced in the trial/hearing
7 of the captioned case, relative to appeal, in the Circuit
8 Court for Laurens County, South Carolina, on the 14th day of
9 November 2012.

10 I do further certify that I am neither of kin, counsel,
11 nor interest to any party hereto.

12 November 30, 2012

13
14 A handwritten signature in cursive script, reading "Susan W. Hudgins", is written over a horizontal line.

15 Circuit Court Reporter

23

0
C/O: CONT. Rpt. ms. mayann's never's 4-18-13 21

From: BEN NABORS #233844
Broad's River's Roads CONT. INST.

4460 Broad's River's Rd.
Cola St. 2221a

RE: P.C.R. 2011-cp-30-308 TRANSCRIPT(S)
Deel ms. never's.

ON 3-13-13 in July
NEWMANS CONT IN LAURENS
COURT AT MY P.C.R. HEARING
HOW ARE YOU TODAY HOPE YOU
ARE DOIN GOOD I'M BLESSED
AND NOW I'M IN NEED OF
2-TRANSCRIPT(S) FROM YOU 1
THE ONE ON 6-5-12 AND
NOW THIS ONE 3-13-13
AND BECAUSE @ NEVER
EVER GETIN BACK 2 JAMES
DIDNT HAVE THE 6-5-12

0 P/A

TRANSCRIPT NOT MY TRIAL
TRANSCRIPT NOT CO DEFENDANTS
TRANSCRIPTS @ WAS DENIED
A FAIR FULL P.C.R. PROCESS
HEARINGS) SO PLEASE

A.S.A.Y.P.G.W PLEASE MS
NEVERS WRITE ME BACK
TELLIN ME HOW MUCH YOU
WANT FROM THE O I D FOR
THE 3-13-13 P.C.R. HEARIN
IN LAURENS CO TY JUDG
NEWMAN'S CO RT CASE

2011-CP-30-308 COP TH
THANK YOU AND BLESS AMEN

4-18-13 Sincerely

~~DATE~~ Ben Nabor

BEN NABORS

cc. Judge Alley
Judge Newman
Judge Russo

LYNN LANCASTER - CINA COPY
Rutledge JOHNSON, ESCA, A.G.
Office of CO RT Admin

Jail Medication S.C.D.C

These are only the first couple of months of medications records from G.C.D.C. prior to trial, plea, ON 10-19-10. By the 9³³₆ of my trial-plea, ⊙ was very over medicated on the following 8

prescriptions. ⊙ ON 5-10

⊙ was already on 80mg

Prozac daily. By 9³³₆

of court proceedings ⊙ was

ON 120mg daily of Prozac.

(40mg over-dosed) daily.

~~Manufacturer~~ max-recommended prescription writing for the daily intake of Prozac was 80mg

daily, and only in very rare

occasions and never with

Prozac intended to be

(120mg daily) to no one

same side

MEDICATION ADMINISTRATION RECORD

MEDICATIONS	HOUR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31						
COXETINE HCL 20 MG CAPS GENERIC FOR ROXICAM 20 MG TAKE 3 CAPSULES BY MOUTH ONCE DAILY	0900																																					
LORATADINE 10 MG TABLET GENERIC FOR CLARITIN 10MG TAKE 1 TABLET BY MOUTH ONCE DAILY	0900																																					
THEREMS-M TABLET TAKE 1 TABLET BY MOUTH ONCE DAILY	0900																																					
TRAMADOL HCL 50 MG TABLET GENERIC FOR ULTRAM 50MG T TAKE (2) TABLETS BY MOUTH TWICE DAILY.	0900																																					
Zentac 150mg po BID x 14	0900																																					
Tylenal 500mg po q Tid until Monday 5/8/10	0900																																					
	1300																																					

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CHARTING FOR	05/01/10	THROUGH	05/31/10	PAGE	1 OF 1
Physician	LUTZ, MARTIN EDWARD	Telephone No.	864-455-6372	Medical Record No.	5886
Alt. Physician		Alt. Telephone		Rehabilitative Potential	Red B E
Allergies	pen				Intake
Diagnosis		Approved By Doctor:		Title:	Date:
Medicaid Number	Medicare Number	By:	D.O.B.	Sex	Room #
RESIDENT	NABORS, BENJAMIN		12/18/1975		GQA
				Patient Code	137037
				Admission Date	04/19/10

VITAL SIGNS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
TEMPERATURE																																
PULSE																																
RESPIRATION																																
BLOOD PRESSURE																																
WEIGHT																																

DAY SHIFT color ink - EVENING SHIFT color ink - NIGHT SHIFT color ink -

DATE	TIME GIVEN	MEDICATION & DOSAGE	INJ SITE	REASON	RESULTS OR RESPONSE	TIME NOTED	NURSE'S SIGNATURE/TITLE
5/8/10	1100	Artane 5mg po		Not in stock	not given		J. [Signature]
5/8/10	2100	PM Meds		Not in stock	N/G	2100	J. [Signature]
		Prozac 40mg					
		Narcan 5mg					
		Artane 5mg					
5-9-10	2100	Prozac 40mg Narcan 5mg Artane 5mg		not in stock	Not given	2100	J. [Signature]
5/10/10		AM Meds		not in stock			
6:28		Meds when taken. Pack on 5-26-10 [Signature]					J. [Signature]

INSTRUCTIONS:
 1. IN THE 4-TH COLUMN, ENTER THE MEDICATION NAME AND DOSE.
 2. IN THE 5-TH COLUMN, ENTER THE TIME GIVEN.
 3. IN THE 6-TH COLUMN, ENTER THE MEDICATION AND DOSE.
 4. IN THE 7-TH COLUMN, ENTER THE INJECTION SITE.
 5. IN THE 8-TH COLUMN, ENTER THE REASON.
 6. IN THE 9-TH COLUMN, ENTER THE RESULTS OR RESPONSE.
 7. IN THE 10-TH COLUMN, ENTER THE TIME NOTED.
 8. IN THE 11-TH COLUMN, ENTER THE NURSE'S SIGNATURE/TITLE.

INITIALS	NURSE'S SIGNATURE	INITIALS	NURSE'S SIGNATURE	INITIALS	NURSE'S SIGNATURE

MEDICATION ADMINISTRATION RECORD

GREENVILLE CO CENTER
NABORS, BENJAMIN

REPORT DATE: 05/10

MEDICATIONS	HOUR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
RAMADOL HCL 50MG TAB TAKE (2) TABLETS BY MOUTH TWICE DAILY.	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
RANITIDINE 150MG TAB TAKE ONE TABLET BY MOUTH TWICE DAILY	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
LORATADINE 10MG TAB TAKE 1 TABLET BY MOUTH ONCE DAILY	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
THEREMS M TAB TAKE 1 TABLET BY MOUTH ONCE DAILY	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
THIOTHIXENE 5MG CAP TAKE 1 CAPSULE(S) BY MOUTH AT BEDTIME	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
TRIHEXYPHEN 5MG TAB TAKE 1 TABLET(S) BY MOUTH TWICE A DAY	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
FLUOXETINE 20MG CAP TAKE TWO CAPSULE(S) TWICE DAILY BY MOUTH	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
NO Show for sick Call 6/15/10 JW	0900	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														
Thio Thixene 5mg 40 g 1300 + hs 6/21/10	1300	<i>[Handwritten notes and markings]</i>																														
	2100	<i>[Handwritten notes and markings]</i>																														

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CHARTING FOR 6/1/2010 THROUGH 6/30/2010 Page 85 Of 271

Physician ERNEST MARTIN Telephone No. Medical Record No. 1875

All. Physician Alt. Telephone 137037

Allergies Rehabilitative Potential

Diagnosis Red B

Medicaid Number Medicare Number Approved By Doctor: By: Title: Date:

RESIDENT NABORS BENJAMIN D.O.B. 12/18/75 Sex U Room # Red D Patient Code 137037 1875 Admission Date 04/19/10