

Pgs = 1 of 15
Office of Chief Justice 6-6-13
C/O: Honorable DANIEL SHEAROUSE
Supreme Court of SC

P.O. Box 11330, Columbia, SC 29211
From: BEN NABORS #233844
B. RCI Sal 148
4460 Broadwaters Road
Columbia SC 29211

RECEIVED

JUN 14 2013

S.C. SUPREME COURT

RE: Importance of my case
P.O.R. 2011-CP-30-308
And how ~~it~~ I am being forced
to be pro se and the mistakes
and errors that may result.
I ain't upset!

6-6-13
Deer Clerk Spalcoort

plea helps me I don't
have clue as how to do
these appeals from Judge
Newman's order disemal and
the 8th Cir. Court Clerk Lauren
Wynn SC 29360

pg 44 = 2 of 4's 15

has NOT responded to
numerous calls repeated requests
about status of my motions
to alter amend expand the
p-c-r records - or has court
answered responses to my
request concerning my prose
59 (e) and my notice of
appeal @ tried my best with out
and of law books court rules
and procedures too product
and @ sent all those to the
8th Cir Court Clerk Court
Judge Newman, and the A.G. Officer
Rutledge Johnson Esq.
Your Honor plea help me?
The last thing in this
big big space world too
happen is for me to
make a mistake or
error which will mess

pg. ~~10~~ = 3 of 154'S

UP OR CAUSE MORE HARM TO
MY P.C.R., MY 59 (P) OR
MY NOTICE OF APPEAL! WHEN
I AM DIAGNOSED MENTALLY AS
THAT SCHIZOPARANOID
THING ALL THESE CRAZY NUT
BOLOGS MIND VOODOS HOODAS
HOCUS POCUS SAY I AM NOT!
I AM NOT CRAZY! I AM TIRED
OFF PEOPLES WIT TREATING
ME SO FAR! NOW I
JUST GOT AND THEN THEY
WHAT I TRY 2 SAY
BEY OFF THIS HONORABLE
MOSTER HONORABLES WNT
TOO PLEASE RESPOND TOO
MY HUMBLE REQUEST
THEY PUMPS ME FULL OF HALLUCS!

pg ~~###~~ = 4 of 15 #s

AND FOR INTERVENT a INJUNCTION.

The COURT 8TH CIR PCIR did
NOT address MY ISSUES!

AND everyone has been telling
me if ~~Q~~ I don't file a 59(c)

if COURT don't grant relief

THEN ON ISSUES I NOT

raised & by addressed by

3B-13 Judge NEWMAN'S THEN

The appeal Supreme Court
WANT hear them!

ALL MY very important
ISSUES like:

(1) Actual authority
DEFECEN DEFENCE.
see U.S. v. FULCHER

P 9

~~*****~~ = 50K + 13

5~~#~~ U.S. v. Fulcher
cite as 250 F.3d 244 (4th

Cir. 2001) too get a name)

trial ~~l~~ ~~o~~ about it. my whole NTI'd
p. 100 was a lot about

actual of public Authority

cause ~~o~~ was being forced by
threats of life imprisonment
by L.C.S.D. Narc. Cops of

Authority for 60 N-2
crack houses & meth labs
wearing spy stuff to make
undercover movies of

drug deals and manufacturing
operations and on day
of cartachin ~~o~~ was
actin under public Authority/
L.C.S.D. Narc Cops controlled S med

pg ~~44444~~ = 602 45's

AND at trial on second
day ~~Q~~ only plead guilty
cause ~~Q~~ was in fear for my
life and my family's life
safety cause cops would
ALL told me ~~Q~~ better
NOT make my alleged
victim Mrs Tomie Edwards
take stand and her son
Deputy Jimmy Edwards
had come to jail
twice and threat car me
and assaulted me!
plus trial lawyer Lied
told me if ~~Q~~ didn't plea
guilty ~~Q~~ would get a
life sentence! AND ~~Q~~

~~PAGE 7~~ 7 OF 15 PAGES

IT PROBABLY ONLY FOR TWO
KIND ME GUILTY CAUSE THAT
LAWYER REFUSED TO DO
HIRE MY INVESTIGATOR OR
SUBPOENA MY WHOLE
MENTAL HEALTH HISTORY
AND TRUST ME (IF)
ONLY SOMEONE WITHIN THESE
COURTS WOULD LISTEN
REALLY LISTEN TO WHAT
I AM TRYING TO
COMMUNICATE TELL THEM
ALL ABOUT THEM AND WOULD
EASILY BE ABLE TO PROVE
BY GREATER WEIGHT OF PREPARED
OF EVIDENCE THAT I DO

PG ~~#####~~ = 8 of 15 #'s

① really really honestly
do deserve new trial
RELIEF! please help
me ms. JEAN FOAL
your HONOR please
GRANT this emergency
INJUNCTION. ON 5-12-13
① was assaulted again by
my very Big and CRAZY
SEX OFFENDING Roommate,
He raped me tied me
up and hit me with
Big Rock. ① had to
go too hospital and
SCDC wouldn't listen so my pleas
help ms. BUTLER m.H. counselor, and

P. ~~XXXXXXXXXX~~ = 10 of 15

Your Honor Shearouse

pleas bring this matter
of life death too

the words addition,

Ⓢ was denied fair trial.

(2) NO BLIND HEARING SO Ⓢ
could have produced several
NOT NONE BUT SEVERAL

PSYCHIATRIST would also willingly
testified off pro or pro du can
sworn afa divits at pro R.

AND NONE OF THESE THINGS
WOT DONE! BUT WHEN Ⓢ
fire the lawyers everyone

say Ⓢ am being A.H.

Ⓢ NOT, Ⓢ do swear on my life

~~PROHIBITED BY 11 OF 154'S~~

That ⁽¹⁾ ~~Q~~ was acting acting
under (Actual Authority)
ON 6-10-09 (2) while
acting as such, ~~Q~~ was over
exposed too some meth chemicals
at Lab that L.C.S.D. NAME
COPS OF (Authority) did sense
me down from ans (3) such
exposure caused my mental
health sch put more things do
excavate out of control,
and (4) cops a victims
son Deputy James Edwards
did have me in custody, and
(5) L.C.S.D. and C.C.D.C. employees

P.C. ~~XXXXXXXXXXXX~~ 12 OF 15'S
THEN REFUSED ME MEDICAL
M.H. TREATMENT FOR MY USUAL
PSYCHOTIC HALLUCINATIONS,
THEN RELEASED ME FROM
CUSTODY, TOLD ME TO GO
BACK TO 836 HELLAMS
RD. GREY COURT SC. 22649
WITH LAB CONTINUE WORKING
(ACTUAL AUTHORITY)

AND THEN ~~①~~ WAS OFFER
GIVEN ME BY VICTIM
AT FOLLON AND WHITE
N'RUDE ~~①~~ CONTINUED TO
HALLUCINATE TO POINT WHERE
~~①~~ THOUGHT SHE WAS TRYING
TO SHOOT ME!

~~PG #13 OF 15 #13~~ = 13 OF 15 #13

THAT'S THE REASON THE
CAR JACKIN TOOK PLACE!

Ⓢ DID NOT HAVE NO WEAPONS,

Ⓢ DID NOT HURT HER OTHER

THAN PROBABLY SCARED HER

CAR SHOOT ME! PLEASE

GRANT ME PERMISSION

TO SEEK THIS COURT'S

INTERVENTION FOR IMMEDIATE!

AND TELL 8TH CIR COURT

JUDGE CLIFTON B. NEWMAN

AND CLERK COURT, MS. CARE

TO RESPOND TO MY SEVERAL

FORMER REQUEST AS FOOTED

ME WHAT'S STATUS @ PR

PG ~~XXXXXXXXXXXX~~ 14 of 15 #s

my post trial pro se motions
to Halt Arrests and Expire
Prison Court Record and
My 52 (c) and My
Notice of Appeal.

Like @ said @ need
Appellant Counsel and
cant do these things
correctly! @ aint
got no Law Books

from library to help
me yet and @ sent
Both 52 (c) and notice
off Appeal out
almost 1000 other cases
my understudy in has @
only had 10 days

~~PLEASE~~ = 15 of 15 #15

ONLY had 10-day STARTIN
TIN DAYS too get them
FILED or I would loose
my appeal and 59 (e)
rights. BUT CLERK
HAS ONLY SO FAR
FILED THE HAITI AR ARMED
EXPANSION motion
(see n-closed) plea
help me I my
THEY WONT TREATS
ME FAIRLY!

then send me copy
STAMPED OF THIS
SO I CAN MAIL
these copies both
↓
and God Bless Amer.

6-6-13
ADDED 15

SINCERELY
[Signature]

BEN NABORS #233844
B.R.C.I. 4460 Broadway
Rocks Cove - Sit 29211

CC: CYN Cacader 807 ar
Judge KENNETH
Arlin Rutledge JOHNSON 50905

PS-47-2

Served on the Judges' Clerk
B. Newman, Attorney General and
Clerk Court, 8th Cir.
(1.) prose motion to Amend
and Expand Record, filed on
4-16-13, at 9:45, and

(2.) prose motion to alter or
amend judgment Rule 59(e),
placed in mailbox on or about
5-25-13. (Notes): This
motion was not returned to
me the prose party clocked, etc.
please send me a true copy
off the original in the enclosed
envelope enclosed.

* NOTE → Both of these motions as
were as for No correctly
submitted and correctly served.
But was brutally assaulted on 5-12-13
and were placed in pit & lock-up and
at the off Formin the 59(e)

PS ~~ADD~~ = 3 did not have access CAN LIBRARY
The pro se party was suffering greatly
so what ever errors can track @ attribute
too that. This pro se party PRAYERS
respectful preys too this
honor court able court
do pleas AS A TPPPGHAW
too pleas pleas honor
this formal request for
INN Fore mention about
Theas motions ON THIS
Case 2011 CP 30308
AND too pleas return a
TRUE COPY OFF THIS pro se
party's 59(c) motion
OR INFORMATION AS TOO
WHY IT CANT DO SUCHERS.

THINKS YOU'S

6-6-13 BENJAMIN R. NABORS #233844
DATE'S B.P.C.I 4460 BROADS RIVERS
ROADS COL SC 29210

SINGLY



cc. Chief Justice JEAN KOAL
cc. Rutledge JOHNSON, ESQ. A.B.
cc. Judge CLIFTON B. NEWMAN
cc. S.C. COURT Admin

BENJAMIN R. NABORS
B.P.C.I 4460 BROADS
RIVERS RD COL S.C. 29210

pg # = 1

6-6-13
Clerk of Court, 8th Cir
Common Pleas, P.O. Box 287
Lauren SC 29360

From: BENNABORS #233844
B.R. Co. 4460 Broadmeads Rd.
Coli SC 29210

RE: CURRENT STATUSES OF
MOTIONS WHICH WERE FILED
UNDER SCRPC RULES 52 AND 59,
IN THE 8TH CIR. CLERK'S OFFICE COMMON
PLEAS COURT AND SERVED ON
JUDGE CLIFTON B. NEWMAN, IN
P.C.R. CASE 2011-CP-30-308
~~AND RYDGE JOHNSON, AG AND CLERK'S~~
DEPT CLERK COURT OF 8TH CIR. COMMON
PLEAS COURT, THIS PROSE PARTY
RESPECTFULLY REQUEST THE CLERK
OF COURT TO PLEASE INFORM HIM
IN WRITING, AS TO WHAT
ARE "R" THE CURRENT STATUSES
OF THE FOLLOWING WHICH WERE
CORRECTLY FILED IN THE CLERK'S
OFFICE AS WELL AS CORRECTLY

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON
 COUNTY OF LAURENS) PLEAS, EIGHTH JUDICIAL
 BENJAMIN RAY NABORS) CIRCUIT
 pro se applicant)
 V.) CIA NO. 2011-CP-30-308
 STATE OF SOUTH CAROLINA) MOTION TO ALTER OR
 Respondent) AMEND JUDGMENT
) RULE 59(e) TO
) ADDRESS "ALL" ISSUES"

This matter comes before the court by way of a pro se motion to alter or amend judgment under Rule 59(e). The above named pro se applicant, BENJAMIN RAY NABORS, here by motions this Honorable to address ALL ISSUES which court p.c.r. failed to do in its review of the applicants Evidentiary hearing held on 3-13-13, at the COWS GREENWOOD COUNTY COURTHOUSE. AT THIS hearing, the applicant was given no choice but to proceed as pro se, after his court appointed p.c.r. counsel, Rodney W. Richey, ESQ. flat out refused to subpoena several witnesses on the instructions

ON THE DIRECT INSTRUCTIONS OF APPLICANT OR TO COLLECT VITAL RECORDS ON APPLICANTS BEHALF, AS HE WAS INSTRUCTED TO DO SO. ALSO, MR. RICHEY REFUSED TO COLLECT AND FILE OVER A DOZEN SWORN AFFIDAVITS ON APPLICANTS BEHALF FROM EXPERT WITNESSES, WHO WERE IN THE FORM OF PSYCHIATRIST WHO HAD ALL DIAGNOSED AND TREATED APPLICANT FOR MANY YEARS FOR VARIOUS MENTAL ILLNESSES, INCLUDING SEVERE SCHIZOPHRENIA, PARANOID TYPE AND SCHIZOAFFECTIVE DISORDER, ALONG WITH OTHER VARIOUS AND ALSO CHRONIC MENTAL DISORDERS. ALL THESE PSYCHIATRIST WERE ALL WILLING TO PROVIDE SWORN AFFIDAVITS OR LIVE TESTIMONY had of MR. RICHEY PUT FORTH AN HONEST EFFORT TO COLLECT SUCH, WHICH MR. RICHEY DID NOT DO. ALSO, MR. RICHEY BECAME HOSTILE TOWARD HIS CLIENT WHEN SUCH APPLICANT DID ON NUMEROUS OCCASIONS INFORMED MR. RICHEY THAT IF HE CONTINUED TO REFUSE APPLICANTS REQUEST FOR FUNDS TO ORDER (4) RELEVANT COURT TRANSCRIPTS.

SAND Deams of Relevant Records,
and ignore applicants instructions
concerning how he wished Mr. Richey
to present applicants p.c.r. issues,
that he would "sue" Mr. Richey
for Legal malpractice, if such
malpractice caused harm to
the applicants presentation of
his p.c.r. issues, thus preventing
a fair and full p.c.r. process
proceeding. Further more, Mr.
Richey filed an amendment ^{Issue} ~~Note~~ *
to the applicants p.c.r. Application,
Leaving out such issues, claims,
as: ^(1A) public Authority, actual
Authority (1B) malicious prosecution.

(2.) Investigative misconduct.

(3.) Brady violations.

(4.) Judicial misconduct.

(5.) Human Rights violations

(6.) Obstruction of Justice.

ONLY to name a few

BECAUSE OF Rodney W. Richeys
ineffective p.c.r. assistance of
COUNSEL, the applicant, given

Help
X

was little choice but to either prosee

(3)

with his hostile and ineffective
 assistance of counsel ^{OR} represent
 himself as pro se, of have his
application dismissed outright
 The above pro se applicant proved
 AS a diagnosed and under S.C.D.C.
 psychiatrist care as a severely
 mentally ill schizophrenic
 and chronically addicted to
 alcohol and substance abuse
 with probable brain damage,
 AS well as having to proceed
without being afforded with
certain court transcripts records
and other supporting documentation
he steadfastly has diligently
sought for nearly 4 years dis
 Now, such pro se applicant
 after making his displeasure
 known on record about being
 made to do so, attempted
 his best to represent himself
 at this proceeding on 3-13-13.

* NOTES

Did NOT
 get "NO"
 discovery
 prior to
 trial plea
 or post trial
 plea till after
 per. 3-13-13
COREY

AND at my 3-13-13 P.C.R. hearing
"The P.C.R. CONT has Failed
to address the following ISSUES.
Applicant(s) Requests for Legal Books on Il-
No Aid. ISSUE # 11 Applicant was No.
allowed to insure that witnesses
"Some expert" ^{Subpoena} be allowed to testify
ON CONTS Recorder in his favor
by a preponderance of evidence
he also was NOT allowed to enter
in to CONTS P.C.R. Record such
applicant was denied a full and
fair P.C.R. proceeding in that
he, after Mr. Rodney W. Richey
wreakcassily Refused his client
Named above pro se applicant,
to secure such RECORDS as
only the CONTS power of
a Subpoena having been
issued to the following
parties would have insured

INVESTIGATORS, 25 YEARS OF MENTAL HEALTH
RECORDS, BOTH THAT MY WITNESSES
WAS PRESENT IN THE COURT ROOM
AND PLACED UNDER OATH NUR
WOULD HAVE THROUGH EXISTING
RECORDS, THAT THIS PROSE
APPLICANT DESERVES RELIEF
BY A PREPONDERANCE OF
THE EVIDENCE. APPLICANT,

INSTEAD OF BEING REFUSED
AT LEAST 24 HOURS CONTINUE
TO UTILIZE THE COURT'S POWER
ON MY DEFENSES, PROSECUTIONS
SUCH SAID APPLICANT COULD
EASILY HAVE SWAYED THE
COURT INTO GRANTING ME
IMMEDIATE RELIEF IN THE
FORM OF A NEW TRIAL
ON THE ARMED ROBBERY CHARGES.
(6)

AND my verbal COMMUNICATION SKILLS NULL SCHIZOPHRENIA
AS WELL AS THE CAT JACKING
CHARGES. HEAR, IN ISSUES,
CAN THAT WERE NOT ADDRESSED ORBIT
RULED UPON WHICH APPLICANT
BELIEVES HE DID SATURATE NEZUM
THE COMS RECORD ON 3-13-13 -
AT THIS MOCKERY FOR A WITH
HEARINGS HE FEELS, WITH.

THIS APPLICANT CAT CAN PROVE
THAT HE DESERVES RELIEF IN THE
FORM OF RELEASED FROM CUSTODY
OF S.C.D.C. AND REPERMANDED
BACK DOWN TO THE LOWER

SENTENCING COURT TO AWAIT
EITHER VACATION OF CURRENT
SENTENCES ALL TOGETHER OR TO BE
ALLOWED TO PROCEED WITH A
NEW CRIMINAL TRIAL. A NEW
TRIAL WOULD EXONERATE APPLICANT.

The applicant wishes to the best of his ability as a disabled mentally ill patient explain to this court what issues he wished to have addressed by the court.

The following narrative was never addressed. AND THATS THE FACT THAT SUCH APPLICANT CURRENT SENTENCES AND CONVICTIONS ARE WHOLLY THE RESULT OF APPLICANTS HAVING HAD BEEN UNDER "PUBLIC AUTHORITY" OR ACTUAL AUTHORITY AT NOT ONLY PRIOR TO 6-10-09, BUT ACTUALLY ON 6-10-09, HE WAS CARRYING OUT DUTIES PRESCRIBED TO HIM BY THE NARCOTICS UNIT OF LT. BRIAN K. BRIDGES, SA, JUSTIN R. MOODY, AND OTHERS WITHIN THE LOS ANGELES NARC OFFICE.

LAURENS COUNTY STAFFS
DEPT. HEAR TO KNOWN AND
REFERRED TO SIMPLY, "THE L.C.S.D."
AS APPLICANT STATED ON COMTS
RECORDS AFTER HAVING HAD
SWORE ON OATH TO TELL THE
TRUTH, ON BOTH 11-14-12
AND ON 3-13-13 "PLEAS
REFER TO P.C.R. #2011-CP-30-308
RECORDS COMT TRANSCRIPT FOR
* 11-14-12, IN LAURENS COUNTY
COMT HOUSE BEFORE HONORABLE
FRANK R. ADDY JR. SEE PAGES

7, LINES 17 ALL THE WAY
THROUGH PAGES (8) TO PAGE
21. READ ENTIRE 11-14-12
AND 11-14-12 P.C.R. TRANSCRIPT,
TRANSCRIPT ALSO ON 3-13-13 a cat

A very clear record made
ON CONTS RECORD ON 3-13-13
was the question presented
was the L.C.S.D. forcing
the applicant and brining mind
control him "A Homeless man" with such
rewards as shelter in motel
rooms through out LAURENS
COUNTY, as well as CASH & DRUGS;
and access to a car out
of their motor pool, knowing he
did not possess license,
and knowing was under constant
influence of narcotics which
such applicant had purchased
with funds from the L.C.S.D.,
while under actual police
authority of Law enforcement
high up in the chain of command
of the L.C.S.D. "High command" ?
(10)

* NOTE: Authority was granted by person of actual Authority This applicant did on

His sworn oath, describe

how L.C.S.D. Narcotics Officers of Authority

Did on 6-10-09 cause

my presence to be at

836 Hellams Road Arroyo

CONT. S.C. 29645 for

the sole purpose of

observing and collecting

information on, an illegal

and active methamphetamine

Laboratory and such persons

also at said above address

and on such said above

date "6-10-09" and while

there acting solely of public

of actual authority by]

(REAL)
S# #
CONT RECORD
TRANSCRIPT
FOR 11-14-11
Judge Adli

THE L.C.S.D. SUCH APPLICANT
A ONE BENJAMIN RAY NABORS,

while at that location, did
become ^{more} psychotic when his
well documented mental illnesses
were triggered into over drive
when such methamphetamine
cab did produce toxic chemical
vapors to be inhaled by
this applicant which did
cause very severe hallucinations
both auditory as well as

visual. "please listen to
6-10-09 (911 recordings)
of the CAVERUS COUNTY 911
SYSTEM, which lend a
weight by preponderance

of evidence, that such
applicant was in a total
and complete state of
paranoid schizophrenia minds
on 6-10-09
THIS applicant wished
for the p.c.r. court, prayed
to the p.c.r. court, to
allow him, this applicant,
to present live testimony
from and by the persons,
law enforcement personnel
of the L.C.S.D. NARCOTICS
UNIT to testify under
oath that yes, the
applicant was on 6-10-09
and many months prior to

(13.)

ON 6-10-09, BENJAMIN RAY NABORS
WAS IN FACT ACTING UNDER PUBLIC
OF ACTUAL AUTHORITY OF THE L.C.S.D.
NARCOTICS UNIT. BECAUSE OF
APPLICANT BEING ABUSED AND TOOK
ADVANTAGE OF BY THE L.C.S.D.

"NARCOTIC OFFICERS, LT. BRIAN KRE
BRIDGE, SGT. JUSTIN MOODY,
LT. PAUL PAGE, LT. MARINO
FOGGIE AND OTHERS, HE, THE

ABOVE APPLICANT WAS SENT TO
836 HILLAMS RD. GREY COURT, S.C.
29645 TO PERFORM UNDER
COVER, "COVER" NARCOTIC
INVESTIGATIONS FOR THE L.C.S.D.

NARCOTICS UNIT AND WHILE AT
SUCH LOCATION SUCH APPLICANT
DID WE CAN HE BECAME EXPOSED
TO LOTS OF TOXIC CHEMICALS
WHICH AGITATED HIS ALREADY
KNOWN AND DIAGNOSED PARANOID

Schizophrenia on 6-10-09;

At this ¹² ₂₃ ₆ applicant directs comts attention to 911 recordings from Laurens county 911 system. Where it's clearly heard that above named applicant is in a paranoid psychotic state of mind. Also at this ¹² ₂₃ ₆ applicant directs this honorable comts attention to L.C.S.D. incident reports for 6-10-09. Again, hear

it's clearly seen that above named applicant is in a paranoid psychotic state of mind. L.C.S.D. then took applicant into custody promising to get him prompt -

(15)

medical & of mental health
treatment for the exposure to
toxic meth chemicals while
acting under actual authority
OR while at the location of that
meth Lab at 836 Hellams Rd.

Battinthead, applicant was UR
denied medical, mental health
care and instead applicant
was told to stop "acting"

crazy, and to return back
to such Lab for more
undercover investigation, such
applicant was released.

From custody of the LICSD,
Narcotics office back into
the community of Laurens
S.C. on 6-10-09 while still
in a very severe paranoid
psychotic state of mind,
suffering acute visual auditory hallucinations

(16)

Applicant and his wife, co
defendant JENNIFER ANN
HUGHES, was then offered
a ride by this alleged
victim, MRS. TONI EDWARDS,
while in route back to Grey
Court, S.C. with Mrs Edwards,
the applicant suffered yet
another psychotic break
while in Mrs. Edwards car,
Applicant became convinced
that Mrs. Edwards had a gun
in her possession and was about
to shoot him also, "SEE both
6-10-09 incident reports by
Her son, Deputy Edwards from
earlier that day at Meth Lab
as well as 911 recordings from
earlier that day" AND Applicant
while severely hallucinating did
steal Mrs. Edwards vehicle while in
(17)

Fear for his safety and life from HAMM
AND APPLICANT, BENJAMIN RAY NABORS,

did his best at his 3-13-13
P.C.R. proceedings to lay out
before the court his P.C.R. issues
claims, yet when he received
the order of dismissal and

attempted to read and comprehend
it's content, Applicant then

of how did not did not
how applicant did not see

nothing in Judge Newman's
review of applicant's issues
about either (1) public

OR actual Authority / Defense

of (2) A Defense based off

of STATE V. HARTFIELD, 'Brain Damage
Brain damage mental illnesses chronic Alcohol use
therefore the applicant,

Hereby request this court
to preserve the following
P.C.R. issues / claims for
appellate review.

(18)

P.O.R. ISSUES / CLAIMS, NOT
addressed by Judge Newman
in his order of Dismissal,
Signed by Judge Newman on
4-25-13. However, this
Applicant, Applicant, Did
NOT actually get served
with this order of Dismissal
UNTIL 5-25-13, ONE MONTH
exact after Judges Ruling.

* ISSUES NOT CLAIMS NOT FULLY
addressed by P.O.R. CONT ARE:

- (1) Ineffective assistance of
Counsel,
- (2) Investigative Misconduct,
- (3) Ineffective P.O.R. Counsel,
- (4) Judicial Error and Prejudice,
- (5) Fruit of the Poisonous Tree
Claim
- (6) Police Coercion & Brutality,
(12.)

(7) Brady violation

(8) Incompetence at ^{2/3}₆
of trial and plea,

DEW to medical intoxication,
(9) newly discovered evidence,

This pro se applicant
herby in forms the court

that he wants request

that applicant's mental
health full mental health
and medical history be

made a part of this
court record as well as

all enclosed, attached

incident reports, from
L.C.S.D. also applicant

submits a list of persons
whom would have testified
in applicant's favor had pro se.

COUNSEL Rodney W. Richey-ESQ
would have either subpoenaed
such WITNESSES or GOT SWORN
STATEMENTS FROM THEM as
did applicant so instructed
him to do. THEN applicant
would have easily proven by
a preponderance of the
evidence ON 3-13-13. per
hearing hearing that he did
deserve relief in the form of
a NEW TRIAL. Those WITNESSES
are as follows:

- EXPERTS
- (1.) DR. SINATO - applicant's PSYCHIATRIST
 - (2.) DR. HEARON - applicant's PSYCHOLOGIST
 - (3.) DR. MARTIN - applicant's PSYCHIATRIST
 - (4.) DR. POLLOCK - applicant's PSYCHIATRIST
 - (5.) DR. HIGGIN - applicant's PSYCHIATRIST
 - (6.) DR. S. (2) applicant's PSYCHIATRIST

50 and witnesses concerning meth
Lab at 836 Hellams Rd. and my
Exposure to toxic meth chemicals
on day of 6-10-09, while at
that location under actual
authority:

- (1) Ronald Jeffrey Eaton.
- (2) Victoria Gordon Smith
- (3) Jean Parker
- (4) Thomas Parker
- (5) Stan Smith.
- (6) Jennifer Ann Hughes
- (7) Mary NABORS
- (8) Ken NABORS
- (9) Richard James Worthy
- (10) Deborah Worthy
- (22)

(11.) JEREMY JAMES

(12.) MIKE JONES

C.I.C.S.D. LAW ENFORCEMENT
OFFICERS INVOLVED IN DIRECTLY
MY FORCED INVOLVEMENT WITH
C.I.C.S.D. AS AN UNDERCOVER NARC

(1.) CPT. STEPHON WILLIAMS

(2.) LT. BRIAN K. BRIDGES

(3.) SGT. JUSTIN R. MOODY

(4.) SGT. PAUL PAGE

(5.) LT. MARENO FOSGAY

~~(6.) DEPUTIES RHODES, KUMMA EDWARDS
AND VEAL~~

THIS DEIR. APPLICANT
NOW APPELLANT, (Did NOT) receive
a fair and full evidentiary
hearing ON 3-13-13.

ALSO, The p.c.R. applicant
was not allowed, granted,
FUNDS by this court to
get very important relevant
to his p.c.R. prosecution,
the following TRANSCRIPTS:

(1.) transcript for 6-5-12
p.c.R. hearing in NEWBERRY
COUNTY where applicant's BRAIN
DAMAGE and his expert
witness were discussed. under
STATE v. HARTFIELD

(2.) TRANSCRIPT for applicant's
trial proceedings on 10-18-10
LAURENS COUNTY, and FULL DISCOVERY

(3.) TRANSCRIPT for applicant's
3-13-13 p.c.R. hearing.

(24.) A O F B

The P.C.R. applicants :
evidentiary hearing was
shoddy and yet one more
example of the states
refusal to acknowledge
that the applicant was
being used and abused by
the L.C.S.D. and the 8th.
Civ. Solicitors office
in so far as car at the
applicants was being
forced to be L.C.S.D. under
over name and such applicant
was acting under power
of actual authority on
day of 6-10-09 at (229)
of these incidents (63)
(24.) (B) of A-B

Which did directly cause
Such applicants current
Legal problems, sentences
and convictions for armed
robbery and carjacking. This
applicant asserts he is innocent of.

This applicant hereby
humbly prays to This
Cort to preserve under address
Rule 59 (e). motion

ALQ (Issues) which such
said applicant has numerous
attempted to have correctly
addressed by This p.c.r.

Cort. & others for 4 years
and also info that both

(25)

MIKE TURNER JR. ESQ. CONT. APP. 8

COUNSEL, and Judge Hill
WAS SERVED WITH COPIES OF
SUCH APPLICANTS COMPLAINTS
AGAINST HIM PERSONALLY,
BY THE DISCIPLINARY COUNSEL,
PLEASE SEE SUCH COMPLAINT
"INCLUDED" IN THIS MOTION BY
(e) ALONG WITH THE DISCIPLINARY
COUNSEL'S INVESTIGATIVE
FINDINGS, which also were
SERVED ON HIS HONOR ON OR
ABOUT 10-13-09. IN MY

COMPLAINT AGAINST JUDGE HILL, AND
IT WAS CLEARLY COMMUNICATED
TO JUDGE HILL, AS WELL AS THE
DISCIPLINARY COUNSEL, THE ABOVE

26(A)

applicant did raise such
issues with both the Judge Hill,
the 8th Cir. Court as well as
the Disciplinary Counsel.

At my p.c.r. hearing on
3-13-13, before His Honor
Judge Clifton B. Newman

the above applicant informed
this p.c.r. Court of applicant's
inability to receive both fair
judicial, as well as trial
counsel, representation at the

(3:9
6) of Judge Hill's 1-19-12

Court order for such above
applicant to under go examination
by the D.M.A. for criminal
responsibility as well as mental

2(B)

Capacity to stand trial
P.C.R. CONT neither addressed
the "heart" of applicants
P.C.R. prosecution of Alex
Stalley - ESO, Applicants
trial counsel, which he
"Stalley" was a personally
appointed to represent me
even after Judge Hill made
it clear to me that the
CONT would ^{NOT} afford me with
adequate counsel, legal
representation on my car
jacking and Armed Robbery
charges. ~~See~~ ^{see} attached
included letter communication
to applicant from His Honor
Judge D. GARRISON Hill on

26(C)

12-2-09 communication
From Judge Hill to applicant,
Applicants p.c.R. ISSUES,
ONE OF MANY COMPLAINTS
to Judge Hill personally as
well as HIM CONTINUING to
be a vital part of my
LEGAL PROCESS, IT
was applicants attempt,
at Hearing before Judge
NEWMAN ON 3-13-13
to seek redress on record,
as to why such document
as the D.M.H. report issued
forth on or about 8-25-10
why was the applicant ^{NOT} afforded
NOT AFFORDED

THIS applicant was refused
the Blair Hearing that he
repeatedly requested of
TRIAL COUNSEL ALEX STALLEY, ESQ.
as well as the govt. or

Solicitors of Peace, as well
as the courts, Why wasn't
the applicant allowed to
receive HIS CONSTITUTIONALLY
GUARANTEED right to question
such D.M.H. report as severely
flawed & issued by
officers of the court who
were prejudiced against
applicant to begin with?

028

IF IT SO PLEASES THIS COURT
AM NOT A LAWYER, AND I'M
A PARALYD SCIZOPHREN ACCORDING
TO OVER 20 YEAR WORTH
OF MENTAL HEALTH TREATMENT
FROM BOTH EXPERT PSYCHIATRISTS
AS WELL AS PSYCHOLOGIST.

THESE ARE THE ISSUES
THAT NEVER GOT ADDRESSED
BY THIS HONORABLE P.C.P. COURT
AND THIS APPLICANT, A ONE
DAMON BENJAMIN RAY NABORS
HEARBY PUTS ON OFFICAL
COURT RECORD TO BE PRESENTED
AND RECOGNIZED AS COGNIZABLE
ISSUES DESERVING RELIEF,
28(B)

The p.c.R. cont did NOT ON
3-13-13 afford me fair and
full proceeding & NOT at all.
(This p.c.R. cont ON 3-13-13)
Did NOT explore or investigate
my p.c.R. claims that:

applicant at $\begin{pmatrix} 12 \\ 13 \\ 6 \end{pmatrix}$ of 6-10-09
(incidents) which did unconstitutionally
Lead to applicants current
sentences and convictions,
was totally acting upon public
of actual authority when he
thus came into direct contact
with a dangerous meth Lab
explosion of toxic chemicals

28(C)

This applicant's P.C.R. ISSUES/CLAIMS BRAMS did not receive the Redress consideration that it so deserves. Hear ARE THE "FACTS" and had OF P.C.R. allowed me to have PUT UNDER SUBPOENA, NO MORE THAN 12 WITNESSES, some expert psychiatrists - THEN and only THEN after P.C.R. COMT also allowed certain Relavent, "to me" to how I wanted to present my tent would have been swayed by a preponderance of solid factual information and testimony which probably had led to my convictions being overturned and new trial GRANTED. I was denied fair full

28 CD)

5. DOR HEARING ON MY ISSUES ON 3-13-13
ISSUES HEAR NOW PUT
ON THIS PRO SE APPLICANT'S
EFFORT TO COMMUNICATE IS NOT
EASY FOR APPLICANT DREW
TO ILLNESSES APPARENT
SCHIZOPHRENIA HARD VERY HARD
COMMUNICATE. ISSUES NOT AD LRESK

(1) TRIAL COUNSEL ALEX STALVEY ESQ
DID NOT FULFILL HIS OBLIGATION
TO APPLAINT TO RESEARCH THE
PUBLIC ACTUAL AUTHORITY
DEFENSE AS APPLICANT IN
STRUCTURED HIM, NEITHER
DID TRIAL COUNSEL PROVIDE
ME WITH STATES DISCOVERY
EVIDENCE NEVER GOT NO

28.(e)

ALL THAT IS HERE DO WITHAL
IN DO CIP ON IN THE THIS
PROSE 59 (e) MOTION
IS TRUE END CORRECT UNDER
ANY AND ALL PENALTIES OF
PERJURY.

5-25-13

DATE

Bm

BENJAMIN NABORS #233844

B.R.C.I. 5a1-148-A
4460 BROADS MEERS RD.
COLA, S.C. 29210

CC: LITEN COMT CAURENS COUNT LANCASTER
' ATTORNEY GENERAL RUTLEDGE JOHNSON
U.S.C.A. 4TH CIR.
S.C. COMT APPEALS (28)(29)

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS

BENJAMIN RAY NABORS
PRO SE APPELLANT
APPLICANT
VS.

IN COURT OF COMMON PLEAS
CASE NO: 2011-CP-30-308
AFFIDAVIT OF SERVICE

STATE OF SOUTH CAROLINA

FOR MOTION TO ALTER
OR AMEND JUDGEMENTS
TO ADDRESS (ALL) ISSUES
TO PRESERVE SUCH ON RECORD.
59 (e).

I certify that I have served
on Judge CLIFTON B. NEWMAN
this motion to alter or amend
judgment, Rule 59 (e) on to
address "ALL" p.c.r. issues
which were not discussed in the

COURTS ORDER OF DISMISSAL

which I did not receive UNTIL

5-24-13 via S.C.D.C. mail.

Signed Ben

~~BENJAMIN RAY NABORS~~
B.R.C.I. 4460 Broadview Rd
Columbia SC 29210

PAGE 30 of 30

(30)

(~~30~~)
(~~30~~)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Benjamin Ray Nabors,)
)
Plaintiff,)

C/A No. 0:12-3301-DCN-PJG

v.)

Deputy Timmons; Deputy Garrison; Sgt.)
Kurta; Investigator R. Plaxico, *I.D. # 2022*)
Investigator LCSD; Sheriff Ricky Chastain,)
LCSD; Lt. Brian K. Bridges, *LCSD*)
Narcotics Officer, Sgt. Justin R. Moody,)
LCSD Narcotics Officer, Major Hudson,)
LCDC; Lt. Linda Sullivan, *LCDC*; Judge)
W. Copeland, *Laurens County Magistrates*)
Offices, Laurens County; Lt. Mareno)
Foggie, *LCSD Investigator*, *LCSD Deputy*)
Jamie Lee Edwards; Cpt. Stephan)
Williams, *LCSD Capt. Over Narcotics*)
Officers LCSD; Deputy Matthew A. Veal;)
Deputy Rhodes; Lt. Marty Crain; Cpt.)
Michael Coats, *LCSD*; Attorney Caroline)
Horlbeck of *Greenville Bar SC*; Laurens)
County SC; Alex Stalvey, *Attorney at Law*)
SC Bar # 71739; Yates Brown, Jr., *SC Bar*)
78607; Jerry W. Peace, *8th Circuit*)
Solicitor's Office Greenwood, SC; Paul)
Page, *LCSD Narcotics Officer*, Sgt. John)
Bragg, *LCDC*; South Carolina State Law)
Enforcement Division, *Laurens Counties*)
Office Branch Director Capt. SLED; S.C.)
Attorney General Salley W. Elliott,)
Assistant Deputy Attorney General; Ms.)
Elizabeth Wiygul, *SC Bar # 70785*; Mr. L.)
Craine, *P.P. of L.C.L.*; Bill Mayor,)
Attorney, S.C. Bar, Chip Howell, *Attorney,*)
S.C. Bar, Mike Turner, Jr., *Attorney, S.C.*)
Bar,)

REPORT AND RECOMMENDATION

Defendants.)

PJG

2/27

The plaintiff, Benjamin Ray Nabors, ("Plaintiff"), a self-represented state inmate, brings this action pursuant to 42 U.S.C. § 1983. This matter is before the court pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) DSC. Plaintiff is a inmate at the Lee Correctional Institution in Bishopville, South Carolina, and files this action *in forma pauperis* under 28 U.S.C. § 1915. Having reviewed the Complaint in accordance with applicable law, the court concludes that it should be summarily dismissed.

BACKGROUND

Plaintiff's Complaint (ECF No. 1) alleges "violations of due process & violations of [Plaintiff's] state and federal 'constitutional rights,' committed by Laurens County employees of the Sheriff's Department [{"LCSD"}], Detention Center [{"LCDC"}], and 8th Circuit Solicitor's Office." (ECF No. 1 at 2.) The crux of Plaintiff's Complaint is that as a result of September 2008 warrants against him and his wife, he was forced to become an undercover confidential informant for the LCSD's Narcotics Unit notwithstanding knowledge that he was a "crack head since the 6th grade," with a long history of excessive use of alcohol and marijuana and mental health issues. (*Id.* at 12.) To maintain his cover, Plaintiff alleges that in investigating a methamphetamine lab, he was compelled to use drugs on June 9, 2009 and as a result of that use or exposure to methamphetamine chemicals, he began hallucinating. Following a series of events, Plaintiff and his wife were arrested on the outstanding warrants. Plaintiff asserts that even though he continued to hallucinate, he was released to maintain his cover and was directed to return to the lab. Following his release, Plaintiff's actions, which he attributes to his hallucinations, resulted in charges and convictions for armed robbery and grand larceny for stealing an individual's

vehicle and pocketbook. Plaintiff filed this action essentially challenging his convictions and seeks "a federal investigation into my complaint, claims that Laurens County Sheriff's Department did violate my constitutional rights as a mentally ill person, a person defined by the Americans With Disabilities Act, Title II, Regulations, as a disabled American citizen diagnosed and treated for both mental illnesses, as well as chronic alcohol and substance abuse problems since [I] was a child." (ECF No. 1-1 at 1.) Plaintiff wants the court "to impose fines of at least 3 million dollars against the [LCSD] and also the 8th Circuit Solicitors Office," to be paid to "the Americans with Disabilities organization of South Carolina, U.S.A., Earth," and to "make the [LCSD] change and modify its policies concerning the use of C.I. confidential informants." (*Id.* at 5-7.) Plaintiff also seeks for the court to acknowledge his wife and the owner of the vehicle and pocketbook he was convicted of stealing as victims of LCSD. (*Id.* at 9-11.) Plaintiff "ask[s] this court to also vacate my current convictions sentences which resulted directly from Laurens County Sheriff's Department's gross negligence which came to a head on 6-10-09." (*Id.* at 14.)

INITIAL REVIEW GENERALLY

Under established local procedure in this judicial district, a careful review has been made of the *pro se* complaint pursuant to the procedural provisions of 28 U.S.C. § 1915 and 28 U.S.C. § 1915A. This review has been conducted in light of the following precedents: Denton v. Hernandez, 504 U.S. 25 (1992); Neitzke v. Williams, 490 U.S. 319, 324-25 (1989); Haines v. Kerner, 404 U.S. 519 (1972); Nasim v. Warden, Md. House of Corr., 64 F.3d 951 (4th Cir. 1995) (*en banc*); Todd v. Baskerville, 712 F.2d 70 (4th Cir. 1983).

The Complaint has been filed pursuant to 28 U.S.C. § 1915, which permits an indigent litigant to commence an action in federal court without prepaying the administrative costs of proceeding with the lawsuit. To protect against possible abuses of this privilege, the statute allows a district court to dismiss the case upon a finding that the action "fails to state a claim on which relief may be granted," "is frivolous or malicious," or "seeks monetary relief against a defendant who is immune from such relief."¹ 28 U.S.C. § 1915(e)(2)(B). A finding of frivolousness can be made where the complaint "lacks an arguable basis either in law or in fact." Denton, 504 U.S. at 31. Hence, under § 1915(e)(2)(B), a claim based on a meritless legal theory may be dismissed *sua sponte*. Neitzke, 490 U.S. 319; Allison v. Kyle, 66 F.3d 71 (5th Cir. 1995).

This court is required to liberally construe *pro se* complaints. Erickson v. Pardus, 551 U.S. 89, 94 (2007). Such *pro se* complaints are held to a less stringent standard than those drafted by attorneys, *id.*; Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir. 1978), and a federal district court is charged with liberally construing a complaint filed by a *pro se* litigant to allow the development of a potentially meritorious case. Hughes v. Rowe, 449 U.S. 5, 9 (1980); Cruz v. Beto, 405 U.S. 319 (1972). When a federal court is evaluating a *pro se* complaint, the plaintiff's allegations are assumed to be true. Erickson, 551 U.S. at 93 (citing Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-56 (2007)).

Nonetheless, the requirement of liberal construction does not mean that the court can ignore a clear failure in the pleading to allege facts which set forth a claim cognizable in a federal district court. See Weller v. Dep't of Soc. Servs., 901 F.2d 387 (4th Cir. 1990);

¹ Screening pursuant to § 1915A is subject to this standard as well.

see also Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009) (outlining pleading requirements under Rule 8 of the Federal Rules of Civil Procedure for "all civil actions"). The mandated liberal construction afforded to *pro se* pleadings means that if the court can reasonably read the pleadings to state a valid claim on which the plaintiff could prevail, it should do so; however, a district court may not rewrite a complaint to include claims that were never presented, Barnett v. Hargett, 174 F.3d 1128 (10th Cir. 1999), construct the plaintiff's legal arguments for him, Small v. Endicott, 998 F.2d 411 (7th Cir. 1993), or "conjure up questions never squarely presented" to the court, Beaudett v. City of Hampton, 775 F.2d 1274, 1278 (4th Cir. 1985).

DISCUSSION

As an initial matter, Plaintiff's Complaint is subject to summary dismissal based on the United States Supreme Court's decision in Heck v. Humphrey, 512 U.S. 477 (1997). With respect to actions filed pursuant to 42 U.S.C. § 1983, such as the present one alleging constitutional violations and/or other improprieties in connection with state criminal charges,² the Court stated:

We hold that, in order to recover damages for allegedly unconstitutional conviction or imprisonment, or for other harm whose unlawfulness would render a conviction or sentence invalid, . . . a § 1983 plaintiff must prove that the conviction or sentence has been reversed on direct appeal, expunged by executive order, declared invalid by a state tribunal authorized to make such a determination, or called into question by a federal court's issuance of a writ

² Section 1983 is the procedural mechanism through which Congress provided a private civil cause of action based on allegations of federal constitutional violations by persons acting under color of state law. Jennings v. Davis, 476 F.2d 1271 (8th Cir. 1973). The purpose of section 1983 is to deter state actors from using badge of their authority to deprive individuals of their *federally guaranteed* rights and to provide relief to victims if such deterrence fails. McKnight v. Rees, 88 F.3d 417(6th Cir. 1996) (emphasis added). Plaintiff's claims of unconstitutional confinement fall within the coverage of § 1983.

of habeas corpus, 28 U.S.C. § 2254. A claim for damages bearing that relationship to a conviction or sentence that has not been so invalidated is not cognizable under § 1983. Thus, when a state prisoner seeks damages in a § 1983 suit, the district court must consider whether a judgment in favor of the plaintiff would necessarily imply the invalidity of his conviction or sentence; if it would, the complaint must be dismissed unless the plaintiff can demonstrate that the conviction or sentence has already been invalidated.

Heck, 512 U.S. at 486-87. Thus, the United States Supreme Court has ruled that until a criminal conviction is set aside by way of appeal, post conviction relief ("PCR"), a writ of habeas corpus, or otherwise, any civil rights action based on the conviction and related matters will be barred.

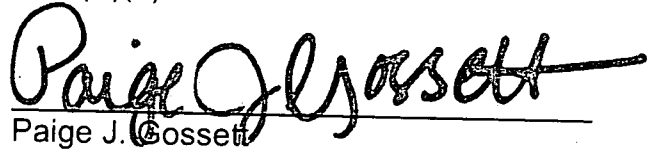
Plaintiff alleges that during his armed robbery and carjacking, Plaintiff was acting under the public authority of the LCSD or was insane due to his alleged mental illness or his exposure to drugs and alcohol through his undercover activities for the LCSD. Accordingly, the court concludes that a judgment in favor of Plaintiff in this action would necessarily imply the invalidity of his convictions. Plaintiff has not alleged that he has successfully challenged his state court convictions for armed robbery and carjacking. In fact, Plaintiff appears to allege that his PCR action is currently pending in state court. Therefore, pursuant to Heck, he may not bring a § 1983 lawsuit seeking damages or other relief for Plaintiff's allegedly unconstitutional conviction or imprisonment. Moreover, challenges to Plaintiff's convictions may be raised only through a petition for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254 or 28 U.S.C. § 2241 after exhausting the prisoner's state court remedies.

To the extent that Plaintiff's Complaint could be construed as attempting to assert a claim under Title II of the Americans with Disabilities Act, Plaintiff has failed to allege any denial of receipt of the benefits of any public service, program, or activity. See Constantine

v. Rectors & Visitors of George Mason Univ., 411 F.3d 474, 498 (4th Cir. 2005) (citing Baird v. Rose, 192 F.3d 462, 467-70 (4th Cir. 1999)).

RECOMMENDATION

Accordingly, the court recommends that Plaintiff's Complaint in the above-captioned case be summarily dismissed, without prejudice and without issuance and service of process. See 28 U.S.C. §§ 1915(e)(2)(B)(ii), 1915A(B)(1).



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

February 22, 2013
Columbia, South Carolina

Plaintiff's attention is directed to the important notice on the next page.

Notice of Right to File Objections to Report and Recommendation

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. "[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Larry W. Propes, Clerk
United States District Court
901 Richland Street
Columbia, South Carolina 29201

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); Thomas v. Arn, 474 U.S. 140 (1985); Wright v. Collins, 766 F.2d 841 (4th Cir. 1985); United States v. Schronce, 727 F.2d 91 (4th Cir. 1984).

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Bcc: Message-Id: <5444230@scd.uscourts.gov> Subject: Activity in Case 0:12-cv-03301-DCN Nabors
v. Timmons et al Report and Recommendation Content-Type: text/html

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U.S. District Court

District of South Carolina

Notice of Electronic Filing

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Case Name: Nabors v. Timmons et al
Case Number: 0:12-cv-03301-DCN
Filer:
Document Number: 21

Docket Text:

REPORT AND RECOMMENDATION recommending that Plaintiff's Complaint be summarily dismissed, without prejudice and without issuance and service of process, re [1] Complaint, filed by Benjamin Ray Nabors. Objections to R&R due by 3/14/2013. Signed by Magistrate Judge Paige J Gossett on 2/22/2013. (jpet,)

0:12-cv-03301-DCN Notice has been electronically mailed to:
0:12-cv-03301-DCN Notice will not be electronically mailed to:

Benjamin Ray Nabors
233844
Lee Correctional Institution
990 Wisacky Hwy
Bishopville, SC 29010

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

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059a49002a22869789b0d47f5217fd2593873eb9c3df7264d1d38ac0b86b3]]

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C/O: CONT. Rpt. ms. 4-18-13 ²¹
MAYANN S. NEWMAN'S

From: BEN NABORS #233844
Broad's Rivers Road's COMM. INST.
4460 Broad's Rivers Rd.
Cola St. 22210

RE: P.C.R. 2011-CP-30-308 TRANSCRIPT(S)
Deel ms. NEWMAN'S

ON 3-13-13 IN JUDG
NEWMAN'S 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 @ NEWMAN
EVER GETIN BACK 2 JUDGE
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 OJD FOR
THE 3-13-13 P.C.R. HEARIN
IN LAURENS CO TY JUDG
NEWMANS CO RT CASE

2011-CP-30-308 COP TR
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, ESC. A.G.
Office of CO RT Admin

BEN ABERS 233844
BROADS AVENUE RD. COMM. INST. MCT 1035
4466 BROADS AVENUE RD.
COLA S.C. ~~2360~~

29210

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4-15-13

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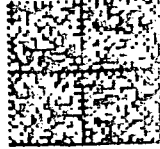
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LAURENSES, S.C. 29210

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Columbia, SC 29210

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Columbia, SC 29210

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Judge Mr. Clift 15 New Market

Honorable P.O. Box 51

Kings Tree, S.C. 29556

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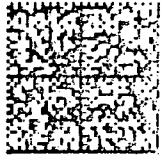
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BEN N APOLIS #23884
BROADS NETS CO. INC. DIST. MICH. 1035
4460 BROADS NETS R.
COLA S.C. 29210

CL. COST REPORT
MS APRIL P. H. M. O. N.
P.O. BOX 17675
GUILF. S.C. 29606

Mailed on
4-15-13
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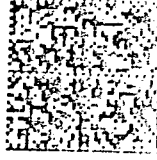
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U.S. COURT OF APPEALS
FOR THE FOURTH CIRCUIT
RICHMOND, VIRGINIA 23219

OFFICIAL BUSINESS

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

FIRST CLASS



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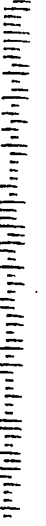
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UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX
1100 EAST MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219-3517
WWW.CA4.USCOURTS.GOV

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 judgment), 52(b)(to amend or make additional findings), 59(to alter or amend judgment or for new trial), or 60 (to vacate) filed within 28 days of entry of judgment. Under Fed. R. App. P. 4(a)(4), a notice of appeal filed after entry of judgment but before disposition of such a motion becomes effective upon entry of an order disposing of the last such motion.

This court will treat the notice of appeal as filed as of the date the district court disposes of such motion, and will docket the appeal following disposition of the motion. Please notify this court upon entry of an order disposing of the motion.

If a party wishes to appeal the district court's disposition of the motion, a notice of appeal or amended notice of appeal must be filed within the time prescribed for appeal, measured from entry of the order disposing of the last such motion.

Yours truly,

/s/ Ashley B. Webb

Ashley B. Webb

cc: Benjamin Ray Nabors

BENNY BARS #233844
BROADS RIVERS COM. INST. MLT. 1035-13
4460 BROADS RIVERS RD.
COLG S.C. 29210

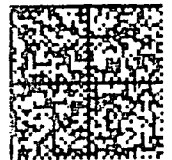
mailed on
4-10-13
Bm

RECEIVED

APR 10 2013

BRCA
MAILROOM

Honorable Judge NEWMAN
P.O. Box 516, Kingstree, S.C.



UNITED STATES POSTAGE
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29556

LEGAL MAIL

BENNY BORS #233844
BROADS RIVERS CON. INST. M.L.T. 1035-18
4460 BROADS RIVERS RD.
COLA S.C. 29210

mailed on
4-10-13
Bnc

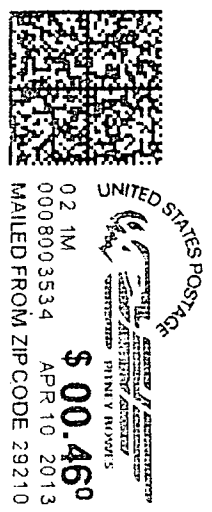
RECEIVED

APR 10 2013

BRCI
MAILROOM

HONORABLE JUDGE NEWMAN
P.O. Box 516 Kingslee, S.C.

29556



LEGAL MAIL

20

BENNY BOSS #233844
BRAD'S RIVERS CON. INST. M.L.T. 1035-13
4460 BRAD'S RIVERS RD.
COLG S.C. 29210

mailed on
4-10-13
Bm

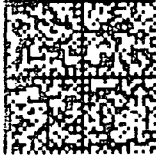
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APR 10 2013

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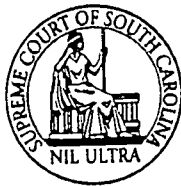
HONORABLE JUDGE NEWMAN
P.O. Box 516 Kingslee, S.C.

29556



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0008003534
APR 10 2013
MAILED FROM ZIP CODE 29210
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LEGAL MAIL



32

The Supreme Court of South Carolina

OFFICE OF DISCIPLINARY COUNSEL

Lesley M. Coggiola
Disciplinary Counsel

Joseph P. Turner Jr.
Assistant Disciplinary Counsel

Post Office Box 12159
Columbia, South Carolina 29211

Telephone: (803) 734-2038
Fax: (803) 734-1964

October 13, 2009

PERSONAL AND CONFIDENTIAL

Benjamin Ray Nabors #A-1
Laurens County Detention Center
P.O. Box 329
Laurens, SC 29360

Re: Judge: Circuit Court Judge D. Garrison Hill
Matter Number: 09-DE-J-0261

Dear Mr. Nabors:

We have received and reviewed your complaint about Circuit Court Judge D. Garrison Hill. The authority of this office and the jurisdiction of the Commission on Judicial Conduct concerning complaints against judges are limited to issues of whether a judge has committed misconduct or is incapacitated within the guidelines of the Rules for Judicial Disciplinary Enforcement, Rule 502, SCACR, adopted by the Supreme Court of South Carolina.

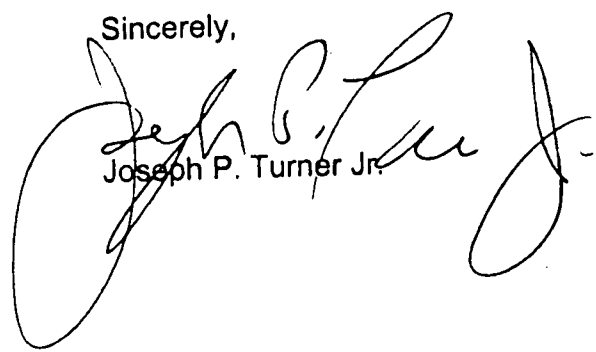
These rules do not apply to questions about whether or not the outcome of a case handled by a judge was fair. We do not have authority to intervene in any matter presently pending before a court or to change the outcome of the decision of a court. These are legal matters which must be addressed by you to the court or raised by you on appeal using the appropriate appellate procedures.

In addition, we do not seek to get a judge to do something a person wants done. We cannot give advice about your case or the legal system in general. This is not a place for an individual to seek relief, but a place where institutional values are promoted for the good of everyone who has dealings with our legal system.

Benjamin Ray Nabors
October 13, 2009
Page Two

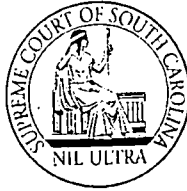
The information in your complaint involves legal matters that would not constitute misconduct or incapacity under these rules even if true and, as such, are outside the jurisdiction of this office and the Commission on Judicial Conduct. For this reason, your complaint is dismissed pursuant to the provisions of Rule 19(a) of the Rules for Judicial Disciplinary Enforcement.

Sincerely,



Joseph P. Turner Jr.

JPT/clg



34

The Supreme Court of South Carolina

OFFICE OF DISCIPLINARY COUNSEL

Lesley M. Coggiola
Disciplinary Counsel

Barbara M. Seymour
Deputy Disciplinary Counsel

Post Office Box 12159
Columbia, South Carolina 29211

Telephone: (803) 734-2038
Facsimile: (803) 734-1964

April 18, 2013

PERSONAL AND CONFIDENTIAL

Benjamin Ray Nabors #233844
Lee Correctional Institution
990 Wisacky Hwy
Bishopville, SC 29010

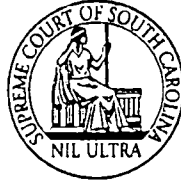
Dear Mr. Nabors:

Thank you for your recent letter. The authority of this office is limited to issues of whether a lawyer or judge has committed misconduct or is incapacitated within the guidelines of the conduct rules adopted by the Supreme Court of South Carolina. To answer your questions, we do not accept complaints on clerks of courts. You will need to file a complaint to the county in which the clerk is located. Also, there is no statute of limitations for filing a complaint against a lawyer or judge. Your complaint does not become public knowledge but it is presented to the lawyer or judge you are complaining about so he or she can fully respond to your allegations. We do not have jurisdiction to assist you in your court matters and cannot get you any type of relief. However, if you have a complaint about a lawyer or judge, you will need to provide us with the name of the lawyer or judge and a statement of your allegations. Feel free to contact us if you have any questions. Enclosed, please find a copy of your letters to this office.

Sincerely,

Tiffany Richardson

Tiffany N. Richardson
Staff Attorney



31

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499

December 8, 2009

Mr. Benjamin R. Nabors
P.O. Box 329
Laurens, SC 29360

Dear Mr. Nabors:

This responds to your letter to Chief Justice Toal dated November 28, 2009, and received on December 7, 2009. Please be advised that the Chief Justice cannot assist you with these matters.

If you have good cause to have your counsel relieved or want to proceed without an attorney, these are matters that will need to be addressed by the trial court.

Sincerely,

Daniel E. Shearouse

cc: J. Michael Turner, Jr., Esquire (with copy of letter)

**TURNER &
BURNEY, PC**
ATTORNEYS AT LAW

J. MICHAEL TURNER, SR.
RHETT D. BURNEY
MATTHEW P. TURNER
MICHAEL TURNER, JR.

31

REPLY TO:

PO Box 668
LAURENS, SC 29360

October 6, 2009

Ben Nabors, LCDC
PO Box 329
Laurens, SC 29360

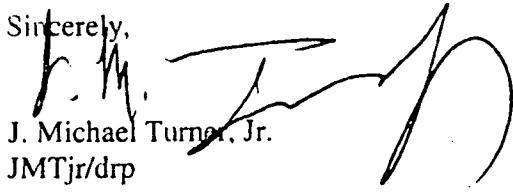
Dear Mr. Nabors:

Please be advised that I am in receipt of your letter dated September 29, 2009 regarding your request. Please note that I have been in touch with the Solicitor's Office and will be going through the process of obtaining everything need for your case.

In the meantime, should you have any other questions, please do not hesitate to give me a call or write me again.

Thank you for your attention to this matter.

Sincerely,


J. Michael Turner, Jr.

JMTjr/drp

Laurens | Simpsonville

105 W. Public Square, Laurens, South Carolina 29360 • 864-984-6565 Phone • 864-984-5451 Fax
419 SE Main Street, Suite 300, Simpsonville, South Carolina 29681 • 864-228-1616 Phone • 864-248-6474 Fax
www.tandblaw.net

**TURNER &
BURNEY, PC**
ATTORNEYS AT LAW

J. MICHAEL TURNER, SR.
RHETT D. BURNEY
MATTHEW P. TURNER
MICHAEL TURNER, JR.

3

REPLY TO:

PO Box 668
LAURENS, SC 29360

October 14, 2009

Ben Nabors, LCDC
PO Box 329
Laurens, SC 29360

Re: The State v. Ben Nabors

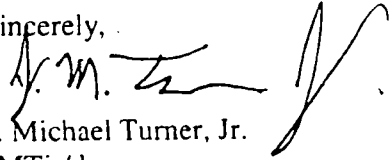
Dear Mr. Nabors:

Please be advised that I am in receipt of your letter dated September 30, 2009 concerning several issues including, but not limited to a hearing/motion to suppress, services of an investigator, 911 tapes and information from Fox News. As you know, I have sent you several letters regarding your case including some of the preliminary discovery that I have been able to obtain at this time. As mentioned, I will be trying to receive the rest of the information that you have requested. However, some of the evidence that you would like to obtain may not be required by the state. We will obviously obtain every single thing that we can.

I also think that it is important at this time that you understand for your case that I am only able to represent you at this time. I say that only because I know you referenced your wife in many of these letters. Therefore, I am not saying her case is irrelevant whatsoever. What I am trying to express to you is that I cannot advise her, nor obtain any evidence that might be particular to her case. I don't know who her attorney is at this point. I say that out of precaution and I hope you understand.

I will let you know as soon as I receive the rest of the information and I look forward to meeting with you soon. Thank you for your attention to this matter.

Sincerely,


J. Michael Turner, Jr.
JMTjr/drp

Laurens | Simpsonville

105 W. Public Square, Laurens, South Carolina 29360 • 864-984-6565 Phone • 864-984-5451 Fax
419 SE Main Street, Suite 300, Simpsonville, South Carolina 29681 • 864-228-1616 Phone • 864-248-6474 Fax
www.tandblaw.net

**TURNER &
BURNEY, PC**
ATTORNEYS AT LAW

J. MICHAEL TURNER, SR.
RHETT D. BURNEY
MATTHEW P. TURNER
MICHAEL TURNER, JR.

3

REPLY TO:
PO Box 668
LAURENS, SC 29360

December 7, 2009

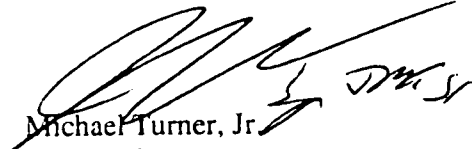
Ben Nabors
C/O Johnson Detention Center
Post Office Box 329
Laurens, SC 29360

RE: State of South Carolina v. Ben Nabors

Dear Mr. Nabors:

I enclose herewith the Motion to be Relieved as you have directed. I have also enclosed a copy of your entire file which has been previously delivered to you.

Sincerely,


Michael Turner, Jr.
JMTJr/ljf

Enclosures

**TURNER &
BURNEY, PC**
ATTORNEYS AT LAW

J. MICHAEL TURNER, SR.
RHETT D. BURNEY
MATTHEW P. TURNER
MICHAEL TURNER, JR.

32

REPLY TO: PO Box 668
LAURENS, SC 29360

November 30, 2009

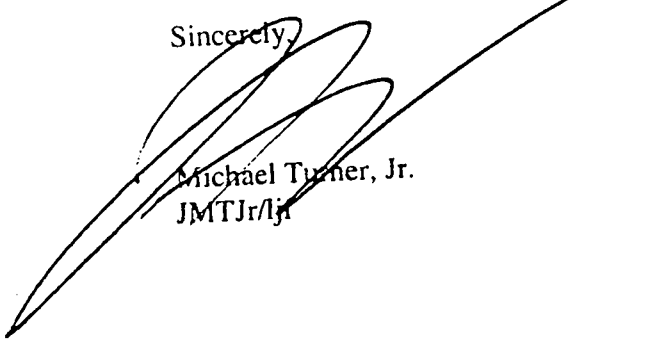
Ben Nabors
C/O Johnson Detention Center
Post Office Box 329
Laurens, SC 29360

RE: State of South Carolina v. Ben Nabors

Dear Mr. Nabors:

I am in receipt of more letters from you. In light of your last letters, it appears that we should file a motion requesting that you be evaluated by the State Department of Mental Health. This is due to you stating that you did not know what you were doing at the time of the crime. Accordingly, we will make a motion for a mental evaluation. You will be sent to the Columbia if the motion is granted to be evaluated.

Sincerely,


Michael Turner, Jr.
JMTJr/ljt

**TURNER &
BURNEY, PC**
ATTORNEYS AT LAW

J. MICHAEL TURNER, SR.
RHETT D. BURNEY
MATTHEW P. TURNER
MICHAEL TURNER, JR.

REPLY TO:

PO Box 668
LAURENS, SC 29360

November 2, 2009

Supreme Court of South Carolina
Post Office Box 11330
Columbia, SC 29211

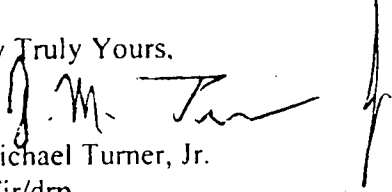
Re: Ben Nabors

To Whom It May Concern:

I am in receipt of your letter dated October 20, 2009 regarding Mr. Nabors' letter dated October 11, 2009. As noted, I am appointed as counsel of record for Mr. Nabors. I would like the court to know that I have sent numerous letters to Mr. Nabors at the Johnson Detention Center here in Laurens, and also was afforded the opportunity to meet with him the other day regarding his case. During my discussion with Mr. Nabors, he had not been receiving my correspondence to him.

As the letter I received from your office, I appreciate the notice for any additional assistance that I may be able to help with Mr. Nabors' case.

Very Truly Yours,


J. Michael Turner, Jr.
JMTjr/drp

CC: Mr. Ben Nabors
PO Box 329
Laurens, SC 29360

**TURNER &
BURNEY, PC**
ATTORNEYS AT LAW

J. MICHAEL TURNER, SR.
RHETT D. BURNEY
MATTHEW P. TURNER
MICHAEL TURNER, JR.

4

REPLY TO:

PO Box 668
LAURENS, SC 29360

November 19, 2009

Ben Nabors
C/O Johnson Detention Center
Post Office Box 329
Laurens, SC 29360

RE: State of South Carolina v. Ben Nabors

Dear Mr. Nabors:

I am in receipt of three letters which you sent, all received by me on November 18, 2009. In your letters, you request a number of different things.

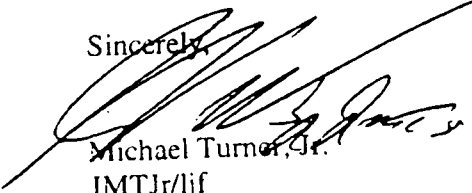
As I have previously explained to you, being intoxicated by drugs does not constitute a defense to your crime. I have previously stated as well, if you contend that you were mentally ill at the time of the commission of the crimes, then we need to have you sent to Columbia for a mental evaluation. Please let me know if you wish for me to file a motion to that effect.

I am not aware of any cases that support the position which you are alleging and demanding that we send copies of those cases to you. We have not located any such cases in a review of the law books.

Also, we do not have a softbound dictionary to send to you. That is not part of my responsibility as your Court appointed attorney.

You have asked for an expert physician and a private investigator. ~~What information can we furnish to the Court which would convince a Judge to provide you with a private investigator?~~ As I understand the facts of your case, you admitted that you were guilty of the crime as charged. What purpose then is a private investigator needed?

Sincerely,


Michael Turner, Jr.
JMTJr/ljf

Laurens | Simpsonville
105 W. Public Square, Laurens, South Carolina 29360 • 864-984-6565 Phone • 864-984-5451 Fax
419 SE Main Street, Suite 300, Simpsonville, South Carolina 29681 • 864-228-1616 Phone • 864-248-6474 Fax
www.tandblaw.net

RECEIVED

CLERK DISCIPLINARY COUNSEL,
Supreme Court, S.C.
Lesley M. Coggiola

From: BENJAMIN RAY NABERS, L.C. 020-A-11
P.O. Box 329, Laurens, S.C. 29360

RE: COMPLAINT AGAINST William G. Mayel, of
The Laurens County Bar

RE: COMPLAINT AGAINST, D. GARRISON Hill
presiding Judge, Eighth Judicial Circuit,
And RE: THE SOLICITOR who's prosecuting m.
charges. I do NOT know his name.

Dear Ms. Coggiola,

ON September 22, 2009, I went before the above
mentioned Judge, with the above mentioned lawyer,
my counsel.

MR. Mayel, my lawyer at that time, had over-
stressed to me my need to go before this Judge,
"for a special plea". COURT WAS NOT IN SESSION
the time, for Laurens County, but somehow this
Judge was holding court, just for myself, and
one other defendant, Paul Morris, who was
also Mr. Mayel's client, and accepting a plea
for 24 yrs. for murder.

MR. Mayel, stressed to me, just the day
before, "our very first, and only meeting" that
my best bet was to accept the solicitor's "deal"
for 12 yrs. violent, at 85%, with five yrs.
probation, for my carjacking charge. I expressed
to Mr. Mayel that I wanted a copy of my discov.

#2

4

And That I wanted an investigator hired for my defense of these charges. The same thing have been requesting and pleading for, since my arrest on 6-11-89. AS OF YET, I have not received a copy of my rule 5 Brady, nor an investigator.

MR. MAYET was like, "Look Nabor, it does matter that you were hallucinating at the time you stole the car or that you were released on a 5000. P.R. Bond from the County Jail just hours before you stole the car and that the Jail staff knew you were still under the influence of crystal meth when you were released" How just hours before you were arrested for stealing the car, you had also been arrested for calling 911, claiming that you seen your wife kidnapped and murdered while hallucinating, etc.

IN SHORT, MR. MAYET was like agree, the solicitors 12 yrs. 85% with 5 yrs probat. to follow. "I had not even been indicted so in short, I felt he was not going to represent me well, so I told him okay, and once he got me in front of the judge I explained to the judge that I wanted another lawyer, and that MR. MAYET refused to hand over my discovery, etc. so he granted me another court appointed lawyer to represent me on my cases. Bu

#3

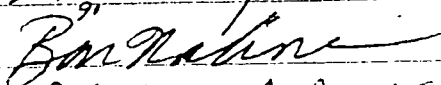
44

The Judge, The Honorable D. GARRISON Hill,
REFUSED my request For A copy of my
discovery, and acted like he did not want
to hear anymore about how I felt the
Solicitors office was practicing
"malicious prosecution" etc. For holding my
wife on the same charges, even though I have
been telling them since my arrest that
she was INNOCENT, etc. How I hear he
and she was in fear of her life to flee
from me or attempt to get away from me

please Help me? I feel like Laurens
County is practicing malicious prosecu.
against myself and my wife, Jennifer Hugh.
because the victim in our cases, is an
ex-police officer and her 2 sons are
police officers here in this county,
and are directly involved in these case

CAN you HELP? please respond.

my NEW COURT appointed LAWYER IS,
J. Michael Turner, JR. OF Laurens
And I'm wondering IS he going to be the same

Sincerely

BEN NABORS

TO: COMMISSION ON JUDICIAL CONDUCT
1015 SUMTER ST.
CALHOUN BLDG, RM-111
COLUMBIA, S.C. 29201

RECEIVED
SEP 09 2011
COMMISSION ON
JUDICIAL CONDUCT

FROM: ^{FAD-} DARRELL L. HUDGENS #250464
EVANS CORR. INST. F-5-C
610 HWY. 9 WEST
BENNETTSVILLE, S.C. 29512

RECEIVED

SEP 09 2011

OFFICE OF
DISCIPLINARY COUNSEL

9-6-11

TO WHOM IT CONCERNS,

I AM REQUESTING THIS LETTER TO SERVE AS A
"LETTER OF COMPLAINT" TO BE FILED WITH YOUR AGENCY
AGAINST JUDGE D. GARRISON HILL, OF GREENVILLE COUNTY
JUDICIAL CIRCUIT.

ON MARCH 8, 2011, JUDGE HILL ACCEPTED A PLEA
FROM ME KNOWING I WAS UNDER THE INFLUENCE OF
ANTI-PSYCHOTIC/PSYCHOTROPIC MEDICATION, AND, HAVE A
HISTORY OF MENTAL HEALTH PROBLEMS INCLUDING BEING
PREVIOUSLY FOUND INCOMPETENT. HE WAS AWARE OF
OF THIS INFORMATION YET, HE STILL ALLOWED/ACCEPTED
GUILTY PLEA WITHOUT DETERMINING WHETHER I FULLY
UNDERSTOOD SUCH PLEA, WHICH I DID NOT.

PLEASE INFORM ME IF I NEED TO PROVIDE ANY
FURTHER INFORMATION TO FILE THIS COMPLAINT.

THANK YOU, YOUR ASSISTANCE IS GREATLY APPRECIATED.

SINCERELY,

Jim-Daniel Hudgens

pg 1 of 8

RECEIVED

FEB 19 2010

RECEIVED

FEB 19 2010

41

OFFICE OF
DISCIPLINARY COUNSEL

2-14-16

DATE

TO: Commission on Lawyer Conduct
 Office of Disciplinary Counsel

From: BENJAMIN RAY NABORS
 P.O. Box 329, Laurens, S.C. 29360

RE: Ethical misconduct, i.e. concerning
 Michael Turner, JR, performance as
 my "Court appointed Counsel" of record
 and his failure as such, to provide
 me with effective and meaningful
 representation as such, since his
 initial appointment, on or thereabout,
9-22-09

Dear Commission on Lawyer Conduct,
 please find enclosed with this
 formal communication / complaint, concerning
 Attorney "Michael Turner, JR" several
 pieces of official and related subject matter
 concerning his ineffectiveness as my court
 appointed counsel. Concerning his blata
 refusal to honor my many request to him,
 concerning the direction in which I wish
 for him to lead my defense, and concerning
 his refusal to gather and make readily
 available for presentation, evidence for
 my defense, which I have constantly and
 persistently made known not only to hi

but to all other parties involved in these criminal proceedings as well, that I do consider such requested evidence as both mitigating, as well as exculpatory to ~~not only~~ my defense, but also such as in regards to my wife's defense as well. Jennifer Ann Hughes, who happens to also be my codefendant in these proceedings,

As you will see by the preponderance of evidence I have taken the liberty "in good faith" to send for your review i.e. the enclosed documentation, that I have received less than adequate assistance of counsel from Mr. Turner, Jr's appointment to my defense.

Furthermore, you will see, and I hope, understand, my urgent need for someone's intervention and immediate assistance, concerning my on going and what does appear to be, an "up hill" batt. here within the Eighth Circuit, to receive an adequate and meaningful representation of counsel, in regards to my charges, J-616454, J-616455, which the STATE of

South Carolina, The county of Laurens has levelled against my person.

I humbly request that you do TAKE into consideration, the FACT that I have every since the beginning of, or the incorporation of these proceedings, I have sought after evidence, that is, or at least, "at the beginning of my search was in existence. And that I have made MR. TURNER, JR, aware of it's existence, and my intent to have it introduced into these proceedings as defense evidence. My complaint is that MR. TURNER, JR, has NOT attempted to honor any of my request, nor has taken such seriously, further more he has done exactly what I asked him to NOT do!

IN that I have contended that on the day of the crime, I was in fact "INSANE, or mentally ill", ON 6-10-0 and that I instructed MR. TURNER, JR, of such, and that "before" I would voluntarily undergo any sort of mental evaluation by either the STATE, or by my own "Requested" expert witnesses, This

before I would voluntarily submit to such evaluation, "I FIRST requested and would require" that those 911 recording and transcripts, for the dates and times as was then, in question, being the late night hours of 6-9-09, and the very early morning hours of 6-10-09, from Lauren Counties 911 system, as well as all police reports, witness statements and information which was generated as a direct result of me having suffered from hallucinations on the day in question 6-10-09, and that such mental 'condition' was known, y ignored, by the the parties responsible for me having been taken into custody but erroneously released from such custody, just a few short hours before I was again began suffer from mental hallucinations, and there did steal the victims car, because I believed she had a gun beneath her seat, and was in fact about to kill me, etc. etc. etc. etc. please excuse me, but I FEEL as if I have been beating the same drum to deaf ears, for months now!

I do NOT know what else I can possibly be expected to do! I'm indigent, and I do NOT have a voice, because every lawyer in which I'm given within the eighth circuit here, refuses to launch the type of defense I require! my defense every SINCE the very beginning, has NOT been one of intoxication, during the commission of these crimes, but has been one of insanity and/or guilty but mentally ill at the time of the crime. And I have time and time again, sought the collection of such evidence, as I have mentioned above, to lend this type of defense the credibility it so demands, if such a defense is to ever have hopes of enjoying success, it must have the evidence to back it up! And that evidence is in the form of 911 recording transcripts, etc. from the late night hours of 6-9-09, and the early morning hours of 6-10-09, when I did, while having severe hallucinations, call 911, "Lauren County's 911 system", requesting help because people were trying to kill me.

These calls lead to the documentation of events which I have been seeking the

collection of, such evidence in which I have made it known to all parties involved, including Michael Turner, JR. That I do intend to make known as defense evidence.

Furthermore. Due in part or in whole to Michael Turner, JR's influence I was forced at "stun gun point" and threats as well as violence, by Laurens County transportation officer's, unless I willingly came with them to a mental evaluation located in Columbia and in part ordered or motioned for by Michael Turner, JR's, DN 2-10-10.

And that such mental exam was contrary to the instructions in which Mr. Turner, JR. did, on numerous occasions, as enclosed documentation will prove receive from me. For I on numerous occasions did instruct Mr. Turner, JR. to "first" collect, and make such evidence as mentioned above ready to be inspected by the state's mental health experts, as well as my mental health experts, which I

myself, have been trying to get the Funding For. yet another request in which Mr. Turner JR. has failed to honor, which I have made on numerous occasions, known to him.

I humbly request that your office starts taking my complaints more seriously than what you have thus far taken them. They are real and they do deserve to be addressed in a timely and satisfactory manner by your most capable and respected staff. As I have made known.

I am indigent. I do not have a voice. No one I have thus far been appointed cares to hold the county police force, Jailers, or the Judge who released me that day, 6-10-09, on a P.R. Bond prior to these charges having taken place, "no one I have thus far been court appointed" will present the type of defense I'm calling for. Because to do so would mean that they would have to also put the above parties on trial, as well. AND that causes a conflict

ps 8 of 8

5

I feel, IN THAT IT WILL HAVE A
NEGATIVE EFFECT ON THEIR CAREERS
WITHIN THIS EIGHTH CIRCUIT AND
THAT NO ONE WHO IS APPOINTED TO ME
FROM THIS AREA, WILL VENTURE TO
TAKE CHANCE OF FALLING FROM GRACE
SO TO SPEAK, NOT IF SUCH MEANS
THEY WILL HAVE TO PUT FORTH THE TYPE
OF DEFENSE I DO REQUIRE.

NOTE → please copy, and RETURN, all
ENCLOSED DOCUMENTATION. EVERYTHING
IN WHICH I HAVE SENT ALONG WITH THIS
COMMUNICATION I DO EXPECT TO BE
PROMPTLY RETURNED TO ME, AND THE
RECEIPT OF SUCH DOCUMENTATION
MADE KNOWN AS HAVING BEEN RECEIVED
AND REVIEWED, BEFORE IT'S RETURN.

I need help!!! will you please
be the ones who will help me?

2-14-10
DATE:

Sincerely,

³³
Ben Nabors

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

2-9-10

CLERK OF COURT

54

C/O: Clerk of Court
Lynn Lancaster

2010 FEB -4 P 4:42

From: p.o. Box 287, Laurens, S.C. 29360
PRO SE DEFENDANT?
BEN NABORS

RE: p.o. Box 329, Laurens, S.C. 29360
Communication to:
Michael Turner JR.
ATTORNEY AT LAW
p.o. Box 668, Laurens, S.C. 29360

Dear madam:

1-31-10

DATE:

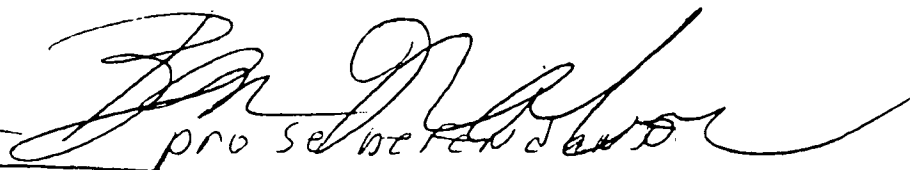
Please clock, copy, forward
and file this communication
to MR. TURNER JR as well as
a return copy to me.

Thank, and GOD BLESS.

Sincerely,

1-31-10

DATE


pro se defendant

BEN NABORS

p.o. Box 287 Laurens S.C. 29360



pg. 1 of 5

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1-31-10

C/O: Michael Turner, JR.
ATTORNEY AT LAW
P.O. Box 668, Laurens, S.C. 29360
From: BEN NABORS, "pro se defendant."
P.O. Box 329, Laurens, S.C. 29360
RE: specific Request, Prosecutorial
responsibility to those request.

Dear MR. TURNER, JR.

1-31-10

I know we've agreed to disagree,
so I speak, and you're trying your best to
distance yourself from my representation, etc
and that I fully support and respect such
efforts is a given. Just one problem with
this picture. Am I now considered to be in
fact a bona fide pro se defendant, or are
you legally still bound to me as my court
appointed attorney?

As you'll be asked to give account of,
I requested you to gather evidence which I
had made known to you was felt by me to
be both exculpatory, as well as mitigation
to my defense of insanity and or guilty,
mentally ill at the time of the crime, defense
MR. TURNER. I have made known to you,
myself as well as to several other courts

Pg. 2 of 5

54

1-31-10

Who's thus far been thrown upon me to "represent my best interest" in these cases J-616454, J-616455, that I wanted for my defense every piece of physical evidence there was, concerning the incident which did occur on the same day as the above noted charges are to have taken place. 6-10-09. That incident concerns my "mental fitness" per se, and automatically should bring into question, "liability, as well as responsibility," on the part of both the detention center staff here in Lauren, as well as the Judge who released me on that "P.R. Bond" on the day in question, which was [6-10-09], even though I had only a few hours before been taken into custody after calling 911 to report that people were trying to kill me! This created a very big disturbance within the counties "Lauren's", law enforcement community, as well as a major and noticeable strain on its resources for at least 3 hours, while my calls, which it was quickly determined, were caused, "triggered" by hallucinations were investigated.

Page 3 of 5

1-28-10 5

THE above evidence was generated and was the direct result of and did occur within the county of Laurd ON 6-10-09, the early morning hours OF, when such said defendant, name above in this motion for a "FAST and Speedy trial" did cause to TR. place by placing at least two (2) calls to the county's 911 system, requesting that officers be dispatched at once to his location, which was located ON Hellams Road, in the community of Graycourt. When the defendant was asked by 911 dispatch, "what was his emergency about" the pro se defendant explained as best as he could, that "people" were shooting at his person, chasing him through the woods, trying to kill him and his wife. The pro se defendant actions, his having placed these 911 calls did cause and result in a major disturbance within the county's Law enforcement community, by causing more than two dozen officers to respond to such calls, thereby...

page 4 of 5

1-28-10

resources. It was later determined that the defendant was having hallucinations due in part to sleep deprivation as well as having been under the influence of crystal meth for several days.

Also, officers were dispatched to this area of the county, because of others 911 calls, complaints, regarding the defendant's questionable behavior, and of his questionable state of mind.

The above named pro se defendant has made both the attorney for the state, as well as the eighth circuit court aware of his defenses intent to invoke a defense of insanity and/or guilty but mentally ill at the time of the crime, as has been so required of him by Rule 5 (F) SCRCP, concerning his current charges of both carjacking as well as kidnapping, which did originate on 6-10-09, also, thus making the above mentioned evidence relevant to such a defense as the one the defendant intends use. That defense being one of insanity and/or guilty but mentally ill at the time of the crime.

page 5 of 5

1-28-10

Carolina Rules and procedures, Criminal Law.

This makes several times the pro se defendant has made known his immediate need for this information. Also, the pro se defendant has on several occasions made known to both the attorney for the state, as well as the eighth circuit court, his sincere and obvious displeasure concerning the ineffectiveness of his court appointed lawyers. THE pro se defendant feels that such appointed officers of this court have shown a gross disregard for his many, many, such request, concerning his need, his defenses immediate need for both investigative as well as expert services, concerning his defense of the above listed charges.

cc. Jerry peace
P.O. Box 516
Greenwood, SC, 29648
cc. Judge Hill
305 E. North St.
Suite 213

Respectfully submitted
1-28-10
Benjamin Ray Nabors
BENJAMIN RAY NABORS

page 1 of 2

2-9-10

J615016

J616454
J616455

CLERK OF COURT, LAURENS COUNTY,
Lynn Lancaster, Clerk
P.O. Box 287, Laurens, S.C. 29360

From: BEN NABARIS, pro se defendant
P.O. Box 329, Laurens, S.C. 29360

RE: That the eighth circuit solicitors
office be made to incur sanctions
for the suppression of evidence that
this defense has made known it feels
to be both relevant exculpatory and
mitigating to the rebuttal of the
following charges for which the state
has brought against it. Those charges
being as follows: J-616454, J-616455.

Dear madam clerk,

2-2-10
DATE:

Please check, file, and forward the
following communication to the
Honorable D. Garrison Hill, at his
office, C/O:

D. Garrison Hill, Circuit Court Judge,
305 E. North St, Suite 213
Greenville, SC 29601

Page 2 of 2

ADDRESS TO THE CLERK, CONTINUED

CLERK OF COURT

as well as copies to the following parties, please, all of whom hold stock in these proceedings.

Sincerely, and respectfully, your

2-2-10
DATE: ³⁰ Ben Dabon



cc. JERRY W. PEACE, Solicitor
Eighth Circuit Solicitor's Office
P.O. Box 516, Greenwood, S.C. 29648

cc. SUSAN K. DUNN
STAFF ATTORNEY, A.C.J.U.
P.O. Box 20998, Charleston, S.C. 29413-0998

cc. Elizabeth Wray Guetz,
Attorney at Law
101 Whitsett St. Greenville, S.C. 29601

cc. GLEN BRADLEY, Investigator on Record
4265 Augusta Rd. Suite N,
Lexington, S.C. 29073

PAGE 1 OF 4

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TO: THE Honorable D. GARRISON HILL
EIGHTH JUDICIAL CIRCUIT COURT,
P.O. BOX 287, LAURENS, S.C. 29360

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

RE: pro se defendant's objection over
any and all ex parte procedures concerning
discovery of evidence considered by the
defense to be both exculpatory and mitigating,
to the INSANITY defense it intends on
presenting in answer to the STATES
charges it has so chosen to level
against him... J-616454, J-616455
That evidence being in the form of
911 recordings from Laurens Counties 911
system, which defendant did place calls
to, while "hallucinating", seeking police
protection and assistance on 6-9-09 and
the early morning hours of 6-10-09, within
Laurens County.

YOUR HONOR,

2-2-10

DATE:

I humbly request your help,
concerning the states REFUSAL to turn
over to the defense

Page 2 of 4

6
review, the following evidence. THE
defense does consider the following to be
"evidence" as well as "relevant", to the
defenses, "rebuttal evidence" concerning the sta.
charge against the defendant for carjacking,
J-616454, and armed robbery, J-616455.

Your Honor, I have for several months
now sought the following from the prosecution
in these proceedings. I humbly ask this
court to admonish and impose sanctions
against the eighth circuit solicitors office
concerning its "suppression of the
following evidence" which I have in vain
sought to obtain for my defense against
the above...

I have for several months now, put
forth every effort known available to me
to acquire the following evidence, which
I do consider to be both exculpatory and
mitigating to my defense against the above
charges.

This evidence is in the form of
911 recordings from incoming calls for
help to the Laurens County 911 center
which were placed in...

The late afternoon of 6-9-09 as well as the early morning hours of 6-10-09.

Also requested is any and all reports filed by officers who responded to the incident which was generated as a direct result of such calls having been dialed to the above mentioned 911 system. Such incident having occurred on Hellams Rd. Located in Graycourt township of Laurens County. Such incident involved at least (2) two dozen responding officers from the Laurens County Sheriff's department, as well as media coverage from Fox Carolina News, which was live on the scene of such above mentioned incident. In the reports, statements and eyewitness accounts concerning the above mentioned incident, which did take place on 6-10-09, within Laurens County, it was documented and recorded, that the defendant's mental health was in serious question. The defendant's mental health is also in question now, concerning 6-10-09, the date in which his charges are to have taken place. The defendant moves that this Honorable Court

Page 4 of 4

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INSTRUCT THE EIGHTH CIRCUIT SOLICITOR OFFICE TO HAND OVER THIS REQUESTED INFORMATION AT ONCE, WITHOUT ANY FURTHER DELAYS ON ITS PART, UNLESS IT IS WILLING TO INCUR SANCTIONS DEEMED APPROPRIATE BY THIS HONORABLE COURT TO REMEDY SUCH POWERS OF MONOPOLY, IN WHICH THE EIGHTH CIRCUIT SOLICITORS OFFICE HAS BLATANTLY TAKEN IT UPON ITSELF TO HOLD OVER THIS DEFENDANT.

Respectfully submitted,

³⁶
Ben Nabors

BEN NABORS ✱

PO Box 329

Laurens, S.C. 29360

2-9-10

6

C/O: Clerk of Courts ~~OFFICE~~ P 4:41-29-10
Lynn Lancaster
Clerk of Court, Laurens County,

From: BENJAMIN RAY NABORS,
pro se DEFENDANT,
P.O. Box 329, Laurens, S.C. 29360

RE: Enclosed letter to The Commission
ON INDIGENT DEFENSE: OFFICE OF THE
EXECUTIVE DIRECTOR, P.O. Box 11433,
Columbia, S.C. 29211-1433

Dear madam clerk, 1-29-10
Please clock, file, forward, and mail
copies to the following parties who all
have interest in this communication.

1) CC: Jerry W. Peace, Solicitor
P.O. 516, Greenwood, S.C. 29648

2) CC: Elizabeth Wiy Gud
Attorney of Law
101 Whitsett St.
Greenville, S.C. 29601

3) CC: Glen Bradley,
Investigator,
4265 Augusta Rd. Suite N
Lexington, S.C. 29073

Sincerely,
Benjamin Ray Nabors
pro se defendant,
P.O. Box 329, Laurens
S.C. 29360

PAGE 1 OF 5

1-29-10

C/O: Commission on Indigent Defense;
OFFICE of The Executive Director,
P.O. Box 11433, 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 office's "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
court's office to be "Relieved as Counsel
concerning my above charges. He has notified
the solicitor, Jerry W. Peace # 864-942-8800
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 6-10-05

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 NON OF THESE PEOPLE, ATTORNIES BILL MAYER, THE PUBLIC DEFENDER, CLAUDE H. HOWE, III, OF LAURENS COUNTY, AS WELL AS, MICHAEL TURNER, JR, ALL OF LAURENS COUNTIES BPAI 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 ANY ONE 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 car
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
Jail, because of an outstanding warrant
J-615016, for "Grand Larceny. IT WAS
told to the jailers at the detention center

p54 of 5

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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 wrongfully 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 Bradely, 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

C. GLEN Bradely,
 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
 CC. Elizabeth Wiygul
 Attorney of Law
 101 Whitsett St.
 Greenville S.C. 29601

2-9-10

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LYNN LANCASTER
C/O: Clerk of Court
Laurens Court House

1-28-10

From: P.O. Box 287 - Laurens S.C. 29360
BENJAMIN RAY NABORS

P.O. Box 329 Laurens S.C. 29360
RE: COMMUNICATION TO SOLICITORS OFFICE

Dear madam:

1-28-10

and please return: please clock copy, forward
Thank you, and Goodbye.

1-28-10
Sincerely
Benjamin Ray Nabors

CC: Jerry W. Peace
P.O. Box 516
Greenwood, S.C. 29648

CC: THE Honorable D. Garrison Hill
305 E. North St. Suite 213
Greenville, S.C. 29601

CC: Glen Bradely, Investigator
4265 Augusta Rd. Suite N
Lexington S.C. 29072

PAGE 1 OF 5

1-28-10

7

STATE OF SOUTH CAROLINA
County of Laurens
State of South Carolina

IN THE COURT OF General Sessions
Eighth Judicial Circuit

VS.

BENJAMIN RAY NABORS
pro se defendant

MOTION FOR FAST
and Speedy trial,
J-616454, J-616455
Carjacking and Armed Robbery

to: Eighth Circuit Solicitor,
Jerry W. PEACE
P.O. Box 516 Greenwood,
S.C. 29648

1-28-10
DATE:

WILL THE SOLICITOR FOR THE STATE
THE Honorable Jerry W. PEACE,
please take notice of the following article
A motion for a FAST and speedy trial
concerning the above listed charges.

THE ABOVE NAMED pro se
defendant hereby seeks protection
against and from, any further undue
delays or oppressive incarceration
concerning his current detention in
relation to the above charges.

ALSO, THE ABOVE NAMED pro se defendant
hereby seeks protection against any further
harm caused to his defense, by the state,
because of its delay in prosecution.

him on the above listed charges in an reasonable amount of time.

THE ABOVE NAMED PRO SE DEFENDANT has through-out his entire pre-trial detention, "such detention having begun on 6-11-09", has sought repeatedly from the state, and the court, assistance in preparing for his defense of the above listed charges by assisting his defense in the gathering of the following information, which such said defendant does consider to be both exculpatory, as well as mitigating evidence for his defense in regards to the above listed charges. This evidence being in the form of, but not limited to the following: (1) 911 tape records

from Laurens counties 911 system, for the early morning hours of 6-10-09, as well as the gathering of: (2) Both police reports, as well as eyewitness statements, all of which the above listed pro se defendant does consider to be, and has made known to both the state, as well as to the eighth circuit court to be, mitigating and exculpatory to his defense of the above listed charges.

Pg. 3 of 5

1-31-10

NOW my questions are as follows, Did you or did you NOT secure copies of all 911 recordings for 6-10-09 the early morning hours of, as well as 911 recordings for 6-9-09, the hours leading from 9pm until 8am 6-10-09? AT least 2 calls were placed by myself from witnesses cell phone. I ALSO requested that my defense be given copies of all police reports, names and rank of every officer who responded to such call or was dispatched to such location. Copies of any other 911 tapes from when witnesses and complainants called 911, or the Laurens County Sheriff's department to report my very questionable behavior at the location of this incident, etc. which was on Hellams Rd, located in Gray Court. I also have been requesting the same evidence from the Solicitors office. I've written to Mr. Peace, Mr. Gibson, and Mr. Hamsuck, asking each one of these five outstanding officers of the Court to please make ready for my inspection the above requested evidence.

pg 4 of 5

1-31-10

which I do consider both weighty, material, relevant, and of great and substantial importance to my defense! please inform me if you at least carried out this simple request or not. AND please inform me whether or not this Jail Staff, i.e. "Major Hudson" is going to honor my request to be allowed the use of Law books etc. for my defense. further more please mail to me, 2 - Legal pads, so that I may communicate with the Courts, concerning the defense of these charges, etc. so that I'm able to continue my defenses back and forth communications with all parties currently involved in this proceeding. Thank you, and please Sir, have a good day!

1-31-10
DATE:

Sincerely

Ben Nabors

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

RECEIVED RECEIVED

OCT 15 2009

OCT 15 2009

COMMISSION ON
LAWYER CONDUCT

100 OFFICE OF
DISCIPLINARY COL

C/O: Sabrina Todd

Assistant Disciplinary Counsel

From: BEN NABORS, #A-1, Laurens County Detent
Center, P.O. Box 329, Laurens, S.C. 29360
RE: Complaint against, William G. Mayer.

ON 8-10-09, I was appointed the public defender
office. I automatically complained, because I felt
a real conflict of interest was at issue. So on
9-3-09, I was appointed William G. Mayer,
of the Laurens County Bar.

Between the dates of 9-4-09 to 9-21-09,
I mailed several letters to Mr. Mayer, stressing
my need for an investigator to be hired for my
defense, to gather very important information for
my defense. I also requested a copy of my discovery.
He, "Mr. Mayer" never responded to any of my
letters or calls. Then, on 9-21-09, he, "Mr. Mayer"
shows up here at the jail, to see me. He spent
five minutes of "his time" with me, in which he
flatly refused to give me a copy of my discovery.
Mr. Mayer used strong language in this conversation
of ours, to stress to me that the best I could hope
for would be to accept the 12 yrs. violent with
5 yrs. probation, to follow, that was being offered
to me by the solicitor's office. I repeatedly
tried to explain to him, my need to have certain
things gathered for my defense.

Strongly about such. [That I was having acute hallucinations, at the time of the crime, and that I had been once, "already that same day" in police custody, as a result of these hallucinations. Yet the police gave me a PIR BOND and let me go, even though they knew I was hallucinating.] And I informed Mr. Mayer that I wanted copies of 911 tapes, statements, etc. From that incident, it was directly related to my current charges. "I have been seeking these things since my arrest on 6-11-09." No one seems to care! So Mr. Mayer is like "look, just take the 12 yrs, go on down the road, and put this mess behind you." So I asked Mr. Mayer, once again "will you please hire an investigator for me?" He, Mr. Mayer, said "NO I didn't have a defense." I then asked Mr. Mayer for a copy of my discovery, again Mr. Mayer informed me that if I pleaded guilty the following day, 7-22-09, when the "Judge is coming in to accept a plea for another one of his clients." Mr. Mayer said if I done that then, and only then, would he give me a copy of my discovery. So, feeling like I was stuck with a lawyer who could care less about my defense, I told him to get me in front of the Judge. So the next day, myself and one

#3

75

his other clients, [Paul Morris] was taken over to the court house, to plea. Before his honor, D. Garrison Hill, on 9-22-09. [Court was held just for us two inmates. So, I, after signing the guilty plea, etc. was brought before the above mentioned judge by Mr. Mayer. And upon entering the court room, I seen Mr. Mayer, with the victim with his arm over her shoulders.

Once in front of the Judge I made my complaints known, also stating that Mr. Mayer refused to grant my request, for my discovery. The Judge removed Mr. Mayer, and since then I have been appointed another lawyer, this one also from Laurens, J. Michael Turner, Jr. Does any of this make sense to you? How a lawyer can refuse my request, etc. And then try to talk me into accepting a plea for 12 yrs violent. Mr. Mayer wouldn't even hear me out concerning my defense. Then I asked the above mentioned Judge about my discovery, He refused my request, also. I was not even indicted on any of these charges, yet. And Mr. Mayer has a Judge come in, him and the solicitor just to accept 2 pleas? Come on, this stinks, and everybody knows it.

PLEASE RESPOND! THANK YOU! Sincerely,
Ben M.

1 of 4

RECEIVED

DEC 07 2009

RECEIVED

DEC 07 2009

11-28-09

C/O: CHIEF JUSTICE, S.C. SUPREME COURT
From: BENJAMIN R. NABORS, PRO SE DEFENDANT
p.o. Box 329, LAURENS, S.C. 29553

OFFICE OF CHIEF JUSTICE

RE: INDIGENT DEFENSE, PRO SE STATUS REQUEST
Dear Chief Justice toad. 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 nut shell, 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 while I was still very much suffering from the above. I didn't have a ride home.

20F4

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 JACKING 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 see
 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

Pg 40F4

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 COUNTY 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 Nabor

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!

Page 1 of 3 "MR. Richey & COMMUNICATION(S) TO SOLICITORS about Subject of NARC, PROOF INSANITY DEFENSE public Authority DEFENSE"
C/O: ASSISTANT SOLICITOR GENERAL GIBSON
From: BEN NABORS
CLERK OF COURT

ALAN...
11

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

DEAR SIR,

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

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

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

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

P92 of 3

10 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 LICENSES ETC. AND THAT I WAS CONSTANTLY UNDER THE INFLUENCE OF DRUGS WHILE DRIVING THEIR CAR, ETC. I HAVE MADE ALL OF THIS PUBLIC KNOWLEDGE. IN THE EVENT SOMETHING BEFALLS ME, THE TRUTH WILL STILL BE EXPOSED.

my wife is INNOCENT, and I believe a jury, "any jury", will find in her favor. I'm tired of our rights being violated by THIS JUDICIAL CIRCUIT'S OFFICERS OF THE LAW. RIGHTS RIGHTS RIGHTS !!! WE STILL HAVE RIGHTS !!! AND RIGHT IS RIGHT AND WRONG IS WRONG. AND IT'S WRONG TO KEEP SOMEBODY IN JAIL FOR ANY LENGTH OF TIME WHEN IT'S OBVIOUS THAT THAT PERSONS INNOCENCE IS IN QUESTION, AND THAT THEIR CONSTITUTIONAL RIGHTS ARE BEING INFRINGED

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

AGENCY I.D.
SC0300000

LAURENS COUNTY SHERIFF'S OFFICE

INCIDENT REPORT

08003068

INQ.

INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE
1. 23H - LARCENY - ALL OTHER		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	20		<input checked="" type="checkbox"/> Indi <input type="checkbox"/> Bus <input type="checkbox"/> Fina <input type="checkbox"/> Gov <input type="checkbox"/> Refi <input type="checkbox"/> Soc. <input type="checkbox"/> Othe. <input type="checkbox"/> Unkn <input type="checkbox"/> Polit
2.		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
3.		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)
3058 HELLAMS RD., GRAY COURT. SC

ZIP CODE: 29645 WEAPON: TY

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK	DISPATCH TIME	TIME ARRIVED	DEPART. TIME	LOCATION
08/28/2008	0700		08/28/2008	2100	08/28/2008	2128	2134	2207	09

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE): GRIFFIN, KERRY DEANNA

RELATIONSHIP TO SUBJECT: #1 AQ #2 #3

RESIDENT: SOU RACE: W SEX: F AGE: 34 ETH: N

DAYTIME PHONE: [REDACTED] EVENING PHONE: [REDACTED]

ADDRESS: HELLAMS RD. CITY: GRAY COURT STATE: SC ZIP CODE: 29645 LOCATION: 18

VICTIM'S NAME (LAST, FIRST, MIDDLE): NEIGHBORS, KENNY

RELATIONSHIP TO SUBJECT: #1 #2 #3

RESIDENT: SOU RACE: W SEX: M AGE: 50 ETH: N

DAYTIME PHONE: [REDACTED] EVENING PHONE: [REDACTED]

HEIGHT: 5-8 WEIGHT: 230 HAIR: BRO EYES: BLU

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS: 3038 HELLAMS RD. CITY: GRAY COURT STATE: SC ZIP CODE: 29645 LOCATION: N

VISIBLE INJURY (VICT. 1) YES NO EXPLAIN -

VICTIM (NO. 1) USING: ALCOHOL: YES NO UNK. DRUGS: YES NO UNK.

TWO-MAN VEH. ONE-MAN VEH. DETECTIVE/SPLASMT. OTHER ALONE ASSISTED

SUSPECT SUBJECT NAME (LAST, FIRST, MIDDLE): WORTHY, JAMES RICHARD

RACE: W SEX: M AGE: 45 ETH: N DATE OF BIRTH: [REDACTED] HEIGHT: 5-8 WEIGHT: 165 HAIR: BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS: 91 PRINCE RD. CITY: LAURENS STATE: SC ZIP CODE: 29360 LOCATION: NC

SUBJECT (NO. 1) USING: ALCOHOL: YES NO UNK. DRUGS: YES NO UNK. TYPE:

ARRESTED NEAR OFFENSE SCENE YES NO

TOTAL # ARRESTED: 2 DATE/TIME OF OFFENSE: 08/28/2008 0700 DATE/TIME OF ARREST: 09/18/2008 1

Offenses:
LARCENY - ALL OTHER

ON ABOVE DATE AND TIME SGT. KURTA RESPONDED TO I/L IN REFERENCE TO A BREAK-IN. UPON SGT. KURTA'S ARRIVAL HE SPOKE WITH THE COMP. SHE ADVISED THAT THE VICTIM WAS OUT OF TOWN AND THAT HE HAD THE SUBJ. TO WATCH HIS PLACE WHILE HE WAS GONE. THE SUBJECT, WHO WAS NOT THERE WHEN SGT. ARRIVED, TOLD THE COMP. THAT THE VICTIMS SON SHOWED UP AT THE VICTIMS RESIDENCE AND THAT HE TOOK THE ITEMS. SGT. KURTA WAS ABLE TO TALK WITH THE VICTIM OVER THE PHONE AND HE BELIEVES IT WAS THE SUBJECT AND NOT HIS SON WHO TOOK THE ITEMS. SGT. KURTA ADVISED THE VICTIM THAT WITHOUT HIM BEING HERE THAT HE COULD ONLY DO A PRELIMINARY REPORT AND THAT WHEN HE COMES BACK IN TOWN HE NEEDED TO MAKE CONTACT WITH THE INVESTIGATOR TO DO A FOLLOW UP REPORT. VICTIM WANTED REPORT JUST TO DOCUMENT WHAT HAPPENED SO FAR. SGT. KURTA ALONG WITH THE COMP. WENT NEXT DOOR TO SEE WHAT MIGHT HAVE BEEN TAKEN. THE ONLY THINGS THAT APPEARED TO BE MISSING WAS A FLAT SCREEN T.V AND A STEREO (NO FURTHER INFORMATION AVAILABLE AT THIS TIME). SGT. KURTA ALONG WITH THE COMP. SECURED THE RESIDENCE WHEN WE LEFT AND THE COMP. TOOK CUSTODY OF THE KEYS PER THE VICTIMS REQUEST

[Handwritten signature: K. Kurta]

PROPERTY	TYPE (GROUP)	26-Radios/TVs/VC	36-Tools	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY 0300000	JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY
	Burned				
	Count/Forged				
	Desi./Damaged				
	Recovered				
Seized					
Stolen		1575.00	600.00		
Unknown					2175.00

REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH 2. NO PROSECUTION 3. EXTRADITION DENIED 4. VICTIM DECLINES COOPERATION 5. JUVENILE - NO CUSTODY

REPORTING OFFICER(S): SGT. BRIAN KURTA DATE: 08/28/2008 UNIT NUMBER: 227

APPROVING OFFICER: LIEUTENANT MARTY CRAIN DATE: [REDACTED] UNIT NUMBER: [REDACTED]

3
AGENCY I.D.
S00300000

LAURENS COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL INCIDENT REPORT

0 8 0 0 3 0 6 8 INQ.

- ORIGINAL REPORT
- SUPPLEMENTAL REPORT
- ADDITIONAL VICTIMS
- ADDITIONAL STOLEN PROPERTY
- MODIFIES ORIGINAL
- CASE STATUS CHANGE
- ADDITIONAL OFFENDERS
- ADDITIONAL RECOVERED PROPERTY

PAGE

V I C T I M # S U B J E C T # R U N A W A Y W A R R A N T A R R E S T J A I L S U M M O N S	<input type="checkbox"/> COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE	D.O.B.			
	<input type="checkbox"/> VICTIM #	NABORS, BENJAMIN RAY		#1	#2	#3	J	S	O	U	W	M	32	
	<input checked="" type="checkbox"/> SUBJECT # 02	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
	<input type="checkbox"/> RUNAWAY	5-8	185	BAL	BLU									
<input checked="" type="checkbox"/> WANTED	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING I					
<input type="checkbox"/> WARRANT	3508 HELLAMS RD		GARY COURT		SC	29645								
<input type="checkbox"/> ARREST	<input type="checkbox"/> VICTIM NO. _____	VISIBLE INJURY: <input type="checkbox"/> NO <input type="checkbox"/> YES		VICTIM USING ALCOHOL: <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> UNK.			<input type="checkbox"/> TWO-MAN VEH. <input type="checkbox"/> DETECTIVE/SPLASMT							
<input type="checkbox"/> JAIL	EXPLAIN:		DRUGS: <input type="checkbox"/> NO <input type="checkbox"/> YES TYPE: _____			<input type="checkbox"/> UNK. <input type="checkbox"/> ONE-MAN VEH. <input type="checkbox"/> OTHER								
<input type="checkbox"/> SUMMONS	<input checked="" type="checkbox"/> SUBJECT NO. 02	USING ALCOHOL: <input type="checkbox"/> NO <input type="checkbox"/> YES		USING DRUGS: <input type="checkbox"/> NO <input type="checkbox"/> YES TYPE: _____			<input checked="" type="checkbox"/> UNKNOWN							

A D M I N I S T	SUBJECT IDENTIFIED		SUBJECT LOCATED		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED		<input type="checkbox"/> ARRESTED UNDER 18		<input type="checkbox"/> EX-CLEAR UNDER 18	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> UNFOUNDED		<input checked="" type="checkbox"/> ARRESTED 18 AND OVER		<input type="checkbox"/> EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY									
REPORTING OFFICER(S)			DATE	UNIT NUMBER	APPROVING OFFICER			DATE	UNIT NUMBER	
SGT. BRIAN KURTA			08/28/2008	227	LIEUTENANT MARTY CRAIN					

AGENCY I.D.
SC0300000

LAURENS COUNTY SHERIFF'S OFFICE

PROPERTY LISTING

0 8 0 0 3 0 6 8

- ORIGINAL REPORT
- MODIFIES ORIGINAL
- SUPPLEMENTAL REPORT
- CASE STATUS CHANGE
- ADDITIONAL VICTIMS
- ADDITIONAL OFFENDERS
- ADDITIONAL STOLEN PROPERTY
- ADDITIONAL RECOVERED PROPERTY

PAGE

7 STOLEN

MAGNAVOX TV
Make: MAGNAVOX Model: 32INCH

YAMAHA RECIEVER
Make: YAMAHA

DVR RECORDER
Make: MAGNAVOX

RADIOS/TVS/VCRS
Make: KLIPSCH Model: SUB-W

GENERATOR

TOTAL GROUP

2,1

TOTAL PROPERTY

2,175.00

SUBJECT IDENTIFIED
 YES NO

SUBJECT LOCATED
 YES NO

ACTIVE ADM. CLOSED
 UNFOUNDED

ARRESTED UNDER 18
 ARRESTED 18 AND OVER

EX-CLEAR UNDER 18
 EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE:

1. OFFENDER DEATH

2. NO PROSECUTION

3. EXTRADITION DENIED

4. VICTIM DECLINES COOPERATION

5. JUVENILE - NO CUSTODY

REPORTING OFFICER(S)

DATE
08/28/2008

UNIT NUMBER
227

APPROVING OFFICER

DATE

UNIT NUMBER

SGT. BRIAN KURTA

LIEUTENANT MARTY CRAM

ANKESI WANKANI

J-615016

STATE OF SOUTH CAROLINA

County/ Municipality of

Laurens

THE STATE
against

Benjamin Ray Nabors

Address: 3508 Hellams Rd

Gray Court, SC 29645-

Phone: SSN: 249-43-4908

Sex: M Race: W Height: 5 8 Weight: 185

DL State: SC DL #: 00229293

DOB: 12/18/1975 Agency OR#: SC0300000

Prosecuting Agency: Laurens County Sheriff's Office

Prosecuting Officer: M Fogle - 2145

Offense: Larceny / Grand Larceny, value more than \$1,000 but less than \$5,000

Offense Code: 0478

Code/Ordinance Sec: 16-13-0030(BX1)

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

is to be arrested and brought before me to be dealt with according to the law. The accused (L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on 6-10-09

Signature of Constable (or other official) O.B.

RETURN Laurens County Sheriff's Office

General Office: ENTERED

180 4/11/09 Date 9/19/08

Preserved By

Forward Date 9/19/08

AFFIDAVIT

April 2008

County/ Municipality of

Laurens

Personally appeared before me the affiant M Fogle

being duly sworn deposes and says that defendant Benjamin Ray Nabors

did within this county and state on or about 08/28/2008

State of South Carolina (or ordinance of County/ Municipality of Laurens

In the following particulars:

DESCRIPTION OF OFFENSE: Larceny / Grand Larceny, value more than \$1,000 but less than \$5,000

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on August 28, 2008 in the city/county of Laurens, one Benjamin Ray Nabors did take and carry away household items which is valued at \$2175.00 and is the property of victim Kenny Nabors. This occurred in the county of Laurens.

Victim: Kenny Nabors, 3508 Hellams Rd, Gray Court SC 29645

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Laurens

Affiant's Address: 216 West Main Street Laurens, SC 29360-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe

on or about 8/28/2008 defendant Benjamin Ray Nabors

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Laurens) as set forth below:

DESCRIPTION OF OFFENSE: Larceny / Grand Larceny, value more than \$1,000 but less than \$5,000

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him/her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of his execution, or as soon thereafter as is practicable. Sworn to and subscribed before me on 09/18/2008:

Signature of Judge

Thomas L. Copeland

Judge Code: 7023

Judge's Address: P.O. Box 925 Laurens, SC 29360

Judge's Telephone: (864) 683-4485

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

HIS WARRANT CHARGE FORCE ME NA

After all calls police responded. WARRANT

SC0300000

INCIDENT REPORT

CASE NUMBER

09001898

INCIDENT TYPE
1 13A - ASSAULT - AGGRAVATED

COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	20	

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)
838 HELLAMS RD., GRAY COURT SC

INCIDENT DATE: 06/10/2009 0300
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE): NABORS, BENJAMIN RAY
RELATIONSHIP TO SUBJECT: OK OK OK
DISPATCH DATE/TIME: 06/10/2009 0423
DISPATCH DATE/TIME 24 HR CLOCK: 0442
DEPART TIME: 0616
ZIP CODE: 29645

ADDRESS: 3508 HELLAMS RD
VICTIM'S NAME (LAST, FIRST, MIDDLE): HUGHES, JENNIFER ANNE
RELATIONSHIP TO SUBJECT: RU
RESIDENT: OSOU
RACE: W
SEX: M
AGE: 33
ETH: N
STATE: SC
ZIP CODE: 29645
CITY: GRAY COURT

HEIGHT: 5-2, WEIGHT: 116, HAIR: BRO, EYES: GRN, FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
ADDRESS: 3058 HELLAMS RD
RESIDENT: OSOU, RACE: W, SEX: F, AGE: 21, ETH: N, STATE: SC, ZIP CODE: 29645, CITY: GRAY COURT

VISIBLE INJURY (VICT 1): YES NO EXPLAIN -
VICTIM (NO. 1) USING: ALCOHOL YES NO UNK
CITY: GRAY COURT, STATE: SC, ZIP CODE: 29645, LOCATION: 09

SUSPECT: SUSPECT, RUNAWAY, WANTED, WARRANT, ARREST, JAIL, SUMMONS
SUBJECT NAME (LAST, FIRST, MIDDLE): PERSON, UNKNOWN/UNTRACKED
FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.: J - This Jurisdiction S - State O - Out of State U - Unknown
RACE: U, SEX: U, AGE: 00, ETH: U, DATE OF BIRTH, HEIGHT, WEIGHT, HAIR

OFFENSES: ASSAULT - AGGRAVATED
ARRESTED NEAR OFFENSE SCENE: YES NO
TOTAL # ARRESTED: 0
DATE/TIME OF OFFENSE: 06/10/2009 0300
DATE/TIME OF ARREST:

VICTIM SON HITS ME

ON THE ABOVE DATE AND TIMES, DEPUTIES EDWARDS AND VEAL WERE DISPATCHED TO 770 HELLAMS ROAD FOR THREATS BEING MADE TOWARDS THE COMPLAINANT. ONCE ON SCENE, DEPUTIES WERE APPROACHED BY THE COMPLAINANT MR. BENJAMIN NABORS WHICH STATED THAT THERE WAS A METH LAB NEXT DOOR AT 838 HELLAMS ROAD AND THAT SOME INDIVIDUALS HAD KIDNAPPED HIS GIRLFRIEND AND HE HEARD A GUN SHOT. THE COMPLAINANT STATED THAT THERE WERE AROUND 20 INDIVIDUALS NEXT DOOR AT THIS ACTIVE METH LAB AND THAT THE INDIVIDUALS WERE OUT TO GET HIM. DEPUTIES INFORMED DISPATCH ON WHAT WAS GOING ON AND ALSO INFORMED LT CRAIN THAT WE NEEDED ASSISTANCE DUE TO THE INFORMATION GIVEN TO US ON THE NUMBER OF PEOPLE SUPPOSEDLY AT THE INCIDENT LOCATION. DEPUTY RHODES, THOMAS, GARRISON, SGT. JOURNAL AND LT. CRAIN RESPONDED TO THE SCENE FOR ASSISTANCE. ONCE ALL DEPUTIES LISTED ABOVE WERE ON SCENE A PLAN WAS FORMED AND WHILE APPROACHING LOCATION DEPUTIES OBSERVED A VEHICLE APPROACH THE LOCATION. DEPUTIES STOPPED THE VEHICLE AND FOUND A MRS. JEAN PARKER DRIVING. MRS. PARKER LIVED AT THE RESIDENCE AND GAVE THE DEPUTIES CONSENT TO COME ON THE PROPERTY AND CHECK THE SCENE FOR THE VICTIM. LT. CRAIN ADVISED DEPUTIES TO PUT MRS. PARKER IN INVESTIGATIVE DETENTION UNTIL THE SCENE WAS SECURE. DEPUTIES THEN APPROACHED THE INCIDENT LOCATION WITH EXTREME CAUTION DUE TO THE CIRCUMSTANCES GIVEN TO US. WHEN DEPUTIES APPROACHED THE RESIDENCE OFFICERS ANNOUNCED THEIR PRESENCE AND THREE INDIVIDUALS CAME OUT OF THE CAMPER. ALL THREE INDIVIDUALS (JEREMY JAMES, THOMAS PARKER, AND VICTIM JENNIFER ANN HUGHES) WERE PLACED INTO INVESTIGATIVE DETENTION. MR. PARKER WAS ASKED IF ANYONE ELSE WAS IN THE RESIDENCE AND HE STATED THAT THERE WAS NOT

TYPE (GROUP)		JURISDICTION OF THE FT LAW ENFORCEMENT AGENCY	JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY
med			
Unl Forged			
Un Damaged			
Overval			
Unl			TOTAL VALUE
Unl			
Unl			
SUBJECT IDENTIFIED	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SUBJECT LOCATED	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FOR EXCEPTIONAL CLEARANCE	<input type="checkbox"/> OFFENDER DEATH	<input type="checkbox"/> NO PROSECUTION	<input type="checkbox"/> EXTRADITION DENIED
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER
CITY JAMIE LEE EDWARDS	06/10/2009	235	LIEUTENANT
CITY MATTHEW A VEAL			

VCY I.D. **A-2**
300000

LAURENS COUNTY SHERIFF'S OFFICE
INCIDENT REPORT

CASE NUMBER		NO. ENTD.	
0	9	0	0
1	8	9	8

DEPUTIES CLEARED RESIDENCE TO MAKE SURE THAT NOBODY ELSE WAS IN THE CAMPER. ONCE CAMPER WAS CLEARED THE REST OF THE PROPERTY WAS CLEARED ALSO AND NOBODY ELSE WAS LOCATED. DEPUTIES THEN DETERMINED AFTER SPEAKING WITH THE VICTIM, SHE WAS NOT SHOT NOR WAS BEING HELD AGAINST HER WILL. MR. PARKER WAS ASKED IF THE DEPUTIES COULD HAVE CONSENT TO SEARCH THE RESIDENCE DUE TO ALL INDIVIDUALS LISTED ABOVE STATED THAT THEY HAD USED METH. MR. PARKER ADVISED DEPUTIES THAT WE COULD SEARCH THE RESIDENCE AND NOTHING WAS FOUND IN THE CAMPER AFTER SEARCH. ALL INDIVIDUALS WERE RAN THROUGH NCIC FOR WARRANTS AND COMPLAINANT HAD AN OUTSTANDING WARRANT OUT FOR HIS ARREST IN LAURENS COUNTY. DISPATCH CONFIRMED THAT CAPTAIN BOYCE HAD WARRANT IN HAND. ALL OTHER INDIVIDUALS WERE CLEAR AND RELEASED AT THE SCENE. DURING THE SEARCH OF THE PREMISES NO METH LAB WAS FOUND. DEPUTY RHODES TRANSPORTED MR. PARKERS TO THE DETENTION CENTER FOR PROCESSING. AFTER INVESTIGATION IT WAS DETERMINED THAT AN ARGUMENT OCCURRED BETWEEN TWO UNKNOWN INDIVIDUALS AND THE GUN SHOT RESULTED FROM THAT INCIDENT. NO ONE WAS HURT AND NO ONE COULD ADVISE WHAT THE ARGUMENT WAS OVER. DEPUTIES CLEARED THE SCENE AND AN INCIDENT REPORT WAS DONE FOR DOCUMENTATION.

then they let me go denied helps said they give me told me go back still but was see hearing it was real! they mean bad cops!

		JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY		JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY		TOTAL VALUE	
TYPE (GROUP)							
Burned							
Count/Forged							
Dist./Damaged							
Recovered							
Seized							
Stolen							
Unknown							
SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED <input checked="" type="checkbox"/> UNFOUNDED		<input type="checkbox"/> ARRESTED UNDER 18 <input type="checkbox"/> ARRESTED 18 AND OVER	
						<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER/DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> AVAILABLE - NO CUSTODY							
REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER
DEPUTY JAMIE LEE EDWARDS		06/10/2009	235	LIEUTENANT MARTY CRAIN		06/10/2009	214
		06/10/2009	234	FOLLOW-UP INVESTIGATION OFFICER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO LIEUTENANT MARENO FOGGIE		06/10/2009	1-25

AGENCY I.D.
00300000

LAURENS COUNTY SHERIFF'S OFFICE
INCIDENT REPORT

CASE NUMBER

NCIC

09001911

INC. ENTD.
X

8

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. 120 - ROBBERY	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13		<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Inst <input type="checkbox"/> Government <input type="checkbox"/> Relig. Orgn. <input type="checkbox"/> Soc./Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
2.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER) 357 SPEEDWAY DR., GRAY COURT SC ZIP CODE 29645 WEAPON TYPE 20

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK				LOCATION NO.
06/10/2009	2200		06/10/2009	2212	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	09
					06/10/2009	2215	2232	2317	

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE	ETH	DAYTIME PHONE	EVENING PHONE
[REDACTED]	#1 ST	#2 ST	#3	<input checked="" type="checkbox"/> SOU	[REDACTED]	[REDACTED]	[REDACTED]	N	[REDACTED]	[REDACTED]
ADDRESS	CITY			STATE	ZIP CODE	LOCATION NO.				
[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	02				

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE	ETH	DAYTIME PHONE	EVENING PHONE
[REDACTED]	#1 ST	#2 ST	#3	<input checked="" type="checkbox"/> SOU	[REDACTED]	[REDACTED]	[REDACTED]	N	[REDACTED]	[REDACTED]
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]						
ADDRESS	CITY			STATE	ZIP CODE	LOCATION NO.				
[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	02				

VISIBLE INJURY (VICT. 1) YES NO EXPLAIN -

VICTIM (NO. 1) USING: ALCOHOL: YES NO UNK DRUGS: YES NO UNK

TWO-MAN VEHL ONE-MAN VEHL DETECTIVE/SPLASMT. OTHER ALONE ASSISTED J - This Jurisdiction S - State O - Out of State U - Unknown

SUBJECT	<input checked="" type="checkbox"/> SUSPECT	SUBJECT NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
	<input type="checkbox"/> RUNAWAY	NABORS, BENJAMIN RAY	W	M	33-33	N	12/18/1975	5-8	185	BRO	BLU
	<input type="checkbox"/> WANTED	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.									
	<input checked="" type="checkbox"/> WARRANT	ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.					
<input checked="" type="checkbox"/> ARREST	3508 HELLAMS RD		GARY COURT		SC	29645		02			
<input checked="" type="checkbox"/> JAIL	SUBJECT (NO. 1) USING: ALCOHOL: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK		ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST				
<input type="checkbox"/> SUMMONS	DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK TYPE:		TOTAL # ARRESTED 2		06/10/2009 2200		07/02/2009 1355				

ON THE ABOVE DATE AND TIME R/O RESPONDED TO A CALL OF A CAR JACKING ON SPEEDWAY DR IN GRAY COURT . CV STATED THAT SHE WAS GIVING A RIDE TO A WHITE MALE AND A WHITE FEMALE FROM FOOD LION IN LAURENS TO A LOCATION IN GRAY COURT WHERE THE SUBJECTS WERE GOING . CV STATED THAT THE MALE SUBJECT TOLD HER TO TURN ONTO SPEEDWAY DR AND WHEN SHE GOT TO THE BRIDGE THE SUBJECT TOLD HER TO STOP AND GET OUT OF THE CAR . CV ALSO STATED THE SUBJECT HAD A KNIFE AND SHOWED IT TO HER AND SAID HE WOULD HURT HER IF SHE DID NOT GET OUT OF THE CAR . CV STATED THAT THE SUBJECT STATED HE WOULD LEAVE THE CAR ABOUT 30 MILES AWAY AND THAT HE WAS WANTED BY THE POLICE AND WAS ON DRUGS . CV STATED THAT THE SUBJECT WAS A CLEAN CUT WHITE MALE AND HAD ON A WHITE SHIRT , THE WHITE FEMALE HAD BLOND HAIR AND WAS SMALL . THE CAR IS A SILVER IN COLOR 2008 FORD ESCAPE SC TAG 4209BX . THE SUBJECTS LEFT GOING TOWARD HELLAMS RD. THIS CASE HAS BEEN TURNED OVER TO INVESTIGATION .

Did not do this it was not AT

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY SC0300000				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY				
P	TYPE (GROUP)	03-Motor Vehicle -	09-Credit/Debit	20-Money	TOTAL VALUE			
R	Burned							
O	Count/Forged							
P	Dest/Damaged							
E	Recovered	25000.00			25000.00			
R	Seized							
T	Stolen	25000.00		0.00	25040.00			
Y	Unknown							
A	SUBJECT IDENTIFIED		SUBJECT LOCATED		ADM. CLOSED		EX-CLEAR UNDER 18	
D	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> ADM. CLOSED <input checked="" type="checkbox"/> UNFOUNDED		<input type="checkbox"/> EX-CLEAR UNDER 18 <input checked="" type="checkbox"/> EX-CLEAR 18 AND OVER	
M	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRAJURISDICTION 4. <input checked="" type="checkbox"/> MCHW DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY							
I	REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER
N	Sgt Jeffrey R. Tucker		06/10/2009	223	Lieutenant Robbie Haupfeare		06/10/2009	213

SC0300000

LAURENS COUNTY SHERIFF'S OFFICE

INCIDENT REPORT

CASE NUMBER

09003566

INO. NCI

DISPATCH SENT A HIT TO CONFIRM THE WEAPON WAS IN FACT STOLEN. APPROXIMATELY 10 MINUTES LATER NEWBERRY CONFIRMED THE WEAPON WAS STOLEN. AT THAT TIME SGT VEAL ADVISED [REDACTED] HE WAS UNDER ARREST FOR POSSESSION OF STOLEN PROPERTY AND SIMPLE POSSESSION OF MARIJUANA. SGT MOODY THEN WENT TO LOOK FOR THE PROPERTY OWNER. [REDACTED] COULD NOT FIND HIM AT THE FIRST CAMPER SO WENT ACROSS THE PROPERTY TO ANOTHER CAMPER. SGT MOODY SMELT A STRONG ODOR COMING FROM THE CAMPER AND ADVISED SGT VEAL THAT IT APPEARED SOMEONE WAS COOKING METHAMPHETAMINE IN THE CAMPER. SGT MOODY LOOKED IN A TRASH CAN OUTSIDE AND SEEN SHAKER BOTTLES AND OTHER ITEMS USED IN THE MANUFACTURE OF METHAMPHETAMINE. WHILE SGT MOODY WAS DOING THAT A FEMALE CAME OUT FROM THE SIDE OF THE TRAILER, MS SMITH. SGT MOODY ASKED HER WHAT SHE WAS DOING AND SHE STATED SHE WAS HEAR LOOKING FOR HER DOG. SGT MOODY THEN ASKED HER ANYONE WAS INSIDE THE CAMPER, SHE ADVISED "THERE WAS TWO GUYS INSIDE COOKING DOPE". SGT VEAL AND SGT MOODY THEN WENT TO THE TRAILER AND KNOCKED ON THE DOOR, NO ONE WOULD COME TO THE DOOR. SGT VEAL AND SGT MOODY HEARD SOMEONE MOVING AROUND AND KNOCKED AGAIN AND ANNOUNCED "SHERIFF'S OFFICE", STILL NO ONE CAME TO THE DOOR. SGT MOODY KNOCKED AND ANNOUNCED AGAIN AND HEARD SOMETHING AS IF IT WAS THROWN AND THEN THE DOOR OPENED. SGT VEAL ADVISED THE CAMPER APPEARED TO BE ON FIRE DUE TO A LOT OF SMOKE. SGT MOODY ADVISED THERE WAS AN APPARENT METHAMPHETAMINE LAB THERE AND WAS ATTEMPTING TO GET EVERYONE OUT DUE TO THE SMOKE. SGT VEAL ADVISED LT RICHARDSON AND SGT WOOD, OF UNIFORM PATROL, THAT ASSISTANCE WAS NEEDED IN A HURRY. SGT VEAL ADVISED THAT A POSSIBLE METH LAB WAS ON FIRE. WHILE SGT VEAL WAS ADVISING LT RICHARDSON OF THE INCIDENT SGT MOODY GOT FIRST SUBJECT OUT. MR EATON, MR EATON THEN ADVISED SOMEONE ELSE WAS INSIDE AND HE WAS PARALYZED. SGT MOODY ATTEMPTED TO GO INSIDE THE CAMPER TO GET OTHER SUBJECT, MR GIBBS. SGT MOODY WAS ABLE TO GET MR GIBBS OUT. SGT VEAL, SGT MOODY, MR EATON, AND MR GIBBS GOT AWAY FROM THE CAMPER AND NOTIFIED DISPATCH THEY NEEDED THE FIRE DEPARTMENT. WHILE WAITING ON OTHERS TO ARRIVE SGT VEAL AND SGT MOODY PLACED ALL INDIVIDUALS IN INVESTIGATIVE DETENTION AND READ MIRANDA WARNING. SGT MOODY BEGAN TALKING WITH MS SMITH AND ASKED HER FOR HER DRIVERS LICENSE SHE ADVISED IT WAS INSIDE THE CAMPER. AFTER FURTHER TALKING WITH EVERYONE IT WAS DETERMINED THAT A FEMALE AND ANOTHER MALE TOOK OFF RUNNING INTO THE WOODS WHEN UNITS ARRIVED. LT BRIDGES AND LT COATS WERE NOTIFIED AS WELL. A SEARCH WARRANT WAS OBTAINED FOR THE ENTIRE PROPERTY. LT COATS ARRIVED ON THE SCENE AND ASSESSED THE SCENE AND DETERMINED THAT A CLEAN-UP CREW NEEDED TO RESPOND. WHILE LT BRIDGES WAS WALKING AROUND THE PROPERTY HE FOUND A SUBJECT WALKING TOWARD HIM, MS ELLEDGE. SHE STATED TO LT BRIDGES "I'M COMING BACK TO TURN MYSELF IN". LT BRIDGES ADVISED SGT VEAL AND MOODY. MS ELLEDGE WAS PLACED INTO INVESTIGATIVE DETENTION AND ADVISED OF MIRANDA WARNING. MS ELLEDGE STATED SHANNON FRAZIER WAS THE OTHER PERSON THAT TOOK OFF RUNNING. SGT VEAL AND SGT MOODY ATTEMPTED TO LOCATE MR FRAZIER BUT WAS UNABLE TO DO SO. ONCE OTHERS ARRIVED ON SCENE SGT MOODY WENT TO AN ABANDONED TRAILER TO SEARCH IT. WHEN HE WENT INSIDE HE FOUND MR CAMPBELL HIDING IN A ROOM. MR CAMPBELL WAS DETAINED AS WELL AND BROUGHT OUTSIDE. MR CAMPBELL APPEARED TO BE ON SOME TYPE OF NARCOTIC. AFTER TALKING WITH EVERYONE IT WAS DETERMINED THAT ALL HAD A PART IN THE MANUFACTURING OF METHAMPHETAMINE SO EVERYONE WAS PLACED UNDER ARREST. DEPUTY BLACKSTOCK, DEPUTY MARTIN, MAJOR HUDSON, AND DEPUTY SIMMONS PROVIDED TRANSPORT FOR ALL SUBJECTS. WHILE OFFICERS WERE SEARCHING THE ENTIRE RESIDENCE AND WAITING FOR THE CLEAN UP CREW TO FINISH OFFICERS SAW A CHEVY PICKUP TRUCK PULL INTO THE RESIDENCE. MR COOPER, DRIVER, ADVISED HE WAS THERE TO GET A MUFFLER PUT ON HIS TRUCK. AFTER FURTHER INVESTIGATION MR COOPER'S NAME HAD APPEARED ON METH CHECK NUMEROUS TIMES AND WAS ASKED ABOUT THAT. MR COOPER WOULD NOT COOPERATE AND SGT MOODY HAD ENOUGH TO CHARGE MR COOPER WITH CONSPIRACY TO MANUFACTURE METHAMPHETAMINE. ALL VEHICLES WERE TOWED THAT WERE ON PROPERTY AND TOW FORMS ARE ATTACHED. PICTURES WERE TAKEN OF SCENE. CLEAN UP CREW FINISHED AND ALL OFFICERS CLEARED THE SCENE.

TYPE (GROUP)	10-Drugs/Narcotic	13-Firearms	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY	JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY SC0300000	TOTAL VALUE
Stolen					
Altered/Forged					
Used/Damaged					
Recovered					
Seized		500.00			
Identified					
Unknown					500.00
SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> ACTIVE <input type="checkbox"/> UNFOUNDED	<input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18 <input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE: 1 <input type="checkbox"/> OFFENDER DEATH		2 <input type="checkbox"/> NO PROSECUTION		3 <input type="checkbox"/> EXTRADITION DENIED	
REPORTING OFFICER(S) Sgt MATTHEW A. VEAL		DATE	UNIT NUMBER	4 <input type="checkbox"/> VICTIM DECLINES COOPERATION	

STATE OF SOUTH CAROLINA
COUNTY OF Laurens
STATE VS. Victoria Gordon Smith

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 10GS30-0380

AW#: 10-INFO-30-0041
Date of Offense: 2009-10-23
S.C. Code §: common law

AKA:
Race: W Sex: F Age: 39

DOB: 1970-05-26 SS#: 248592669
Address: 303 Stonewall Street
City, State Zip Clinton, SC 29325
DL# SID#

CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was HEIRMAN CONVICTED OF or PLEADS

TO: breach of Peace (0-30 days after) of the S.C. Code of Laws, bearing CDR Code # 0891
in violation of § Common Law NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS 17-25-45
(CSC within 1st or 2nd App.)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury, Negotiated Sentence, Recommendation by the State.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence

ATTEST John Kennedy 69652 Victoria Gordon Smith 77025
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, Youthful Offender Act not to exceed 30 days/months/years or under the Youthful Offender Act not to exceed 30 days/months/years and/or to pay a fine of \$ 200; provided that upon the service of 200 days/months/years and/or payment of \$ 200; plus costs and assessments as applicable; the balance is suspended with probation for 30 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections. 30 DAYS
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to SC Code §17-25-135.
Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess or receive a firearm or ammunition.

SPECIAL CONDITIONS:
 RESTITUTION: Deferred, Def. Waives Hearing Ordered PTUP days/hours Public Service Employment
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: set by SCDPPPS
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol Testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____ paid to Public Defender Fund \$ _____

Recipient: \$
*Fine: \$
\$14-1-208 (Assessments 107.5%) \$100 \$ 100
\$14-1-211(A)(1) (Conv. Surcharge) \$100 \$
\$14-1-211(A)(2) (DUI Surcharge) \$12 \$
\$56-5-2995 (DUI Assessment) \$25 \$
\$56-1-286 (DUI Breath Test) \$500 \$
\$35.13 (Public Def/Prob) \$25 \$ 25
\$73.3, 1B TP (Law Enforce. Funding) \$100 \$
\$33.7, 1B TP (Drug Court Surcharge) \$50 \$
\$50-21-114(BUI Breath Test Fee) \$40/ea \$ 5
\$56-5-2942(J) (Vehicle Assessment) \$5 \$ 5
\$90.11 TP (SCCJA Surcharge) \$3.90 \$ 3.90
3% to County (if paid in installments) \$133.90 \$ 133.90
TOTAL

Lynn W. Lancaster
Clerk of Court/ Deputy Clerk

Other: _____
 Appointed PD or appointed other counsel, \$35.13 TP
 Requires \$500 be paid to Clerk during probation.
Court Reporter: Joy Holston
Sentence Date: 2/23/10
PRESIDING JUDGE
Judge Code: 2158

PCMS SENTENCE

212

11-10-'10 15:27 FROM

P. 001/011

03 F-709

32170

recd
35 E 85

STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

State of South Carolina,

Plaintiff,

vs.

Benjamin Nabors,

Defendant.

This matter was before the Court on the Motion Order for the release of funds from the Office of Indigent incurred due to the preparation for and the actual trial:

1. Photocopy fee for the medical records from Corrections in the amount of \$53.00;
2. Transcript fee for the hearing on May 26, 2010 in the amount of \$75.00;
3. Federal Express fee to Laurens County 911 in the amount of \$35.00;
4. Process server fee for serving the subpoena to Lt. L. Ernest C. Martin in the amount of \$35.00;
5. Process server fee for serving the subpoena to Deputy Brian Kurta in the amount of \$65.00;
6. Process server fee for serving the subpoena to Captain Charles Boyce in the amount of \$65.00;
7. Process server fee for serving the subpoena to Jennifer Anne Hughes in the amount of \$65.00;
8. Process server fee for serving the subpoena to Jennifer Anne Hughes in the amount of \$65.00;

... the amount of \$321.70

11-10-'10 15:27 FROM-

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T-945 P0003/0003 F-709

- 9. Process server fee for serving the subpoena to Stanley Smith in the amount of \$85.00;
- 10. Clothing for the Defendant to wear at trial in the amount of \$35.00; and
- 11. An expert witness was necessary for the defense of the case. Attorney for the Defendant requested Dr. Ernest Martin, a psychiatrist that treated the Defendant while at the Greenville County Detention Center, to be prepared to testify as to the Defendant's mental health issues at trial. Dr. Martin's review of his treatment records and preparation for trial costs were \$875.00. Dr. Martin's diagnosis of the Defendant's mental health condition was contrary to the findings of the forensic psychologist that evaluated the Defendant at the Department of Mental Health for competency and criminal responsibility. Specifically the Court finds that this expert witness was required for the Defendant's defense.

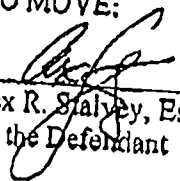
Therefore, the Court authorizes the Defendant to request funds from the Office of Indigent Defense. Defense counsel shall obtain a clocked copy of this Order and shall immediately forward a copy of the Order to the Office of Indigent Defense.

IT IS SO ORDERED!

Greenville, South Carolina
November 10, 2010


Hon. Eugene C. Griffith, Jr.

ISO MOVE:


Alex R. Staley, Esq.
For the Defendant

FILED
CLERK OF COURT
STARBUCKS
NOV 10 2010
M. HOPKINS
CLOCKED
IN
TERROR

LAURENS COUNTY
CLERK OF COURT

TO: Michael Turner JR
Attorney at Law.

2009 OCT 23 P 2:20

pro: Box 668, Laurens, S.C. 29360
From: BEN NABORS, pro se defendant

pro: Box 329, Laurens, S.C. 29360
RE: J# 615016, 616454, 616455

RE: Discoveries for above case, my possession of
RE: your representation, concerning the
above charges/my defense of.

Dear Mr. Turner, JR. 10-19-09

I hereby make it known to you that I'm trying to replace you as my lawyer. I feel that a conflict has arisen, I hereby request for 3rd time from your office that my discoveries be sent to me at once. I have been requesting these for over 5-months now. I feel that my rights are being violated by me not being allowed to have copies of full discoveries regarding above charges. Also make it know to county jail staff here in Laurens county that I am a pro se defendant until your replacement can be found. Major Hudson refuses me the use of Law Library, legal supplies etc. until such time as you →

C/O: Michael Turner, JR

Continued

10-19-09

→ make it known "on record" that I am demanding to be recognized as a prose defendant regarding these charges J 616 454, 616 455, 615 016.

Please do NOT cause any further delay of me receiving copies of the discoveries for my above mentioned case(s).

Your delay, as well as the solicitor's delay, the public defender's delay, and Bill Mayers delay, regarding my discoveries, has caused serious harm to my defense.

Sincerely

Ben Nabors

BEN NABORS prose defendant
P.O. Box 329, Laurens, S.C. 29360

LYNN W. LANGSTON

2009 OCT 23 P 2:23

LAURENS COUNTY
CLERK OF COURT

make it known to the solicitors
office and the county jail, where I
am being housed, that I am to be
considered and recognized as

pro se counsel.

please clock and file, and return.

THANK YOU!

SINCERELY,

BEN NABORS *

BEN NABORS, pro se defendant
P.O. BOX 329
LAURENS, S.C. 29360



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(page ONE OF SIX)

11-24-09

LAURENS COUNTY
CLERK OF COURT

To: MR. CADE CARTER GIBSON, ESQ.
Attorney for the State

From: BENJAMIN RAY NABORS, PRO SE
DEFENDANT, J-616454, J-616455

RE: USE OF LAW LIBRARY. The FUNDING FOR
INVESTIGATOR(S) EXPERT WITNESSES AND THE
PRO SE DEFENDANT STATUS being invoked by me
deal MR. GIBSON SIR.

11-24-09

please accept my sincere and humble
apology, for any rudeness or headaches in which
I may have been the primary source from
which such originally derived from. I ask that
you please make arrangements, somehow through
my court appointed liaison, to get before a
Judge, so that I may make several motions
concerning my "defense" of the above. I also
need access to a law library, at the courts
earliest convenience, so that I may research
and prepare for my July trial. I must be allowed
to make several motions before a judge that
are very pertinent to my defense of the above
> noted charges. Any objection on the states
part concerning these motions will hinder and
prevent me from receiving a fair trial.

These motions are as follows, but are NOT
limited to: (1.) A motion to hire an investigator
at the states expense. (2.) A motion to hire
expert witnesses for my defense, also at the

pg. 2 of 6 207

Via scientific evidence and demonstrative explanation and procedure, that is both very much needed and required, if I'm to actually receive a fair and impartial trial from the State, concerning these charges in which it has leveled at me, those charges being; J-61645 and J-616455. Carjacking and Armed robbery.

(3) A motion to allow me the full use of the States Law Library, so that I may research and study case law, that will be both supportive and meaningful to my defense. Without the use of an adequately stocked and currently updated law library, I will not be able to enjoy a fair, and impartial, trial. For any such endeavor as a criminal defendant's jury trial, calls for much study and preparation on the defendant's counsel's part. And seeing as how my court appointed attorney M.R. Michael Turner Jr, refuses to heed or lend his attention to these several aspects and requirements, concerning my defense of the above mentioned charges, I see no other choice in the matter, to either be acknowledged as a pro se defendant, or to have current counsel removed and replaced by counsel of my own choosing. IN THE MEANTIME I hereby ask that the state please allow me the use and privilege, of ENJOYING

pg 3 of 6

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11-24-09

with the defense of these criminal charges, in which the State has brought against me. I, the above named defendant, have denied the following: I have thus far been denied the following: (1) THE USE OF A LAW LIBRARY (2) THE USE OF AN EXPERT WITNESS(ES) and (3) RIGHT TO GATHER/TAKE STATEMENTS AND DISPOSITIONS, FROM BOTH WITNESS(ES) AND AS INVESTIGATORS, police personal, and the alleged victim (S) of these crimes. Dear Mr. Gibson, please note

I have been requesting the following uses of all of the above, every since [6-11-09] when I was rearrested for the above charges. I have not, as of yet, received any meaningful, or beneficial help, or services, from any of the three lawyers, in which I have thus far been court appointed to represent me on the above mentioned charge(s). I have repeatedly requested from Mr. Michial Turner Jr, that he ask the court for funding to hire an investigator. That I very strongly feel is both needed and required for and by my defense. I have also repeatedly requested from Mr. Turner Jr, that he ask, make motion before the court to

L.C. 3.12. NMKCO 116 agents involvement, etc

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SERVICES USE OF EXPERT WITNESSES (ES), AS IN DIRECT REGARD'S AND RELATION TO THE DEFENSE OF THE ABOVE MENTIONED CHARGES). I HAVE REPEATEDLY, ON NUMEROUS OCCASION REQUESTED FROM MR. TURNER JR. THE FOLLOWING ITEMS, SERVICES, AND RENDERING OF

(1.) THE USE OF A LAW LIBRARY, (27 MOTIONS TO BE MADE/PRESENTED BEFORE THE COURT CONCERNING MY REQUEST/NEED OF SUCH SERVICES AS, EXPERT WITNESSES, AND PRIVATE INVESTIGATORS), (37 HEARINGS ON SUCH ISSUES AS I DO NOT WISH TO ELUCIDATE UPON OR ON, AT THE PRESENT. THE ONLY RESPONSES I EVER GET BACK TO ANY AND ALL OF THE ABOVE MENTIONED REQUEST IS OF THE ENCLOSED VARIETY WHICH I HAVE MAILED ALONG WITH THIS COMMUNICATION CORRESPONDENCE, I.E. PLEASE SEE LETTER DATED NOV 19, 2009, ADDRESSED TO DEFENDANT, FROM MR. MICHAEL TURNER JR.

IN THIS "COMMUNICATION" MR. TURNER HAS ONCE AGAIN, ASKED ME QUESTIONS, TO WHICH I HAVE ALREADY PROVIDED HIM WITH THE ANSWERS TO!

MR. TURNER JR. MAKES SUCH REFERENCES AS TO "A MENTAL EVALUATION" AND IMPLIED "GUILT" AS WELL AS AN INCORRECT INTERPRETATION ON MR. TURNER'S PART AS HOW

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above mentioned charges. Never, not at any time, have I ever implied or offered insinuations, that would lead him to believe that I intended to launch my defense, based solely on voluntary intoxication. Nor have I ever given him a plausible reason or excuse, to assume that I intended to admit to being guilty of the crimes as charged.

I hereby make it known to the State via and through it's officer of the court, MR. Cade Carter Gibson Esquire, Attorney for the State, in these proceedings, that I can not allow myself to be further represented by my court appointed counsel MR. Michael Turner, Jr. Esquire.

I therefore make suggestion that until I'm able to employ other representation that I, the above and below named defendant in these proceedings, be deemed and hereby recognized by all parties involved in these proceedings as "pro se counsel". I further more make all of the above mentioned request known to the court and request rulings/hearings on such.

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For the court to do so. Any further delays will likely cause my defense irreparable harm.

Please respond to these request at your earliest convenience. And please insure I'm allowed the use of a law library in the near future.

Sincerely and respectfully yours,

11-24-09

Benjamin Ray Nabors

BENJAMIN RAY NABORS

DATE
Please forward copies to the following parties:

(1) C.C. Michael Turner, JR.
P.O. Box 668
Laurens, S.C. 29360

(2) C.C. Cade Carter Gibson, Esquire
Attorney for the State
8th Circuit Solicitors Office
P.O. Box 516
Greenwood, S.C. 29648-0516

(3) C.C. His Honorable Judge
D. Garrison Hill 8th Cir.
305 E. North St.
Suite 213, Greenville, SC 29601

204

★ P9 1 of 2, to clerk of court

C/O: CLERK OF COURT LAURENS COUNTY CLERK OF COURT

Lynn. Lancaster
Laurens, S.C.

11-24-09

From: BEN NABORS

2009 DEC -4 A 10: 27

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

please clock file, and forward the enclosed. I want this on record. MR. TURNER has ever since his appointment refused to ~~be~~ honor each and every request concerning my defense. I want to see a judge, A.S.A.P. I'm tired of how my cases are "NOT being handled" I'm sick of it. This lawyer refuses to gather the information etc. that I have requested - with grounds and reason for such. I have been asking for an investigator and expert witnesses, etc. for my defense. Every since he's had my case, I do not want any more lawyers from Laurens County appointed to represent me. IT'S A CONSPIRACY! MR. TURNER will NOT research or employ the defense I've demanded. Valuable time and evidence has been lost.

Pg 2 of 2 CONCERNING INSTRUCTIONS TO CLERK OF COURT
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C/O. Lynn W. Lancaster
LAURENS CLERK OF COURT
P.O. BOX 287, S.C. 29360

LAURENS COUNTY
CLERK OF COURT
11-24-09

2009 DEC -4 A 10:27

From: BENJAMIN RAY NABORS

P.O. BOX 329 LAURENS, S.C. 29360

RE ENCLOSED COMMUNICATIONS, IN DIRECT
RELATIONS TO CASES J-616454 J-616455.

Dear madam clerk,

11-24-09

Please clock, stamp, forward to:
THE HONOURABLE D. GARRISON HILL, 8TH CIR.
305 E. NORTH ST.

SUITE 213, GREENVILLE, S.C. 29601

TO:
CADE CARTER GIBSON, ESQUIRE
ATTORNEY FOR THE STATE
8TH CIR. SOLICITORS OFFICE
GREENWOOD, S.C. P.O. BOX 516
GREENWOOD, S.C. 29648-0516

TO:
MICHAEL TURNER, JR.
P.O. BOX 668, LAURENS, S.C. 29360.

PLEASE RETURN ME A COPY ALSO.
THANK YOU.

Sincerely,
D. Garrison Hill