

pg 1 = 1

Gr-B

RECEIVED

JUN 13 2013

State of South Carolina ) IN THE S.C. Supreme Court  
 COUNTY OF LAUREN ) EIGHTH CIRCUIT &  
 BENJAMIN RAY NABORS ) APPEALS COURT S.C. Columbia  
 PRO SE PETITNER ) CIA No. 2011-CP 30308  
 VS. ) MOTIONS TO  
 State of South Carolina ) COMPEL 8TH CIR  
 Respondent ) SOLICITORS OFFICE  
 ) TO PROVIDE PRO SE  
 ) PETITNER DISCOVERY,  
 ) CASE FILES 8TH CIR.

IT MAYDAY PLEASES THIS HONORABLE  
 COURTS, THE ABOVE NAMED PRO SE  
 APPLANT APPELLANT/PETITNER  
 MAKES MOVES THIS HONORABLE  
 COURT TO ORDER THE 8TH  
 CIR. SOLICITORS OFFICE, "8TH CIR  
 SOLICITOR, YATES BROWNS JR"  
 TO HAND OVER TO THIS PRO SE  
 PARTY, COMPLETE, WHOLE ENTIRE  
 CASE FILES, WHICH WERE ABUSED

RECEIVED  
 JUN 05 2013  
 SC Court of Appeals

pg # = 2

6-1-13

used by the STATE OF South Carolina  
in it's prosecution of this  
pro se party, BENJAMIN RAY  
NABORS' for the charges of  
CAR JACKIN and ARM ROBby  
for which this pro se party  
was CONVICT and SENTANCED  
for that he nows nows appeals  
pur. CONTS ORDER of DISMISS  
al this pro se party was  
NEVER GIVEN COPY OF CASE  
FILE, which should have  
It was full of incident  
REPORTS TAKEN ON 6-10-09  
WITNESSES STATEMENTS FROM  
STANLY SMITH, AT 770  
HELLAM'S ROAD GREY CONT SC  
29645 when this pro se

RECEIVED

JUN 05 2013

SC Court of Appeals

PSY-3

Suffered party suffered severe a psychotic episode after he, a mentally ill diagnosed Schizophrenic was over exposed to toxic chemicals at a meth lab which he was instructed to carry out covert undercover work at by the C.C.S.D. Narcotics Unit from late 2008 until 6-10-09, when he was exposed to these toxic meth chemicals at 836 Hellams Road Grey Court S.C. 29645 at a location residence owned by Thomas Parker and his wife Jean Parker well known both by law enforcement

pg ~~4444~~=4 6-1-13

by LAW ENFORCEMENT OFFICIALS  
OF L.C.S.D. AS PERSONS OF  
GREAT INTEREST FOR THEIR  
SUSPECTED INVOLVEMENTS IN  
THE ILLEGAL METHAMPHETAMINE

MEANS OPERATIONS WITH

LAURENS COUNTY, TRADE METHAMPHETAMINE  
CRACK HOUSES MAKE ME MAKE MOVES

AND THIS PROSE DEFENDANT HAD NO  
CHOICE APPLICANT AND S PETITIONER

HAS PREYED TO THIS HONORABLE  
COURT FOR (FULL DISCLOSURE)

DISCOVERY UNDER BRADY

VS MARYLAND EVER SINCE

HE WAS WRONGFULLY HELD

IN 2 CUSTODY ON 6-10-02

AND 6-11-02 FOR CRIMES

FOR OVER 4 YEARS NOW!

PS ~~XXXXX~~ = 5

6-1-13

That were committed  
or not committed, by this  
pro se party, and while  
he was acting wholly & totally  
fully under actual  
authority of the L.A.S.D.,  
NARC. Supervisors of Police  
the L.A.S.D., citing a good  
case law for reference as  
U.S. V. Fulcher, 250  
F.3d 244 (4th Cir. 2001)  
(4th Cir. 2001) please  
~~see~~ attachments  
included with this  
motion as supporting  
evidence for this honorable  
court's consideration review  
as it considers whether

PG ~~111111~~ = 6

OF NOT TO GRANT OR DENY  
THIS PRO SE PARTY'S MOTION  
FOR A COURT ORDER  
COMPPELLING 8TH CIR SECTOR  
YATES BROWN, JR. TO AT  
ONCE HAND OVER TO THIS  
PRO SE PARTY FULL DISCLOSURE  
DISCOVERY IN THE FORM OF  
THE STATES CASE FILE  
ABOVE MENTIONED. PLEASE IT  
THE COURT PLEASE CLOCK  
FILE AND RETURN EMBOSSED  
COPY TO THIS PRO SE PARTY.

THANK YOU AMEN.

SINCERELY

6-1-13

BENJAMIN

DADHEL BENJAMIN RAYNARD

5.30.13

C/O: Very Honorables Tanya A. Gee  
S.C. COURT OF APPEALS  
PO Box 11629 Col S.C. 29211

FROM: BEN NABORS #233844  
BRCI Sal 148.A  
4460 Broad Rivers Road  
Col S.C. 29210

RE: PCR. 2011-CP-30-308  
my Appeal from Judge C.B.  
Newmans from Judge

NEWMANS order of dismissal.  
\*Plea file ALL THIS IN RECORD.

Deems Gee 5.30-13  
DATED

plea take notice of the  
following enclosures attachments  
which proves by preponderance  
of evidence that I have  
repeatedly made honest

EFFORTS too secure funds from  
COURTS for much needed investigative  
SERVICES pursuant to § 17-3-50(B)  
FROM THE 8TH CIR. COURT OF  
LAUREN COUNTY SC. AND NOT  
ONE (2123/6) did n-e-l answer  
SUCH MANY MANY LOT LOT LOT  
SUCH REQUESTS AND PETITIONS  
AND MOTIONS sent to clerk  
AND FILED BY SUCH COURT (21)  
SENT COPIES OF SUCH TO ALL  
PARTYS THE A.G. OFFICERS  
THE JUDGES etc.

(21) WAS DENIED EFFECTIVE  
REPRESENTATION AT BOTH  
TRIAL AND P.C.R. HEARINGS.

Ⓢ have from my arrest  
ON 6-10-09 6-11-09 made it  
DOWN too all parts that  
Ⓢ could not be afforded fair  
Redress Judgments etc. from  
the CONTS UNLESS AND THEN ONLY  
we aint UNLESS Ⓢ was treated  
with (Equality) as set forth  
by (GRiffin v. ILLINOISES)

That my understanding  
Means that INDIGENTS  
have absolutely right  
to be furnish what they  
need such as (Investigations)  
(Transcripts) etc At least  
what allegations that

Manifest errors occurred  
at trial et are not  
denied.

① did NOT receive  
fair trial and was  
then it prejudiced me  
and ② further more was  
denied effective PCR counsel  
IN THAT Rodney W. Richey Esq.  
point blank refused to insure  
witnesses some EXPERT like  
several psychiatrist who  
treated me very long (2 1/2  
6) for  
what "they" say had mental  
thing in head called schizop  
paranoia others things

None of (my) proceedings  
mean trial and peer  
have been fair or exact  
by books in that ~~it~~ was  
limited investigation services  
expert's testimony affidavits  
certain mental medicals  
and probation parole records  
school m.a. records etc.  
\* The D.M.A. report was  
unconstitutional cause no one  
represented me at <sup>2/23</sup>6  
of hearing in Judge Hill's  
court but also Judge Hill

was already biased prejudiced  
case cause ~~of~~ filed numerous  
complaints on him before  
the hearing occurred on  
about 1-19-10 to make me  
undergo D.M.I.A. EXAM against  
my wills and Mike Turner Jr  
EoS. had already removed  
himself from trial counsel  
Mr. Turner Subpoenaed motions  
to be released (with good cause)  
and informed Court he could  
not continue to provide me  
with fair representation on  
biased representations cause  
serious conflicts yet  
there he was on 1-19-10

BEING MY COUNSEL AT A  
SERIOUS CRITICAL STAGE OF  
COURT PROCEEDINGS AS WELL  
AS JUDGE HILL WHO SHOULD  
HAVE EXCUSED HIMSELF  
FROM MY CASE ETC.

ALSO P.C.R. COUNSEL RODNEY  
W. RICHEY E.S. WAS IN CONFLICT  
CAUSE HE REPRESENT SOME OF  
THE SAME DRUG DEALERS THAT

C.C.S.D. MARC. COPS SENT ME  
TO MAKE VIDEOED UNDER COVER  
DRUG BAGS SUCH AS MIKE JONES  
AND ALSO ~~HE~~ WAS NEVER  
PROVIDED WITH RECORDS

TRANSCRIPTS OF DISCOVERIES  
NO NO BLAIR HEERING ~~HE~~

SO COULD CHALLENGE DRUG BAGS REPORT

connected directly to my  
cases trial and pre-trial  
Everyone keep ignoring  
my serious declarations  
such as that ~~Q~~ was  
acting under actual Authority  
Public Authority by Local  
Natick Commanders at  
(2123/63) of incident on

6-10-09 which did lead  
to me being exposed to toxic  
life threatening meth chemicals  
at 836 Wetnam's  
Court S.C. 29645 Road area  
which did  
aggravate my mental illnesses

paranoid Schizophrenia etc  
which did result in me  
taking my son Edwards  
car same day 6-10-02  
(after) L.A.S.D. refused me  
much needed medical attention.

The plot is this! ~~I~~ am  
all alone here! ~~I~~ am  
NOT a camper madlock  
AND have ~~I~~ dont cant  
correctly present my appeal  
ISSUES without help!  
My 59(e) ~~I~~ dont cant  
correctly do that or  
any thing else they fear

but RULES say ~~Q~~ got a follow  
AND THEN VICTIMS SONS  
who are cops with lies. D.  
Jimmy Deputy EDWARDS came  
to jail assaulted me till  
told him where exactly  
~~Q~~ Threw his deal dally  
out moms window on in  
car her pocket Book pictures  
NO AND told me coerced me  
into plain guilty ALL  
investigators pl Lt. PLACCO  
WILKE AND WILKIE PLUS  
VICTIMS SON deputy JIM  
EDWARDS ALL told me not  
to put MR. EDWARDS through  
a jury trial they had weapons  
EVNS and ~~Q~~ was by so scared

took statement from me on 6/19/73  
after ~~Q~~ asked for lawyer several ~~Q~~  
N Fear For LIFE SAFETY  
etc. NOW Fear am ~~Q~~  
at yet another ~~Q~~  
important stage of  
~~proceedings and~~ ~~Q~~ ~~do not~~  
have help AND if only  
some judge somewhere  
would appoint me person  
to collect sworn affidavits  
interviews subpoenas  
them experts witnesses  
then ~~Q~~ could very very  
easily prove by preponderance  
of evidence that ~~Q~~ do  
deserve NEW trial!  
That my due process const and  
CIVIL RIGHTS been ALL violated!


MS. GEE ALSO WAS ~~TO~~ DENIED  
EFFECTIVE TRIAL COUNSEL BECAUSE  
ALEX STALVEY ESX REFUSED  
TO MOTION FOR RECONSIDERATION  
AS ~~TO~~ DID INSTRUCTS HIM INDIANLY  
AFTER TRIAL AND HE INSTEAD  
APPEAL YET NO ONE WAS EVER  
APPOINTED TO ME FROM YOUR  
OFFICE NEITHER HAVE YOU  
EVER RESPONDED TO MY  
SEVERAL INQUIRIES TO YOU  
ABOUT CASE # 2010176886

WHY EVERY ONE HELPING  
THE COPS DIRTY / AT FAULT ↓

Cover up the Facts  
That C.A.S.D. was 100% 203  
responsible for what did  
occur when ~~Q~~ took Mrs.  
Edwards car on 6-10-08  
Cause ~~Q~~ RADIATION  
TX? Which was direct  
results from C.A.S.D. ware

Sending a mentally disabled ~~Exbert~~  
Said Approximately Brain damage person  
into dangerous deadly contact  
with meth Lab on same earlier  
day 6-10-09 when ~~Q~~ became  
exposed to toxic meth  
Chemicals

plea dont hurt me no  
more I ALLS WANT  
15 fair treatment. pleas  
fair pleas colch this return  
I've com back to me I  
INDIGENT heret PROUR  
PRO. Think you some

<sup>help me</sup>  
5-30-13   
DAELS BEN NABORS

BEN NABORS #233890  
BRCI Sal 1488  
4460 Browns Road  
Coul-SC 29210

Justice Clarence Thomas  
cc: Justice Thomas ussc.

pg 1(B) Affidavit Service

States of South Carolina

County of Laurens

BENJAMIN RAY NABORS

pro se petitioner

or applicant?

vs

State of South Carolina

Respondent?

IN THE COURT OF COMMON  
Plea, 8th. Circuit.

CIANO: 2011-cp-30308

Affidavit of Service

6-1-13

The above named pro se  
party "BENJAMIN RAY NABORS"  
swears and swears that he  
has placed copy of this  
motion with court to order on  
the 8th. Cir. solicitors office, Yates  
Brown Jr. Esq., assistant  
solicitor for 8th Cir, to hand  
over to pro se party complete

P# = 2(B)

A FIDAVIT OF SERVICE

COPY 5 OF THE STATES EVIDENCE  
CASE FILES - DISCOVERY INQUIRY  
MADE REGARDING IT'S UNLAWFUL  
PROSECUTION OF THIS PROSE  
PARTY FOR EVENTS "CARTMELIN  
AND ARMROHENY" WHICH ARE  
ALLEGED TO HAVE OCCURRED ON  
ABOUT 6-10-09 WHILE SAID

PROSE PARTY ALLEGEDLY DID  
NOT COMMIT WHILE HE WAS  
SUFFERING SEVERE PSYCHOTIC

SCHIZOPHRENIC EPISODE  
CASCADED EXACERBATED BY HIS  
EXPOSURE TO TOXIC METH CHEMICAL  
WHILE HE WAS ACTING UNDER  
ACTUAL AUTHORITY OF THE CORP  
NACTOICS DEVISION ON 6-10-09!

6-1-13

intated

BENJAMIN ROY MORRIS

PG. # = 1 (C.)

INDEX CONTENTS

for :: motions for  
DISCOVERY DISCLOSURE, Rule

5 Brady. Attachments are

total pages! 32 1/2 pages?

over 500 pages of evidence to

Support (1.) pages 1-6- IS actual  
this motion.  
motion.

(2.) pages 1-2 (B) is certificate  
of services

(B) Attachments) ARE

FOLLOWS:

(3.1) : communication to 8th.  
Cit. Sol. Office C/O:

Cade GIBSON, ESCO, dated 12  
7-27-09 & fails with CNO  
CLEAR stamp 1-15-10 ?

(3.1 A) Response from JERRY PEACE  
ESO, CHIEF SOLICITORS

pg #A=2 (a)

(3.2) : A  
pro se motions for  
discovers (post trial) case!  
p.c.R. 2011-CP-30308

(3.2.B) MOTION ADDRESS  
ALL ISSUES PRESENTED  
17-27-80 S.C. Code ANN.

(3.3.1) MOTIONS FOR PNC  
INVESTIGATOR SERVICES.

(3.6.3) COMMUNICATIONS TO  
COMPLAINANT  
COMMISSION LAWYER ADVISED  
BOUT Julia DiGambison Hill  
FILE CLOCK 2-19-10-

PRE-TRIAL p. 1-8

(4) A 1-OCT-15 2009  
need helps dont  
UNDERSTANDS THIS STUP!

3-RINGS  
HONORABLE  
CONTRACT  
= VASE

2011-30-308

persons her me abot work  
an ~~o~~ was Filed over  
200 pages of this

This is her to the begin for

~~o~~ INVESTIGATORS

and EXPERTS ON MY 2011

59 (e) ~~o~~ For sure throug  
euf. Suct WANT ALL MY

FILE RECORDS IN THE MOTIONS

INCLERK OF COURTS OFFICE

included in my appeal

records so it's review

able and preserved

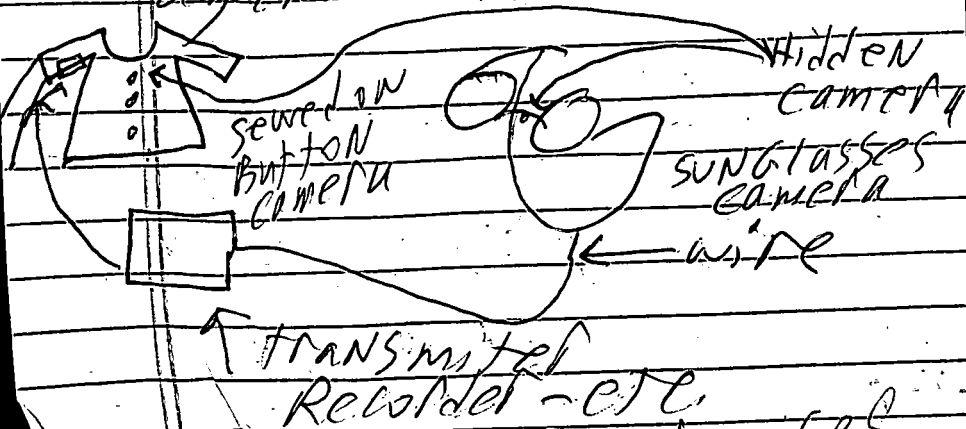
As you can read just  
those two communications

which included certificates  
of service etc. that

it was my intent wish  
and desire for a July

to learn all about cops →

manipulating a ~~They~~  
say paranoid schizophrenic  
into becoming their  
under cover narcotic  
agent movie maker



They put spy devices  
on me and scare  
me.

Send me to cracks!  
house an  
meths cab drugs

deals and always guns!  
scare AN  
no one to me prove this!

3-13  
★ Page 1 of 3  
Alameda  
11  
MR. Richey & Communications to  
INSANITY DEFENSE about subject NARC, PROOF  
public Authority DEFENSE  
C/O: ASSISTANT SOLICITOR GENERAL GIBSON  
From: BEN NABOVS  
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 Lawtomb.

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.

★  
Alameda  
11

2-13  
Page 1 of 3  
MR. Richey & Communications to  
INSANITY DEFENSE ~~public Authority defense~~ NARC, PROOF  
C/O: ASSISTANT SOLICITOR GENERAL ~~CLERK OF COURT~~ CARL GIBSON  
From: BEN NABOVS  
P.O. Box 329, Laurens, S.C. 29360  
2010 JAN 15 A 10:45

Dear Sir,

As you are aware of, I am interested in 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.

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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.

P 2 of 3

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 CIRCUITS 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

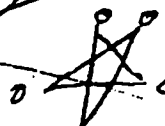
Sincerely,

<sup>30</sup>  
Ben Nabors

1-10-10

DAT 21

BEN NABORS  
PRO SE DEFENDANT



Page 1 of 2  
(16)

7-27-09

C/O: Lynn Lancaster

CLERK OF COURT, LAURENS COUNTY, S.C.

From: BEN nabels - L.C.D.C. Jennifer A. Hughes,

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

\* CONCERNING WARRANT # J-616454, J-616455, J-616456  
J-616457 WE wish to File a COMPLAINT  
AGAINST your OFFICE For The Following:

1. NOT returning to me motions in which WE sent,  
Filed, to your OFFICE for,  
A. A COURT appointed lawyer,  
B. A COURT appointed investigator

2. For NOT taking my request, letters, concerning  
my important need for a lawyer and  
a COURT appointed investigator seriously.

3. For NOT making an effort to insure that  
me and my wife, Jennifer Ann. Hughes  
received counsel from the COURT, even though  
I sent to your OFFICE several request,  
as well as several request to the public  
defenders as well, stating the need for  
such to be appointed to us, that we  
needed evidence, statements, physical  
evidence, etc. to be gathered for our  
defense concerning our charges

LAURENS COUNTY  
CLERK OF COURT  
2009 JUL 31 PM 10:41  
LYNN LANCASTER

PI2 OF 2  
(17)

BECAUSE OF LAURENS COUNTRY'S FAILURE TO MEET IT'S CRIMINAL DEFENDANTS LEGAL NEEDS, THOSE WHO ARE INDIGENT, AND LACK SOMEONE SUCH AS A FRIEND OR FAMILY MEMBER TO AID THEM IN THE APPLICATION PROCESS, BECAUSE OF THE JUDGES FAILURE, WHO SET OUT BONDS TO GIVE US SUCH APPLICATION, WE FEEL THAT OUR LEGAL RITES HAVE NOW BEEN VIOLATED.

Sincerely,  
Ben Nabors  
Ben Nabors

Jennifer Ann Hughes  
Jennifer Ann Hughes

F-27-09

STATE OF SOUTH CAROLINA )

IN THE COURT OF COMMON PLEAS

COUNTY OF LAURENS )

C/A No: 2011-CP-30-308

Benjamin Nabors, #233844 )  
Applicant, )

**NOTION OF DISCOVERY PURSUANT**

vs. )

**TO §17-27-150(A)**

State of South Carolina )  
Respondent. )

*Be*  
*ALL these were filed with LYN LAW after 8th CIRCKEN LAW REPT AND SHE CLOKED THEM STAPED THEM*

Applicant, Benjamin Ray Nabors, #233844, by and through counsel, hereby moves, pursuant to §17-27-150(A) for Production of Documents for good cause that was presented in Applicant's Motion for Leave to Conduct Discovery.

Applicant believes in good faith that his necessary Discovery is imperative to his defense of his application for Post-Conviction relief Evidentiary hearing to protect his Constitutional rights, to Due Process of Law. Applicant will now list Discovery requested and who it's in belief that's in possession of said Discovery.

Requests for Production

Applicant request that the Attorney General produce the following documents:

- 1) The Solicitor's entire file related to the prosecution of Applicant for Armed Robbery & Carjacking.
- 2) All documents concerning the investigation of the armed robbery & carjacking, including but not limited to police reports to be in belief of Laurens County Sheriffs Office, supplemental reports, of any and all involved agencies entities, or persons hired or used by these agencies or who have rendered services to any of these agencies whether paid

*pp. 7 = 1*

*Bm*  
*Page 1 of 1*

*Bm*

(35)  
or not, as regards to this case in any way whatsoever. JM

- 3) Audio copies of any and all radio transmissions on any frequency and/or any recorded telephone calls via 911 or any other telephone call to and/from any involved law enforcement agency regarding events contemporaneously associated with the occurrence of the incident forming the basis of Applicant's prosecution and/or contemporaneously associated with Applicant's arrest; also to belief is in possession of Laurens County.
- 4) Any written or recorded statements made by Applicant.
- 5) All documents concerning any results or reports of physical or mental examinations of Applicant; (State Hospital Columbia)
- 6) All written or recorded statements made by any witness or potential witness in connection with Applicant's case in any way.
- 7) Mental Health files within the South Carolina Department of Corrections.
- 8) Mental Health files from Greenville County Jail; to include Hospitals where Applicant was treated for Mental Health while awaiting trial; medical records to include dates; medications prescribed.
- 9) Narcotic Agent Moody within Laurens County Narcotic Unit reports associated with Applicant; to include: 911 tapes; any all of Agent Moody's notes regarding any and all incidents and transactions performed by Applicant for Moody.

Pg. 2

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

(36)  
10) Solicitor's file on Laurens County.

11) Trial Attorney's file to include any tapes; 911; etc. (N)

Respectfully Submitted,

18/ Benjamin Ray Nabors  
Benjamin Ray Nabors, #233844

Page ~~3-01~~ 3

3-B

*[Handwritten scribbles in the bottom right corner]*

X Filed OCT-7-11

STATE OF SOUTH CAROLINA, LANCASTER

IN THE COURT OF COMMON PLEAS

COUNTY OF LAURENS

2011 OCT -7 P 2:24

Benjamin Nabors, #233844  
Applicant,

C/A No: 2011-CP-30-308

vs.

LAURENS COUNTY  
CLERK OF COURT

**NOTION TO ADDRESS ALL ISSUES PRESENTED**

State of South Carolina  
Respondent,

Pursuant to S.C. Code Ann. §17-27-80

Applicant, Benjamin Ray Nabors, #233844, by and through undersigned counsel, hereby moves/respectfully asks this Honorable Court to direct the Attorney General's Office to Address [all] issues presented, Pursuant to S.C. Code Ann §17-27-80, as decided by the South Carolina Supreme Court in Pruitt v. State, 423 S.E.2d 127.

~~That each and every issue presented be Addressed at any P.C.R. hearing that is held according to Bryson v. State, 493 S.E. 2d 500(1997).~~

Applicant further asks that each and every issue raised herein be Addressed by the Court, at PER hearing that is held and that this Court direct that all issues be Addressed in Order issued by this Court.

For the requested, Applicant respectfully prays,

Respectfully Submitted,

Benjamin Nabors  
Benjamin Ray Nabors, #233844

Pg. 3

FILED

12/11

37

--- 70 11

STATE OF SOUTH CAROLINA )  
 COUNTY OF LAURENS )  
 Benjamin Ray Nabors, #233844 )  
 Applicant, )  
 v. )  
 State of South Carolina, )  
 Respondent. )

IN THE COURT OF COMMON PLEAS

C/A No. 2011-CP-30-308

6

) MOTION FOR EXPENDITURE OF FUNDS  
 ) FOR INVESTIGATIVE SERVICES PURSUANT  
 ) TO §17-3-50(B)

Applicant Benjamin Ray Nabors, #233844 by and through counsel hereby moves, pursuant to S.C. Code §17-27-50(B) for Expenditure of Funds for expert services. In support of this motion, Applicant apprises the Court of the following facts and legal principles.

(1) Applicant is presently serving a twenty-five year sentence for Armed Robbery and a consecutive sentence of twenty years suspended to to five years probation upon release, imposed on October 19, 2010, by the Laurens County Court of General Sessions following his trial where he ultimately pled guilty. No direct appeal was taken. Applicant's initial application for Post-Conviction Relief was filed on March 30, 2011.

(2) Applicant believes in good faith that ~~an~~ independent investigation services are needed due to the extreme circumstances of this case.

(3) On the day of the alleged incident herein, the Applicant was working as an informant for investigator Moody of Laurens County Narcotics Division; and was sent to a resident on Hellans Rd. in Grey Court, South Carolina also known as "The Creek."

(4) Upon Applicants arrival at the residents the subjects were cooking/Manufacturing Methamphetamine and Applicant was exposed to the fumes.

PG ~~ADDA~~ 4

EA

1A

Handwritten mark

(38) 00120-11  
(5) Applicant started Hallucinating and thought that the subjects was killing his wife he ran from that residents through the woods to a mans house who called 911.

(6) After 911 was called to the residents Applicant was taken to jail on an outstanding warrant for Grand Larceny and released on a PR bond and left walking and was denied mental health treatment or hospital services.

(7) The victims picked up the Applicant and his wife up walking.

(8) Applicant believes in good faith that he needs funds for an independent private investigator services.

(9) Mr. Glen Bradley; private investigator services of Lexington, South Carolina spoke with trial counsel several times, but Judge Hill counsel ultimately refused to hire him. OR N-C OTHER INVESTIGATOR

(10) Applicant believes in good faith that the investigator services are needed and are pertinent to his defense of ineffective assistance of Counsel; Prosecutorial Misconduct and investigative misconduct within the Applicants case herein.

(11) See: State v. Bailey, 424 S.E.2d at 506; also see: Ake v. Oklahoma, 470 U.S. 68 (1985).

(12) With good cause shown herein Applicant believes in good faith pursuant to S.C. Code Ann §17-3-50(B) upon a finding in exparte proceedings that investigative exparte, or other services are reasonable necessary for the representation for the Defendant, the Court shall authorize the Defendants attorney to obtain such services on behalf of the Defendants and shall order payment, from funds available to the Office of Indigent Defense, of fees and expenses not to exceed five hundred dollars as the Court considers appropriate.

PJ 11-1

2A

FACTS - AMENDMENT (S)  
CANNOT DENY " A.G.  
Q

AFFIDAVIT

I, Benjamin Ray Nabors, #233844, believes that he has additional claims for Post-Conviction Relief, but does not yet have collateral Counsel, Access to Discovery process, of funds for expert services to hire an independent expert services in the field of private investigation services; and in the field of psychology/psychologist to investigate claims named in his original Application; and Amended Application for Post-Conviction Relief.

Ben Nabors

Benjamin Ray Nabors, #233844

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME  
THIS 20th DAY OF October

Selina Jones

NOTARY PUBLIC  
STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES 1/24/2018

PRATT (B)

~~\_\_\_\_\_~~  
\_\_\_\_\_

X Filed OCT-26-11

Wherefore, for all the foregoing reason, Applicant submits that he has presented good cause for expenditure of funds for investigative services associated with this matter, and therefore respectfully request, pursuant to S.C. Code Ann. §17-3-50(B), that the court issue an Order for the requested funds and thereby Order the payment, from funds available from the Office of Indigent Defense. Applicant prays for any and all other relief this Court deems just and proper.

R

Respectfully Submitted

181 Ben Nabors

Benjamin Ray Nabors, #233844

Pg. ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ ~~139~~ ~~140~~ ~~141~~ ~~142~~ ~~143~~ ~~144~~ ~~145~~ 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pg 1 of 8

RECEIVED

FEB 19 2010

RECEIVED

FEB 19 2010

OFFICE OF DISCIPLINARY COUNSEL 2-14-10

TO: Commission on Lawyer Conduct  
 OFFICE OF DISCIPLINARY COUNSEL DATE:  
 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 blatant  
 refusal to honor my many request to him,  
 concerning the direction in which I wished  
 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 him  
 16  
 2-14-10

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 wifes 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" battle 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

DAVID J. HARRIS



before I would voluntarily submit to such evaluation, "I first requested and would require" that those 911 recordings, and transcripts, for the dates and times now as was then, in question, being the late nite hours of 6-9-09, and the very early morning hours of 6-10-09, from LAURENS 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, yet 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 suffering from mental hallucinations, and thereby 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 hearing the same drum to deaf ears, for months now.

PP. ~~XXXXXXXXXX~~ (1)

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 recordings, 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, "Laurens County's 911 system", requesting help because people were trying to kill me etc. 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 officers, 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

pg 7 of 8

my self, 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 such, would mean that they would have to also put the above parties on trial as well. AND THAT CAUSES A CONFLICT.

9/19

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2-18

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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?

Sincerely,

2-14-10

DATE.

~~Ben Nabors~~

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

page 1 of 2

2-9-10

J615016  
J616454  
J616455

LAURENS COUNTY  
CLERK OF COURT

C/O: 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.

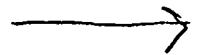
Dear madam clerk,

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, S.C. 29601

by [signature]



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, yours

2-2-18  
DATE: Ben Dabson

☆

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.D.U.  
P.O. BOX 20998, CHARLESTON, S.C. 29413-0998

CC. ELIZABETH WYCKOFF,  
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

101 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 for it's inspection, and

BTB

Page 2 of 4

review, the following evidence. THE defense does consider the following to be "evidence" as well as "relevant", to the defenses, "rebuttal evidence" concerning the states charges 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 system, which were placed by the defendant on

Page 3 of 4

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 placed 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 please

~~PA 198~~

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INSTRUCT THE EIGHTH CIRCUIT SOLICITORS 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,

<sup>36</sup>  
Ben Nabor

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

pg. 4 of 4 3-18 B35

2-9-10

C/O; Clerk of Courts ~~OFFICE~~ P# 441-29-10  
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

(pg 19, 20)

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1-29-10

CLERK OF COURT  
C/O: COMMISSION ON INDIGENT DEFENSE;  
OFFICE OF THE EXECUTIVE DIRECTOR,  
P.O. BOX 11433, COLUMBIA, S.C. 29211-1433

FROM: BEN NABORS, PROPOSED 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. 1-29-10

I have written your office several  
letters, asking for your office's "Help."  
AS YOU KNOW, my current court appointed lawyer  
MICHAEL TURNER JR. # 864-984-6565  
FAX # 864-984-5451, OUT OF LAURENS COUNTY, S.C.  
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 "CANNOT continue as my lawyer" in  
connection with the above. MR TURNER, JR  
was my 3rd. Lawyer in eight months, who

PAGE 2 OF 5

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 6-10-09.

THIS "EVIDENCE" FOR "MY DEFENSE", WILL PROVE THAT I WAS IN FACT, EITHER INSANE OR MENTALLY ILL, OF GUILTY BUT MENTALLY ILL, AT THE TIME OF THE CRIME. AND NONE 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 COUNTY'S BAR. NONE OF THESE PEOPLE WISH TO HONOR MY REQUEST, CONCERNING MY PRE-TRIAL INVESTIGATION, "THE ABOVE REQUESTED EVIDENCE I HAVE BEEN "SEEKING", FOR "SEVERAL MONTHS" NOW. NOT WILL ANYONE AGREE WITH ME OR MY BEST DEFENSE, WHICH AS I HAVE MADE

page 3 of 5

mention of above, I FEEL would best be 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 at least 3 911 calls for help, 2 of them placed by "myself", because I was having hallucinations very severe and very vivid" hallucinations, 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, no food", while on crystal meth, I had become "mentally ill". For 3 hours, while officers investigated my calls to 911, "THE SWAT team" was also dispatched and deployed to the scene. I was "detained", in handcuffs, in the back seat of one of the police cars, where I still continued to have very severe and very "vivid" hallucinations. AT one point they became so bad, an officer was placed inside the police car with me, to prevent me from causing myself harm or others. Eventually, I was arrested and carried to jail, because of an outstanding warrant, J-615016, for "Grand Larceny". IT WAS told to the jailers at the detention center

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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 did in fact attempt to stop me, and late to get away from me. I, however, beat her upon her body, and threaten 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 my arrest, 6-11-09, I have admitted to taking her hostage and beating her. "yet, she is still being detained for these bogus charges against her," and has been wrong fully detained for nearly nine months now. "She Jennifer ANN Hughes, is very much so innocent of these charges." HER COURT 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. 29360

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

RECEIVED RECEIVED

OCT 15 2009

OCT 15 2009

COMMISSION ON  
LAWYER CONDUCT

OFFICE OF  
DISCIPLINARY COUNSEL

C/O: Sabrina Todd

Assistant Disciplinary Counsel

From: BEN NABORS, #A-1, Laurens County Detention  
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's  
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 about  
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. That I felt very  
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#2

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 P.R. 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 as 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, 9-22-09, when the "Judge was 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 of

04 27 00 00 00

#3

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. Sincerely  
please respond! Thank you!

Ben Nabors  
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STATE OF SOUTH CAROLINA  
COUNTY OF LAURENS

IN THE COURT OF COMMON PLEAS

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

2011-CP-30-00308  
TRANSCRIPT OF RECORD

NOVEMBER 14, 2012  
LAURENS, SOUTH CAROLINA

BEFORE:

THE HONORABLE FRANK R. ADDY, JR.

APPEARANCES:

ATTORNEY FOR APPLICANT:

CAROLINA HORLBECK, ESQUIRE

ATTORNEY FOR RESPONDENT:

RUTLEDGE JOHNSON  
ASSISTANT ATTORNEY GENERAL

SUSAN W. HUDGINS  
CIRCUIT COURT REPORTER

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WITNESS

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EXHIBITS

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

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

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

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

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

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

18           **THE COURT:** All right.

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

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

24           **MS. HORLBECK:** No, sir.

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

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

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

3 MS. HORLBECK: That's correct.

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

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

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

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

24 THE COURT: Johnson.

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

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

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

12 (Pause)

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

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

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

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

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

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

17 **THE COURT:** All right.

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

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

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

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

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

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

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

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

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

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

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

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

12 **THE COURT:** Okay.

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

21 So they like, well, he's a piece of shit, white trash,  
22 drug addict, whatever, let's just keep him in jail. Never  
23 mind the fact that they say I had my constitutional rights  
24 violated, that nobody would appoint me an investigator.  
25 I've asked her numerous times for an investigator. She told

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1 me that she ain't going to do certain things for me.

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

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

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

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

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

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

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1 And that's what -- I'm glad you said that because that's a  
2 nice segue into what I was going to tell you here.  
3 Understand, Mr. Nabors, I realize that you are indigent. I  
4 realize that this case is extremely important to you.

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

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

10 MR. NABORS: I'm trying.

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

16 MR. NABORS: None.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **MR. NABORS:** (Affirmative nod).

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

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

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

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

23 **THE COURT:** I am ---

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

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1 for ---

2 THE COURT: All right, Mr. Nabors, ---

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

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

9 MR. JOHNSON: Yes, sir.

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

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

14 THE COURT: I'm sorry?

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

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

18 MR. JOHNSON: No, sir.

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

22 THE COURT: All right.

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

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

8           **MR. NABORS:** I think so.

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

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

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

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1 MR. JOHNSON: Your Honor.

2 THE COURT: Yes, sir.

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

5 THE COURT: I know.

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

10 THE COURT: All right.

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

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

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

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

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

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

23 MR. NABORS: --- represent myself.

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

25 THE COURT: Mr. ---

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

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

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

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

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

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

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

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

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

3 MR. NABORS: No, sir.

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

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

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

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

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

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

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

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

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

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

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

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

18

22

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

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

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

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

20           **THE COURT:** All right.

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

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

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1 school for three years and practiced for a number of years.  
2 You understand that, sir?

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

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

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

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

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

21 THE COURT: --- very least.

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

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

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

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

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

21           **MR. NABORS:** (Affirmative nod).

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

24           **MR. JOHNSON:** 11th.

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

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1 MR. JOHNSON: It's Judge Newman.

2 THE COURT: Oh, okay. Very good. All righty. Mr.  
3 Nabors, pleasure to make your acquaintance. That'll be the  
4 order. Mr. Thomas, if you will prepare such. Very good.  
5 Thank you.

6 MR. JOHNSON: Thank you, Your Honor.

7 (Whereupon Court's exhibit 1 was marked)

8 (Hearing Ended at 10:26 am)

9 (End of Requested Transcript of Record)

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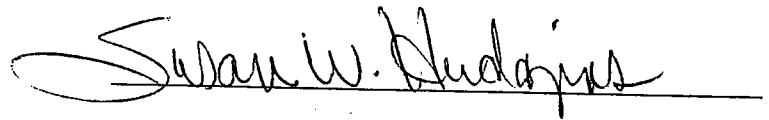
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Certificate of Reporter

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

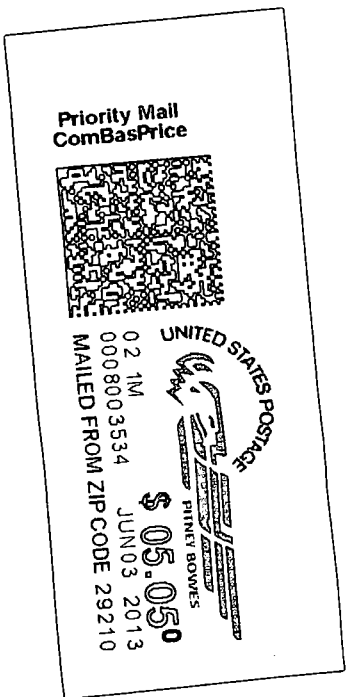
I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

November 30, 2012



Circuit Court Reporter

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**LEGAL MAIL**