

P2-#1

State Souths Carolina
County of Laurens
BENJAMIN RAY NABORS
pro se Appellant not
by choice) vs.

State of South Carolina
Respondent

IN the South Carolina
APPEALS COURT
4TH CIRCUIT
CA 2011-CP-30-30-D
MOTION to
EXPAND RECORD
AND ADDRESS
ALL ISSUES.
S.C. Code ANN
17-27-80
Rule 15
Rule 7 DISCALZ
2054

RECEIVED
JUN 13 2013

S.C. Supreme Court

RECEIVED
JUN 06 2013

SC Court of Appeals

MAY PLEASE THE HONORABLES
COURT. THANK YOU FOR YOUR
WISHES AND MORE
FOR ALLOWANCE TO EXPAND
THE RECORD AND FOR ADDRESS →

BROAD RIVER CORRECTIONAL INSTITUTION SMU LIBRARY

Library Book Request

Inmate's Name:	SCDC Number:	Cell Number:	Date of Request:
----------------	--------------	--------------	------------------

I request the following library books to be delivered to me <i>(please list author & title from book list in order of preference)</i>	Your request has been filled or cannot be filled <i>(state reason)</i>	Book Condition	
		Delivered	Returned

I understand that only up to ~~two~~ ^{two} books will be delivered to me at one time. I understand that I am responsible for this material.

I have received the materials listed above in the condition indicated. I agree that these materials will be returned on time and in the same condition or I will be charged replacement cost.

Inmate Signature *(to be signed when material is delivered)*

Date

P 9-11-2

(ALL ISSUES) WHICH THE
HONORABLE P.C.R. COURT DID NOT
DO ON 3-13-13 CAUSE IT
FORCED ME TO PRO SE!
AND ~~IT~~ WAS PHYSICALLY PREVENTED
PREVENTED BY C.O.D.C. DEPUTIES
(TURNER) WHO GIVE COURT
MY ISSUES DOCUMENTS
WHICH PROVE BY PRO PONDANCE
OFF EVIDENCE THAT ~~IT~~
(SHOULD) ACCORDING TO
LAW (BE GRANTED NEW TRIAL)

PLEASE MR. OR MRS. OPENLY
COURT JUDGE DON'T LET ME
VICTIMS SON IS LOAN COP
AND HAS ASSAULTED ME AND
NONE OF THIS IS PART THIS WRONG!
PLEASE HELP ME TRY TO GET MY SON
THEY HAVE PUT (HITS) ON ME HERE
SWEAR TO ME

COVER SHEET 1(A)

CONTENTS

pages 1-28 (e.) motion 59(e)

page 29-30. Affidavit of Service

Attachments

- (1.) L.C.S.D. Incendant Reports for:
 - (A.) 8-28-08 - DATS of - # 08003068 - Grand Canyon
 - (B.) 6-10-09 - DATS of # 09001898 - meth Lab
 - (C.) 6-10-09 - DATS of # 09001911 - car tracking
 - (D.) 10-23-09 - DATS of # 09003566 - meth Lab
 - (E.) 8-28-08 WARRANT NARCOTICS COPS Black male with
- (2.) OFFICE OF DISCIPLINARY COUNCIL -
COMPLAINT AGAINST Judge D. GARRISON Hill.
matter number: 09-DE-J-0261-10-13-09
with complaint attached. ONE OF
ONLY SEIOSCOGOSSEE! NA DOF!

P9 ~~ADD~~ = 3 AND MY LIFE IS IN DANGER..

BE HUNG NO MORE PLEASE
LET JUSTICE BE SERVED
CORRECTLY. MY ISSUES
AR ALL REAL AND
IT HAD H WE TOW TRYIN
TOW COMMUNICATE YOU DONT
DONT HAVE A CLUE CARD
AS WHAT MY LIFE HAS
BEN LIKE EVERY SINCE

L.A.S.D. NARCOTICS OPS OR
ACTUAL AUTHORITY (FORCED)
ME BE UNDERCOVER NARC
AGENT! AND ON 6-10-09
WHILE WORKIN FOR THEM
THEY SAT METH CAS WAS
EXPOSED TO BOMBIC →

pg 1 of 8

RECEIVED

FEB 19 2010

2-11

RECEIVED

FEB 19 2010

41

OFFICE OF DISCIPLINARY COUNSEL 2-74-16

DRAFT

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 him

P 9. ~~1111~~ = 4

toxic meth chemicals
at 836 Hellams Rd. ("Devil
Lives there as he Body")

GREY COIT SIC. 29695

OWNERS THOMAS and Sean
Partner, meth manufacturers

and it doctors psychiatrists
were willing to give sworn
affidavits or even testify

how FACT that it aggravated

my existing paranoid schizo

thing AND the records

evidence will

Will show

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-Counties 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

PT. ~~XXXXXX~~ = 5

That while acting
under actual authority

FOI by ~~XXXXXX~~, LCS/D

NAIC LT. BRIAN BRIDGES

Sgt. JUSTIN MOODY

and PAUL PAGE and

Capt. STEPHON WILLIAMS

ON 6-10-09. That ~~he~~ was

exposed to these toxic chemicals

AND EST. EST. ETS

TRIAL ATTORNEY

ALEX STALVEY ETS

Failed to be present or
offer defense ~~he~~ waived

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 ongoing 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

PS #~~111111~~ = 0

Alex Stalovy Esq
trial attorney failed
to investigate,
led investigator
willing to help.

MR. ALAN BRADY
P.I. # 1328 SL

trial attorney
failed to do all
and everything he
could should have
done to present
my defense of

30F8

Z-13

48

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, 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 attempt
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 6-10-00
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, Th

P1. ~~AAAAAA~~ = 7

Actual of public
Authority. ~~S~~ ~~A~~

U.S. v. Fulcher 250
F.3d 244 ethical

for rephrase explanation
off.

Dear Appeals Court
Judge, please ~~do~~
be a you to allow me
to present my appeal
case fairly. ~~do~~ can
prove ~~do~~ do deserve

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 victim's 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!

P 1 ~~*****~~ = 8

A NEW TRIAL,
CONSIDERATION

(BUT) I need help!

(your help) to

Make sure my issues

all get addressed

by your honors

I am NOT CRAZY.

Just little agitated
from the almost unbearable
unbearable amount of
stress that has been →

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-counties 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

P.T. ~~*****~~ = 9

STRESS which has
been placed upon
my MIND body and
SOUL. AND IT'S ALL
BECAUSE OF L.C.S.D.
NARCOTICS UNIT

Sending me N-2 all
those crack houses
meth labs undercover
low purchase crack,
meth, pill, ext and
low another into for
L.C.S.D NARC COPS

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

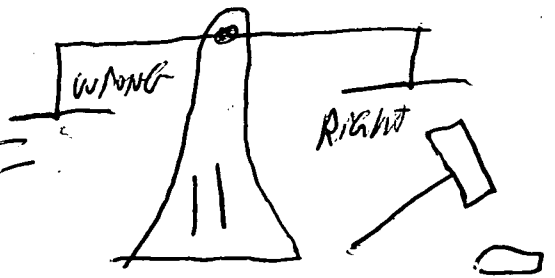
"I need help; very badly."

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, or GUILTY but mentally ILL, at the time of the crime. AND NONE OF THESE people, Attorney 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 & my best defense, which as I have made

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 all 3 911 calls for help, 2 of them placed "myself", because I was having hallucinations 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, 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 handcuff in the back seat of one of the police cars where I still continued to have very severe and very "vivid" hallucinations. AT one point they became so bad, an officer was placed inside the police car with me, to prevent me from causing myself harm or other. Eventually, I was arrested and carried to jail, because of an outstanding warrant J-615016, for "Grand Larceny". IT was told to the jailers at the detention center.

P.S. ~~XXXXXXXXXXXXXXXXXXXX~~



SO PLEASE ~~Q~~ ^{ME} JUSTICE ^{IS ALL THAT'S}
BEG ON MY HANDS ^{NEEDED} ~~Q~~ ^{NEEDED}
FOR YOUR HONORS TO

REALLY REVIEW THIS CASE
CHSLEY AND WEAUGH

ALL FACTS & DOCUMENTATION

AND ~~Q~~ WISH FOR ALLOWANCE
TO SEE INTERROGATORIES

FROM THOSE COPS. NO ONE
HAS GRANTED MY MAN

MAN MANY REQUESTS
FOR THOSE COPS TO
SAY ADMISION OF FACTS
WHICH THEY HAVE DONE
AND MY WIFE!

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, or guilty but mentally ILL, at the time of the crime. AND NONE OF THESE people, Attorneys Bill Mayer, The public defender, Claude H. Howe, III, of Laurens County, as well as, Michael Turner, JR, all of Laurens Counties 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 on my best defense, which as I have made

P7 ~~*****~~ = 12

PLEASE RESPOND WITH
INSTRUCTIONS
AND WHAT DO ~~YOU~~
WANT TO DO TO MEET
YOUR RULES. WHAT ARE
THE RULES? PLEASE
DON'T SAY MY CASE IS
DISMISSED CAUSE ~~YOU~~
FAILED TO FOLLOW RULES,
CAUSE ~~YOU~~ AM A MONTH
IN P.L.D. ON LOCK-UP
CAUSE MY ROOM MATE
NIPPED ME AGAIN.

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 hallucinations 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, 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 handcuff 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 to jail, because of an outstanding warrant J-615016, for "Grand Larceny". IT WAS told to the jailers at the detention center.

P9: ~~PPPPPPPPPPPPPPPPPP~~ = 13

What ever ~~Q~~ might
have actually been guilty
off, trust me please,
~~Q~~ have paid for it
10 fold, you cant
people do not have a
idea off what it has
suffered since ce all
this started on 6-12-09,
~~Q~~ cost every thing my
life has no meaning
or purpose its like
~~Q~~ just walking dead.

6-5-13

NABERS

SIN SIMS Bn m
BEN NABERS

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 all 3 911 calls for help, 2 of them placed "myself" because I was having hallucinations 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, 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 handcuff in the back seat of one of the police cars where I still continued to have very severe and very "vivid" hallucinations. AT one point they became so bad, an officer was placed inside the police car with me, to prevent me from causing myself harm or other. Eventually, I was arrested and carried to jail, because of an outstanding warrant J-615016, for "Grand Larceny". IT was told to the jailers at the detention center.

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, or GUILTY but mentally ILL, at the time of the crime. AND NONE OF THESE people, ATTORNEYS BILL MAYER, THE public defender, CLAUDE H. HOWE, III, of LAURENS COUNTY, as well as, MICHAEL TURNER, JR, all of LAURENS 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 ANY ONE agree with me & my best defense, which as I have made

34

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

IN THE COURT OF COMMON PLEAS
C/A No: 2011-CP-30-308
NOTICE OF DISCOVERY PURSUANT
TO §17-27-150(A)

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

Handwritten signature or initials

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

- 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.

36
10) Solicitor's file on Laurens County.

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

Respectfully Submitted,

1a/ Benjamin Ray Nabors
Benjamin Ray Nabors, #233844

Page ~~3~~ 3

3-B

STATE OF SOUTH CAROLINA)
COUNTY OF LAURENS)
Benjamin Ray Nabors, #233844)

IN THE COURT OF COMMON PLEAS
C/A No. 2011-CP-30-308

Applicant,)
v.)
State of South Carolina,)
Respondent,)

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 Hellams 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.

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.

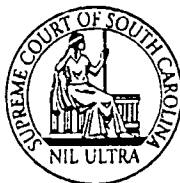
(8) Applicant believes in good faith that he needs funds for an independent private investigator services.

(9) Mr. Glen Bradley; private investigator services of Lexington, South Carolina spoke with trial counsel several times, but counsel ultimately refused to hire him.

(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.



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)

to S.C.A 6-5-13 APPLICANT
PART OF PSYCH. RECORDS
"S.C.D.C.A.M.R" WHICH
NEITHER TRIAL COUNSEL
THE COURT THE STATE, NOR
THE DEFENDANT EVER
SAW PRIOR TO OR AT
THE $\begin{pmatrix} 9 & 13 \\ 6 & 3 \end{pmatrix}$ OF TRIAL-PLEA.

THESE PSYCHIATRIST
 $\begin{pmatrix} 7 \end{pmatrix}$ OF THEM WOULD
HAVE GIVEN SWORN
AFARAVIS STADING $\begin{pmatrix} 1 \end{pmatrix}$
PARNOR SCHWZ WHAT
EVER AND NEVER GOT
TO CHALLENGE STATE ABOUT
MY MENTAL STATES IN
A (BLAIR HEERING) →

① deserve a new
trial with good
Cause! plea

treat me FAIRLY
Cause no one else
can has a trial
etc. please dont
deny me RELIEF

93

SCDC# 233844 NABORS, BENJAMIN RAY

SIGNED OFF ON 03/23/05 @ 9:05 BY DANA OSTROV, LICENSED PRACTICAL NURSE

** ENCOUNTER: 172 MENTAL HEALTH CLINIC 03/22/05 15:25 KIRKLAND COMP
PSYCHOLOGY: TODAY I RECEIVED A MESSSGE FROM INMATE WRITTEN 03/19, AFTER I
SAW HIM OM 03/18/05. HE WS MOVED TO D DOEM ON ADMINISTRATIVE LOCKUP BE-
CAUSE HE HAS A PAST ESCAPE CHARGE. HE INTERPRETED THIS AS BEING PUT WHERE
HE CAN BE KILLED, HIS DELUSIONAL TENDENCIES BEING STIMULATED, APPARENTLY.
IT IS HOPED HE CAN BE BROUGHT UP TO NP DELANEY'S PSYCHIATRIC CLINIC TO-
DAY. IF NOT, I WILL ENDEAVOR TO FOLLOW UP ON THE MORROW.
SIGNED OFF ON 03/22/05 @ 15:31 BY EDWIN H HEARON, III, LICENSED PSYCHOLOGIST
SIGNED OFF ON 03/22/05 @ 15:58 BY EILEEN DELANY, NURSE PRACTITIONER III

691 See 169
NUI 2

** ENCOUNTER: 171 MENTAL HEALTH CLINIC 03/18/05 14:50 KIRKLAND COMP
PSYCHOLOGY: DIAGNOSTIC COMPLETED. SOURCES: SCDC MEDICAL RECORDS; BENDER
VISUAL MOTOR GESTALT TEST; CARLSON PSYCHOLOGICAL SURVEY; PERSONALITY AS-
SESSMENT INVENTORY; PROJECTIVE DRAWINGS; CLINICAL INTERVIEWS.
DATA INDICATE INMATE IS SCHIZOPHRENIC. ANXIETY IS HIGH, DEPRESSION IS
PRESENT AND MAY BECOME AGITATED. MUCH CONCERN SEEMS TO CENTER AROUND SEX
IMAGE AND RELATIONSHIPS, AND DATA HINT THAT INMATE MAY BE COPING WITH HOMO-
SEXUAL TENDENCIES. DATA COULD REPRESENT A MOTHER OR OTHER FEMALE IN HIS
LIFE WHO HAS BEEN DIFFICULT TO RELATE TO BECAUSE OF HER OWN PERCEIVED PER-
SONALITY DIFFICULTIES.
HE DENIES ACTUAL HALLUCINATIONS, ADMITS ONLY TO OCCASIONALLY "HEARING"
HIS OWN THOUGHTS. IT IS WONDERED WHETHER HOMOSEXUAL IMPULSES OR FEELINGS
INCREASE DISTURBANCE OF REALITY TESTING. ANXIETY AND DEPRESSION ARE PART
OF SCHIZOPHRENIA IN MANY CASES, WILL NOT BE REDIAGNOSED BUT SEE ENC. #169.
DIAGNOSIS APPEARS TO BE 295.60, SCHIZOPHRENIA, RESIDUAL TYPE BUT MAY
PROVE TO BE UNDIFFERENTIATED OR PARANOID IN TYPE. PARANOID IDEAS, NOT AC-
TUAL DELUSIONS, INDICATED. SOME DATA WAS ANSWERED IN THE EXTREME, INTER-
PRETED AS ASKING FOR HELP AND RELIEF.
RECOMMEND: REFER TO PSYCHIATRIST.

V
V

ASSIGN TO OUTPATIENT MENTAL HEALTH INSTITUTION
EDWIN HEARON, PH.D., LICENSED PSYCHOLOGIST
SIGNED OFF ON 03/18/05 @ 15:27 BY EDWIN H HEARON, III, LICENSED PSYCHOLOGIST
PSYCHIATRIST CONSULT.
SIGNED OFF ON 03/21/05 @ 8:06 BY JAMIL A EL-SHAMI, NURSE PRACTITIONER III
ABOVE PSYCHIATRIC CONSULT NOTED ON TICKLER.
SIGNED OFF ON 03/21/05 @ 8:32 BY DONNA L O'DANIEL, REGISTERED NURSE I

ENCOUNTER: 170 SICK CALL 03/14/05 10:53 KIRKLAND COMP
IM TO MEDICAL REPORTS HAVING DRY SKIN. IM REPORTS HAVING DRY SKIN
THROUGHOUT ENTIRE BODY. IM STATES HAD PROBLEM FOR 8-9 YEARS.
TEMP=098.7 PULSE= 76 RESP=18 BP=100/ 80 WEIGHT=166
IM LEGS HAVE DRY CRACKED AREAS THAT ARE NOTICEABLE.
ISP LOTION
SIG: USE AS DIRECTED
SIG:
START DATE: 03/14/05 TOTAL DAYS: 30
MD: EL-SHAMI, JAMIL -
PER VO J. EL-SHAMI, NP ORDER ISP LOTION FOR ONE MONTH. ISP LOTION ORDERED.

DATA indicate inmate is schizophrenic
Noses appears 295.60 schizophrenia
noid type

MDCI880D
OMINMDCA

57

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

SCDC# 233844 NABORS, BENJAMIN RAY

10
C

SEE PF 5 FOR ORDERS

PAG:

SIGNED OFF ON 04/01/05 @ 13:32 BY WILLIAM C LITRELL, NURSE ADMINISTRATOR

** ENCOUNTER: 176 NARRATIVE 03/30/05 9:34 KIRKLAND
TRAZODONE 150MG
SIG: TAKE ONE TABLET AT BEDTIME
SIG:

START DATE: 03/30/05 TOTAL DAYS: 90
MD: BEINOR, MICHAEL -

ABOVE MED RENEWED PER VO DR. BEINOR
SIGNED OFF ON 03/30/05 @ 9:35 BY DEBRA A HENDERSON, LICENSED PRACTICAL I
SIGNED OFF ON 03/30/05 @ 11:22 BY MICHAEL J BEINOR, PHYSICIAN II

** ENCOUNTER: 175 NARRATIVE 03/24/05 10:56 KIRKLAND
NO SHOW TO S/C DESPITE OTR.
SIGNED OFF ON 03/24/05 @ 10:56 BY VIRGINIA A LATTEN, LICENSED PRACTICAL N

** ENCOUNTER: 174 DOCTOR'S CLINIC 03/22/05 15:59 KIRKLAND
HEALTH SUMMARY UPDATED
SIGNED OFF ON 03/22/05 @ 15:59 BY EILEEN DELANY, NURSE PRACTITIONER III
HEALTH SUMMARY UP DATE COMP IN HARD CHART AND CRT
SIGNED OFF ON 03/23/05 @ 9:12 BY DANA OSTROV, LICENSED PRACTICAL NURSE

** ENCOUNTER: 173 DOCTOR'S CLINIC 03/22/05 15:44 KIRKLAND
S. SEEN FOR PSYCH MED CLINIC. HE IS CURRENTLY ON LOCKDOWN STATUS AS HE IS
AN ESCAPE RISK. HE IS UPSET ABOUT THIS. HE DESCRIBES HIMSELF AS A LONER. DO
S NOT RELATE WELL TO MEN AS HE WAS ABUSED BY HIS FATHER. HE DOES NOT WANT
O DISCUSS THE ABUSE AS OFFICERS ARE STANDING NEARBY. HE HAS NO FAMILY HE R
LATES TO . WOULD LIKE TO LIVE ALONE IN THE DESERT. DENIES VOICES, BUT SAYS
HE HAS "THOUGHTS". STATES HE IS DEPRESSED.
O. IM IS PLEASANT, ANSWERS QUESTIONS EASILY. EYE CONTACT POOR. AFFECT WORRI
ED. DESCRIBES HIS DEPRESSION AS FEELING LIKE HE IS IN A HOLE, SURROUNDED BY
DARKNESS. FEELS THERE IS LITTLE TO NO HOPE. DENIES THOUGHTS OF KILLING HIM
SELF, BUT DOES THINK ABOUT GETTING HIMSELF KILLED BY THE POLICE. "I WOULD
HAVE TO TAKE SOME OF THEM OUT WITH ME." VERY UNCOMFORTABLE AROUND AUTHORITY
FIGURES AND HAS DONE VARIOUS THINGS T FORMER BOSSES, SUCH AS SLASHING THEI
R TIRES. HAS DONE WELL ON PROZAC 40 MG BUT FOR SOME REASON IT WAS DECREASED
TO 20 MG.

A. PERSONALITY DIS WITH DEPRESSED MOOD

P. CONTINUE TRAZEDONE
D/C PROZAC 20 MG

FLUOXETINE 20MG

SIG: 60 MG Q AM

SIG:

START DATE: 03/22/05 TOTAL DAYS: 90
MD: DELANEY, EILEEN WEYL

SIGNED OFF ON 03/22/05 @ 15:57 BY EILEEN DELANY, NURSE PRACTITIONER III
ENDUM: I RECOMMEND A FEMALE COUNSELOR IF POSSIBLE
SIGNED OFF ON 03/22/05 @ 15:58 BY EILEEN DELANY, NURSE PRACTITIONER III
ATION ORDER COMPLETED AS ORDERED ON MAR

Recommend Female 3-22-05-KIRKLAND
Counselor. Result: ...

MDCI880D
OMINMDCA

58

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/3
C01

SCDC# 233844 NABORS, BENJAMIN RAY

PAGE

SEEMED TO ENJOY ABOVE EXERCISE. VERY VOCAL AFTER GROUP ABOUT CONFLICT:
W/ UNIT CO'S. I/M ENCOURAGED TO LEARN & UTILIZE CONCEPTS THAT WILL BE
TAUGHT IN GROUP TO APPROPRIATELY HANDLE STRESSORS.

P: GROUP WILL RESUME NEXT WEEK. T. YATES, CCC V
SIGNED OFF ON 08/03/05 @ 15:40 BY TONIA T YATES, HUMAN SERVICES COORD II

** ENCOUNTER: 196: MENTAL HEALTH CLINIC 07/28/05 15:16 LEE CC
CCC NOTE - I/C SESSION:

D: I/M WAS ON TIME & WELL-GROOMED FOR SESSION. HE WAS ALERT & ORIENTED,
WITH GOOD EYE CONTACT. IMMEDIATELY C/O BEING "STRESSED OUT...THERE IS SO
MUCH TENSION IN THAT DORM...THE OFFICERS ARE CONSTANTLY PICKING ON US...I'
A GROWN MAN & THEY TREAT US LIKE KIDS". REPORTS FEELING EASILY AGITATED AN
STAYS TO HIMSELF IN ATTEMPT TO AVOID CONFLICTS. HE REPORTED COMPLIANCE WIT
RX PROZAC & SERAQUEL WITH GOOD RESULT. SLEEP & APPETITE WNL. STS, "PROZAC
KEEPS ME FROM FEELING DEPRESSED". HE DENIED ANY SXS OF PSYCHOSIS. DENIED
H/S IDEATIONS. HIS MOOD WAS MILDLY AGITATED, AFFECT WNL. SPEECH WAS
PRESSURED, BUT LOGICAL, THOUGHTS ORGANIZED. CCC & I/M DISCUSSED MANAGING
STRESS & GAVE HANDOUT ON RELAXATION TECHNIQUES. CCC ENCOURAGED CONTINUED
MED COMPLIANCE & USING + COPING SKILLS. INFORMED I/M THAT HE HAS BEEN
ASSIGNED TO STRESS MGT. GROUP THERAPY - STARTING NEXT WED. HE EXPRESSED
THAT HE WAS GLAD & VERY INTERESTED IN PARTICIPATING.

A: DX=ANTISOCIAL PERSONALITY TRAITS, PARANOIA NOS. I/M STABLE ON MEDS.
VENTING NORMAL FRUSTRATIONS W/PRISON LIFE. HAS GOOD INSIGHT & JUDGEMENT TO
USE - IF HE SO CHOOSES. DOES NOT APPEAR TO BE ANY DANGER TO SELF/OTHERS.
DID NOT VOICE ANY SXS OF PARANOIA. IS PLEASANT & COOPERATIVE.
P: CCC WILL CONTINUE TO F/U & MONITOR PRN. G. BREON, CCCIII
SIGNED OFF ON 07/28/05 @ 15:27 BY SUSAN V BREON, HUMAN SERVICES COORD I

** ENCOUNTER: 195 NARRATIVE 06/16/05 16:03 LEE COM.
APPROVED NON FORMULARY FORM RECEIVED FROM DR.ALEWINE. COPY PLACED IN PILL
ROOM FOR FILING AND HARD COPY CHART.
SIGNED OFF ON 06/16/05 @ 16:04 BY JENNIFER N BOWMAN, MEDICAL ASSISTANT TECH

** ENCOUNTER: 194 DOCTOR'S CLINIC 06/09/05 10:09 LEE COMI
FLUOXETINE 20MG
SIG: 2TABS HS X5DAYS THEN INCREASE TO 3TABS HS X30DAYS;
SIG: 2REFILLS.
START DATE: 06/09/05 TOTAL DAYS: 90
MD: CUSAK, JOHN -
NOTE: NONFORMULARY SEROQUEL 200MG. HS
J.R. CUSACK, D.O.
SIGNED OFF ON 06/09/05 @ 10:10 BY JOHN CUSACK, PHYSICIAN I
NONFORMULARY MUST BE APPROVED. IF APPROVED PILL LINE NURSE TO SEND OTR
WHEN MEDICATION ARRIVES. Y. MCDONALD RN.
SIGNED OFF ON 06/17/05 @ 7:20 BY YVONNE MCDONALD, UNCLASSIFIED

** ENCOUNTER: 193 MENTAL HEALTH CLINIC 06/09/05 10:00 LEE COMP
D. THIS IS A 29 YEAR OLD, SINGLE, WHITE MALE. THIS IS HIS SECOND
INCARCERATION. HE COMPLAINS OF DEPRESSIVE AND ANXIOUS SYMPTOMS.
HE ADMITTED TO HAVING BEEN SEXUALLY MOLESTED AS A CHILD. HE RELATED:

maybe my child hood affected how

MDCI880D
OMINMDCA

59

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/31
C010

SCDC# 233844 NABORS, BENJAMIN RAY

PAGE

P: GROUP WILL RESUME NEXT WEEK W/ CONTINUED DISCUSSION ON HOMEWORK ASSIGNMENT. NOTE: CASE DISCUSSED W/ HIS PRIMARY CCC (S. BREON) & ONE MORE DISRUPTIVE INCIDENT WILL RESULT IN GROUP TERMINATION. T. YATES, CCC V SIGNED OFF ON 08/17/05 @ 16:02 BY TONIA T YATES, HUMAN SERVICES COORD II

** ENCOUNTER: 199 SEIZURE/ASTHMA CLINI 08/16/05 10:56 LEE COI
MED RENEWAL
ALBUTEROL INHALER
SIG:TWO PUFFS QID PRN
SIG:
START DATE: 08/16/05 TOTAL DAYS: 365
MD:HUFF-SIMMOMS, TERRI L.
QVAR INHALER
SIG:TWO PUFFS BID
SIG:
START DATE: 08/16/05 TOTAL DAYS: 365
MD:HUFF-SIMMOMS, TERRI L.
L GRAHAM, R N
SIGNED OFF ON 08/16/05 @ 10:56 BY LEIGH A GRAHAM, UNCLASSIFIED
WILL RENEW
TERRI HUFF, FNP
SIGNED OFF ON 08/16/05 @ 14:37 BY TERRI L HUFF-SIMMONS, UNCLASSIFIED
MEDS DIRECT TRANSMIT TO PHARMACY.
S. COULTER, LPN
SIGNED OFF ON 08/16/05 @ 15:57 BY SUZANNE S COULTER, TECHNICAL MEDICAL ASSO

** ENCOUNTER: 198 MENTAL HEALTH CLINIC 08/10/05 14:24 LEE COM
STRESS MANAGEMENT GROUP: S. BREON, CO-LEADER.
D: I/M ARRIVED FOR GROUP LATE W/ A COVERED TUMBLER (BROWN LIQUID INSIDE) IN HAND. A&O X3, CALM, FAIRLY COOPERATIVE, SPORADIC EYE CONTACT, APPROPRIATELY DRESSED & GROOMED W/ NO HYGIENE PROBLEMS, FLAT AFFECT & SUBDUED MOOD. GROUP FOCUS: WHAT IS STRESS? DISCUSSION ALSO FOCUSED ON EFFECTS OF STRESS ON THE BODY - PHYSICALLY & MENTALLY.
A: FAIR PARTICIPATION. SOME REDIRECTION REQUIRED AS SOME OF HIS RESPONSES REFLECTED HIS DISTORTED THINKING PROCESSES & WAS NEGATIVELY IMPACTING THE GROUP. HE RESPONDED TO THE REDIRECTION BY VOICING MORE POSITIVE STATEMENTS W/ A BIT OF SARCASM. NOTE: HE VIOLATED GROUP RULE BY DRINKING FROM ABOVE TUMBLER IN GROUP. HE APOLOGIZED SEVERAL TIMES AFTER IT WAS BROUGHT TO HIS ATTENTION.
P: GROUP WILL RESUME NEXT WEEK. HOMEWORK: COMPLETE LIST OF LIFE EVENT STRESS INVENTORY; MAKE A LIST OF STRESSORS. T. YATES, CCC V
SIGNED OFF ON 08/10/05 @ 14:58 BY TONIA T YATES, HUMAN SERVICES COORD II

** ENCOUNTER: 197 MENTAL HEALTH CLINIC 08/03/05 15:37 LEE COME
STRESS MANAGEMENT GROUP: S. BREON, CO-LEADER.
D: INITIAL SESSION. A&O X3, TALKATIVE, COOPERATIVE, AFFECT/MOOD WNL, SPEECH CLEAR & COHERENT, EYE CONTACT GOOD, APPROPRIATELY DRESSED W/ NO HYGIENE PROBLEMS. GROUP RULES DISCUSSED & OVERVIEW DONE. BRAINTEASER EXERCISE CONDUCTED (1-16) & 17-21 GIVEN FOR HOMEWORK ASSIGNMENT.
A: GOOD PARTICIPATION; REQUIRED LITTLE PROMPTING. ATTENTIVE & REALLY

distorted or offended thinking
"that's said" BUT maybe I'm a

MDCI880D
OMINMDCA

60

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/3
C01

SCDC# 233844 NABORS, BENJAMIN RAY

PAGE

A IMPULSE CONTROL DISORDER NOS.

P INCR SEROQUEL. IF THIS INEFFECTIVE WILL CONSIDER ZOLOFT.

RTC 12 W.

SIGNED OFF ON 02/07/06 @ 11:57 BY MICHAEL J KIRBY, PHYSICIAN I

** ENCOUNTER: 222 MENTAL HEALTH CLINIC 01/31/06 15:18 LEE CCC NOTE - I/C SESSION (SMU) CC

D: I/M HAD WINDOWS COVERED, BUT REMOVED WHEN CCC IDENTIFIED HERSELF. HE WAS ALERT & ORIENTED, WITH GOOD EYE CONTACT. HE DESCRIBED HIMSELF AS "GOOD, STILL WAITING ON A TRANSFER". HE HAD A RAG TIED AROUND HIS HEAD & HAD HIS MATTRESS ON THE FLOOR. HIS CELL WAS CLUTTERED W/PAPER & OTHER PROPERTY. HE RELATED THAT HE WAS TAKING HIS MEDS & RX W/GOOD RESULT. NO NOTED SIDE EFFECTS. HE DENIED ANY H/S THOUGHTS OR SXS OF PSYCHOSIS. HIS SPEECH WAS LOGICAL & THOUGHTS WELL PRESENTED. HIS MOOD WAS BRIGHT, WITH FULL AFFECT. CCC PROVIDED COUNSELING TO ASSIST W/CONTINUED MED COMPLIANCE & MH EDUC. I/WAS POLITE & COOPERATIVE.

A: DX = ADHD, IMPULSE CONTROL D/O. I/M APPEARS STABLE & MANAGING SMU APPROPRIATELY. NO ACUTE DISTRESS OBSERVED. I/M IS AWARE/RESPONSIBLE FOR HIS BEHAVIORS.

P: CCC WILL CONTINUE TO F/U & MONITOR PRN PER TX PLAN. G. BREON, CCCIII SIGNED OFF ON 01/31/06 @ 15:25 BY SUSAN V BREON, HUMAN SERVICES COORD I

** ENCOUNTER: 221 NARRATIVE 01/06/06 10:14 LEE IM REFUSED SICK CALL REFUSAL FORM SIGNED AND WITNESS BY SGT HANCOCK AND THIS NURSE S SCOTT COI

SIGNED OFF ON 01/06/06 @ 11:20 BY SHERI L SCOTT, LICENSED PRACTICAL NURSE SIGNED OFF ON 01/09/06 @ 14:21 BY CORINNE A HILL, NURSE ADMINISTRATOR/MGR I

** ENCOUNTER: 220 MENTAL HEALTH CLINIC 12/22/05 12:16 LEE CCC NOTE - I/C SESSION - SMU COM

D: I/M WAS LYING ON BED, BUT GOT UP READILY TO SEE CCC. REPORTED HIMSELF AS "I'M FINE, JUST WAITING ON A TRANSFER". HE REPORTED GETTING/TAKING MEDS AS RX & STS THEY ARE WORKING WELL. HE DENIED ANY ACUTE DISTRESS, DEPRESSION OR ANXIETY. REPORTED SLEEP & APPETITE AS WNL. HIS MOOD & AFFECT WERE WNL. HIS SPEECH WAS LOGICAL, THOUGHTS ORGANIZED. WAS ALERT & ORIENTED, WITH GOOD EYE CONTACT. HYGIENE APPEARED GOOD & CELL WAS NEAT & CLEAN. IS IN SMU FOR PC - REASONS UNKNOWN AS WE COULD NOT SPEAK ABOUT HIS CIRCUMSTANCES THRU THE DOOR. CCC PROVIDED COUNSELING TO ASSIST WITH CONTINUED MED COMPLIANCE, SXS MGT & USING + COPING SKILLS TO DEAL W/DAILY STRESSORS. I/M WAS CALM, POLITE & COOPERATIVE.

A: DX = ADHD, IMPULSE CONTROL D/O. I/M APPEARS STABLE ON MEDS. DOES NOT APPEAR TO BE ANY DANGER TO SELF OR OTHERS.

P: CCC WILL CONTINUE TO F/U & MONITOR PRN. G. BREON, CCCIII SIGNED OFF ON 12/22/05 @ 12:46 BY SUSAN V BREON, HUMAN SERVICES COORD I

** ENCOUNTER: 219 SEIZURE/ASTHMA CLINI 12/05/05 14:22 LEE FLU VAC 0.5CC GIVEN (L) DELTOID. I/M TOLERATED WELL. COME

V.O. T HUFF, NP/L GRAHAM, RN SIGNED OFF ON 12/05/05 @ 14:22 BY LEIGH A GRAHAM, UNCLASSIFIED

OK
F'm stable able make on meds they say. I was NOT on meds or receiving mental health services prior to there

MDCI880D
OMINMDCA

61

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/31
C010

SCDC# 233844 NABORS, BENJAMIN RAY

PAGE

TERRI HUFF, FNP

SIGNED OFF ON 03/06/06 @ 12:15 BY TERRI L HUFF-SIMMONS, UNCLASSIFIED
NOTED. WILL INFORM IM AT NEXT PILL PASS.

SIGNED OFF ON 03/06/06 @ 12:47 BY CHERYL A OWENS, LICENSED PRACTICAL NURSE

** ENCOUNTER: 225 MENTAL HEALTH CLINIC 02/27/06 14:54 LEE CO
CCC NOTE - I/C SESSION (SMU)

D: I/M WAS AT CELL DOOR WAITING FOR LUNCH TRAY. WAS ALERT & ORIENTED, WITH GOOD EYE CONTACT. MOOD WAS BRIGHT WITH FULL AFFECT. WAS SMILING & TALKATIVE. "JUST WAITING ON MY TRANSFER". C/O FRUSTRATION/AGITATION FROM BEING LOCKED UP ALL THE TIME, BUT OTHERWISE REPORTED MANAGING WNL. I/M'S CELL WAS LITERALLY COVERED IN PAPERS, BUT DID NOT SEEM DIRTY & NO ODOR WAS DETECTED HE HAD A T-SHIRT TIED AROUND HIS HEAD, BUT HYGIENE SEEMED GOOD-CLEAN SHAVE HE VOICED NO PROBLEMS WITH SLEEP OR APPETITE. DENIED H/S THOUGHTS/PLANS. NO SXS OF PSYCHOSIS. HIS SPEECH WAS LOGICAL, THOUGHTS WELL PRESENTED. CCC PROVIDED COUNSELING TO ADDRESS USING + COPING SKILLS TO MANAGE IMPULSIVE BEVHAIORS, MH EDUCATION & MED COMPLIANCE. I/M WAS POLITE & COOPERATIVE.
A: DX = IMPULSE CONTROL D/O. I/M C/O AGITATION DUE TO LOCK UP ENVIRONMENT. IS USUALLY A VERY ACTIVE/HYPER INDIVIDUAL, BUT HAS MANAGED QUIET WELL IN SMU THUS FAR. TENDS TO GET INVOLVED IN ANTISOCIAL BEHAVIORS WHICH GET HIM INTO TROUBLE - AS EVIDENCED BY CURRENT PLACEMENT. I/M IS AWARE/ACCOUNTABLE FOR HIS BEHAVIOR.

P: CCC WILL CONTINUE TO MONITOR PER TX PLAN. G. BREON, CCCIII
SIGNED OFF ON 02/27/06 @ 15:07 BY SUSAN V BREON, HUMAN SERVICES COORD I

** ENCOUNTER: 224 DOCTOR'S CLINIC 02/07/06 11:57 LEE COM
SEE ENC 223.

SEROQUEL 200MG
SIG: 1/2 TAB PO Q AM AND 1 Q HS.
SIG:

START DATE: 02/07/06 TOTAL DAYS: 90
MD: KIRBY, MICHAEL -
FLUOXETINE 20MG
SIG: THREE CAPSULES PO Q HS
SIG:

START DATE: 02/07/06 TOTAL DAYS: 90
MD: KIRBY, MICHAEL -
RTC 12 W.

SIGNED OFF ON 02/07/06 @ 11:59 BY MICHAEL J KIRBY, PHYSICIAN I
MED DIRECT TRANSMIT TO PHARMACY.
S. COULTER, LPN

SIGNED OFF ON 02/07/06 @ 16:02 BY SUZANNE S COULTER, TECHNICAL MEDICAL ASSO

** ENCOUNTER: 223 MENTAL HEALTH CLINIC 02/07/06 11:53 LEE COME
IM STILL HAVING VERY AGGRESSIVE IMPULSES AT TIMES. 'I JUST FEEL LIKE I'M GO

ING BERSERK." WANTS TO BE BACK ON THORAZINE BUT THE SEROQUEL HE TAKES IS MU
CH LESS LIKELY TO GENERATE ADVERSE REACTIONS. SLEEP IS ADEQUATE. APPETITE OK
WILL START SEROQUEL IN AM AS WELL.

O CLEAR, COHERENT. NO AGITATION. GOOD EYE CONTACT. APPEARED SINCERE. NO BIZ
ARRE BEHAVIORS.

Judge I AGGRESSIVENESS BERSERK ON me
Colt →

MDCI880D
OMINMDCA

62

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/31
C010

SCDC# 233844 NABORS, BENJAMIN RAY

PAGE

** ENCOUNTER: 283 MENTAL HEALTH CLINIC 02/08/07 15:39 MCCORMICK CC
CCC NOTE: ~~INMATE WAS PRESENTED AT TREATMENT TEAM MEETING TODAY. TREATMENT~~
PLAN APPROVED. TREATMENT TEAM MEMBERS PRESENT INCLUDED: MR. WILLIAMS, CCC
IV, MS. TABB, CCC III AND MS. CAYE, CCC III. WILL REVIEW AGAIN IN 6 MONTHS
M. CAYE, CCC III
SIGNED OFF ON 02/08/07 @ 15:40 BY MARGIE M CAYE, HUMAN SERVICES COORD I

** ENCOUNTER: 282 NARRATIVE 01/24/07 14:05 MCCORMICK CO
PER VO.DR. MCREE SEROQUEL RENEWED
SEROQUEL 200MG
SIG: TAKE 1 TAB Q HS
SIG:
START DATE: 01/24/07 TOTAL DAYS: 90
MD: MCREE, JOHN B
MAR UPDATED. R. POWELL RN
SIGNED OFF ON 01/24/07 @ 14:06 BY RUTH H POWELL, REGISTERED NURSE I
OK TO RENEW MCREE, MD
SIGNED OFF ON 01/25/07 @ 7:53 BY JOHN B MCREE, PHYSICIAN II

** ENCOUNTER: 281 MENTAL HEALTH CLINIC 01/16/07 15:34 MCCORMICK COM
D\ ASSESSMENT NOTE (THIS IS BEING RE-TYPED IN REFERENCE TO ENCOUNTER # 278)
CCC HAD INDIVIDUAL SESSION WITH INMATE FOR CLINICAL ASSESSMENT AS INMATE
WAS TRANSFERRED FROM PERRY CI ON 01-02-07. INMATE IS A 31 YO WM WHO IS SERV
ING A 4 1/2 YEAR SENTENCE FOR ESCAPE. INMATE REPORTED THAT HE WAS INCARCERA
TED FOR CRIME OF COMMON LAW ROBBERY WITH A 10 YEAR SENTENCE PRIOR TO THE
ESCAPE CRIME. INMATE RELATED THAT HE HAD SERVED 6 YEARS AND WAS TRANSFERRED
TO PRE-RELEASE AT TYGER RIVER CI WHERE HE SAYS " I JUST JOGGED OFF... I HAD
FAMILY PROBLEMS.. MY FIANCEE HAD GOTTEN INVOLVED WITH A MAN WHO WAS ABUSIVE
AND I FELT THAT I NEEDED TO BE THERE.. I ONLY HAD 28 DAYS BEFORE I WAS TO BE
RELEASED." INMATE'S MAX OUT DATE IS NOW MAY 2007. INMATE REPORTED THAT HE
HAS HAD MENTAL HEALTH PROBLEMS SINCE HE WAS YOUNG AND DIAGNOSED WITH ADHD.
INMATE REPORTED HE HAD BEEN ADMITTED TO CEDAR SPRINGS BEHAVIORAL HOSPITAL
AT AGE 12 YO. *and paranoid schizo they say BUT NOT five.*
A\ INMATE WAS ALERT AND ORIENTED X 3 WITH LOGICAL THOUGHT PROCESS. INMATE
WAS COOPERATIVE AND HAD APPROPRIATE BEHAVIORS DURING THE SESSION. INMATE
DENIES ANY SUICIDAL\HOMOCIDAL IDEATIONS. INMATE REPORTS NO AUDIO\VISUAL HALL
UCINATIONS. INMATE STATED THAT HE HAD SELF-HARMED IN 1995 BY CUTTING HIS
ARM. INMATE DENIES AOD ADDICTION BUT SAYS HE HAS ATTENDED SUBSTANCE ABUSE
GROUPS SINCE INCARCERATION. INMATE STATED THAT HE USES MARIJUANA ON AN OCC-
TIONAL BASIS AND CONSIDER HIMSELF A "SOCIAL DRINKER." INMATE IS PRESCRIBED
SEROQUEL 200MG X1 DAY.
AXIS I 298.9 PSYCHOSIS NOS (IN REMISSION)
AXIS II NONE
AXIS III DEFERRED\ASTHMA
AXIS IV INCARCERATION
AXIS V GAF 75
P\ CCC WILL HAVE INDIVIDUAL SESSION X1 PER MONTH OR AS NEEDED. CCC DISCUSS-
ED GROUPS WITH INMATE AND WILL HAVE ANOTHER SESSION TO COMPLETE TREATMENT
PLAN. CCC WILL CONTINUE TO MONITOR FOR MEDICATION COMPLIANCE.
M. CAYE, CCC III

MDCI880D
OMINMDCA

63

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/3
CO1

SCDC# 233844 NABORS, BENJAMIN RAY

PAGE

PARANOID THEMES OF CONSPIRICIES. HE ADMITS TO AN ADDICTION TO TATTOOS.
MENTAL STATUS EVALUATION REVEALED A WHITE MALE WHO IS HEAVILY TATTOOED

HE HAS A SKULL DESIGN TATTOOED ON HIS SCALP AND OTHER LARGE TATTOOS ABOUT HIS ARMS AND TORSO. NO S/H. HIS THINKING IS PECULIAR YET NOT FLORIDLY PSYCHOTIC. NO SYSTEMATIZED DELUSIONS. NO HALLUCINATIONS. SPEECH IS CLEAR AND LINEAR. THOUGHT CONTENT CENTERS ON CRIME-RELATED THEME.

A. ANTISOCIAL PERSONALITY TRAITS VS. DISORDER;
ALCOHOL ABUSE

PARANOIA NOS

P. SUGGESTED RECHECK IN 2-3MONTHS.

J.R. CUSACK, D.O.

SIGNED OFF ON 06/09/05 @ 10:16 BY JOHN CUSACK, PHYSICIAN I
FORWARDED TO CCC FOR REVIEW.

SIGNED OFF ON 06/09/05 @ 16:50 BY CHERYL A OWENS, LICENSED PRACTICAL NURSE
NOTED. G. BREON, CCCIII

SIGNED OFF ON 06/10/05 @ 8:55 BY SUSAN V BREON, HUMAN SERVICES COORD I

** ENCOUNTER: 192 MENTAL HEALTH CLINIC 05/30/05 14:44 LEE
INTAKE NEEDS TO BE RECHEDULED. COI

FAZAL KHAN MD

SIGNED OFF ON 05/30/05 @ 14:44 BY FAZAL M KHAN, UNCLASSIFIED

** ENCOUNTER: 191 MENTAL HEALTH CLINIC 05/24/05 9:24 LEE
CCC NOTE - I/C SESSION: COM

D: I/M REQUESTED TO SEE CCC. WAS DISTRAUGHT THAT HE WAS NO LONGER RECEIVING HIS PROZAC. I INFORMED HIM IT HAD BEEN D/C B/C OF NON-COMPLIANCE. HE, OF COURSE, RELATED THAT HE WAS UNABLE TO GET UP FOR 4:00 AM PILL LINE.

NOTE → HE HAD WRITTEN A REQUEST TO DR. KHAN - WHO HAD IN TURN - CHANGED HIS SCRIPT TO 60 MG OHS - BUT HE IS STILL NOT GETTING. HE C/O SXS OF PARANOIA AND ACUTE ANXIETY.

MADE NO MENTION OF SLEEP OR APPETITE DISTURBANCE. HE DENIED ANY THOUGHTS OR PLANS TO HARM HIMSELF OR OTHERS. DENIED SXS OF PSYCHOSIS. HIS MOOD WAS MILDLY ELEVATED/AGITATED OVER SITUATION, AFFECT WAS CONSTRICTED - BUT IS NORMAL PRESENTATION. WAS ALERT & ORIENTED IN ALL SPHERES. SPEECH WAS LOGICAL, THOUGHTS ORGANIZED. NO OVERT SXS OF PSYCHOSIS.

CCC PROVIDED COUNSELING TO ASSIST WITH MANAGING STRESS & ANXIETY. I/M WAS RECEPTIVE TO ALL.

A: DX = SCHIZOPHRENIA, RESIDUAL TYPE. I/M PRESENTED W/MILD FRUSTRATION AND ANXIETY OVER NOT RECEIVING MEDS. DID NOT APPEAR TO BE A DANGER TO SELF OR OTHERS.

P: CCC WILL F/U WITH MEDICAL STAFF REGARDING MED ADMINISTRATION. WILL F/U & MONITOR I/M PRN. G. BREON, HSCI

SIGNED OFF ON 05/24/05 @ 9:31 BY SUSAN V BREON, HUMAN SERVICES COORD I

** ENCOUNTER: 190 SICK CALL 05/17/05 9:31 LEE
S> "I WANT TO RENEW MY PROZAC. I WAS TOLD MS HUFF DC'D IT." COME

O> TEMP=097.6 PULSE= 72 RESP=20 BP=128/ 74 WEIGHT=156 PPD= 0
PER MS HUFF-SIMMON, NP IM WAS DC'D DUE TO NON COMPLAINE. WILL BE EVALUATE

D BY ANOTHER PSYCH MD TO SEE IF THIS IS INDICATED.

A> DEFER
P> WILL NOT RENEW AT THIS TIME. INFORMED IM. Y. MCDONALD, RN.

↑ complained of SXS of paranoia and acute ANXIETY
DX - Schizophrenia, Residual type - 05-24-05

MDCI880D
OMINMDCA



SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/
CO.

SCDC# 233844

NABORS, BENJAMIN RAY

PAGE

** ENCOUNTER: 314 MENTAL HEALTH CLINIC 02/11/11 16:04 MCCORMICK
D: MENTAL HEALTH NOTE CI
WRITER OBSERVED INMATE IN MIDDLE OF CELL WITH BLANKET WRAPPED AROUND HIM.
INMATE STATES. " I'M COLD AND I NEED MY CLOTHES.
A: DX; PSYCHOSIS NOS VS SCHIZO, ASPD
GAF; 70

INMATE APPEARS TO HAVE A SMILE ON HIS FACE. DENIES SI/HI/
A/V HALLUCINATION. PSCHOSIS NOTES
EATING AND SLEEPING WELL. ORIENTED X3
P; ON CALL WRITER WILL MONITOR INMATE OVER THE WEEKEND.
SIGNED OFF ON 02/14/11 @ 9:31 BY BETTY J CONNOR, HUMAN SERVICES COORD I

** ENCOUNTER: 313 MENTAL HEALTH CLINIC 02/10/11 15:52 MCCORMICK
D: MENTAL HEALTH NOTE (CI)
INMATE WROTE A NOTE STATED: HE HEARING THINGS, REPORT GPS CHIP EMBEDDED IN
RAIN, CAUSING HIM TO HEAR THINGS.
A: DX; PSYCHOSIS NOS VS SCHIZO, ASPD
GAF: 60

INMATE APPEARS TO HAVE FLAT AFFECT. PSYCHOSI NOTED.
AUDITORY HALLUCINATION NOTED
P; WRITER PLACED INMATE ON CI. TX PLAN
STRIPPED CELL, FINGER FOOD, SUCIDE BLANKET
WRITER WILL CONTINUE TO MONITOR INMATE.
SIGNED OFF ON 02/14/11 @ 9:31 BY BETTY J CONNOR, HUMAN SERVICES COORD I

** ENCOUNTER: 312 MENTAL HEALTH CLINIC 01/14/11 14:36 MCCORMICK
D: MENTAL HEALTH INC. NOTE
WRITER RECEIVED DISCIPLINARY STATEMENT FROM DHO.
SIGNED OFF ON 02/03/11 @ 13:52 BY DONIKIA S GRAY, HUMAN SERVICES COORD I

** ENCOUNTER: 311 MENTAL HEALTH CLINIC 01/14/11 14:35 MCCORMICK
D: WRITER RECEIVED DOSCIPLINARY STATEMENT FROM DHO.
SIGNED OFF ON 01/14/11 @ 14:36 BY BETTY J CONNOR, HUMAN SERVICES COORD I

** ENCOUNTER: 310 INSIDE APPOINTMENT 12/09/10 9:11 MCCORMICK
I/M A NEW RECIEVER FROM KIRKLAND CI. I/M HAS A MENTAL HEALTH HX. PRESENT PR
ESCRIBED MEDS ARE HALDOL, PROZAC AND COGENTIN. PRESENTLY ON A REGULAR DIET.
HAS NO PENDING APPTS. REFERRAL SENT TO MENTAL HEALTH. 2ND STEP PPD GIVEN WI
THOUT DIFFICULTY. OTR GIVEN. ORIENTATION PACKAGE COMPLETED, I/M VOICED UNDE
RSTANDING.....A.CRAWFORD/LPN
SIGNED OFF ON 12/09/10 @ 9:16 BY ANITA A CRAWFORD, LICENSED PRACTICAL NURSE

* ENCOUNTER: 309 LAB CLINIC 11/16/10 13:06 KIRKLAND
I/M DID NOT SHOWUP FOR BLWK TODAY.
SIGNED OFF ON 11/16/10 @ 13:06 BY BONITA R O'NEAL, MEDICAL ASSISTANT TECH I

* ENCOUNTER: 308 LAB CLINIC 11/09/10 8:21 KIRKLAND
NO SHOW FOR BLOOD WORK WILL CONTINUE TO SEND FOR I?M AT ALATER DATE
SIGNED OFF ON 11/09/10 @ 8:22 BY YOLANDA D GILL, MEDICAL ASSISTANT TECH I

psychosis NOS vs. schizo, ASPD

MDCI880D
OMINMDCA

50

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SCDC HEALTH SERVICES: MEDICAL SUMMARY

10/3
C01

SCDC# 233844 NABORS, BENJAMIN RAY

PAGE

SIGNED OFF ON 05/17/05 @ 9:33 BY YVONNE MCDONALD, UNCLASSIFIED
F/U WITH CCC

SIGNED OFF ON 05/17/05 @ 16:03 BY BENJAMIN F LEWIS, JR., PHYSICIAN II
WILL REFER TO CCC FOR REVIEW. Y. MCDONALD, RN.

SIGNED OFF ON 05/17/05 @ 16:04 BY YVONNE MCDONALD, UNCLASSIFIED
PROZAC RE-ORDERED & TRANSMITTED BY DR. KHAN ON 5/14/05. G. BREON, HSCI
SIGNED OFF ON 05/18/05 @ 13:25 BY SUSAN V BREON, HUMAN SERVICES COORD I

** ENCOUNTER: 189 FOLLOW-UP DENTAL 05/16/05 9:49 LEE CC
IOE, OHI

SIGNED OFF ON 05/16/05 @ 9:50 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TEC

** ENCOUNTER: 188 MENTAL HEALTH CLINIC 05/14/05 12:54 LEE CO
I/M NOT SEEN WILL CHANGE PROZAC TIME, PER I/M REQUEST.

FAZAL KHAN MD
FLUOXETINE 20MG
SIG: 60 MGS PO Q HS
SIG:

START DATE: 05/14/05 TOTAL DAYS: 90
MD: KHAN, FAZAL -

SIGNED OFF ON 05/14/05 @ 12:55 BY FAZAL M KHAN, UNCLASSIFIED
SEE ENCOUNTER #191. D/C ABOVE ORDER PER DR CUSACK
S. COULTER, LPN

SIGNED OFF ON 06/14/05 @ 13:51 BY SUZANNE S COULTER, UNCLASSIFIED
SIGNED OFF ON 06/22/05 @ 10:01 BY RICHARD C BEARDEN, JR, PHYSICIAN II

** ENCOUNTER: 187 DOCTOR'S CLINIC 05/05/05 17:09 LEE COM
MEDICATION CHANGE

- 1. DC PROZAC DUE TO NON-COMPLIANCE.
- 2. CHANGE TRAZODONE TO 100MG QHS X 1 WEEK THEN 50MG QHS X 1 WEEK THEN DC.

TERRI HUFF, FNP
TRAZODONE 100MG
SIG: 100MG PO QHS X 7D THEN 50MG PO QHS X 7D THEN DC.
SIG:

START DATE: 05/05/05 TOTAL DAYS: 14
MD: HUFF-SIMMONS, TERRI L.

SIGNED OFF ON 05/05/05 @ 17:11 BY TERRI L HUFF-SIMMONS, UNCLASSIFIED
PHARMACY DIRECT NOTIFIED. PILL ROOM NOTIFIED.

SIGNED OFF ON 05/06/05 @ 7:29 BY CHERYL A OWENS, LICENSED PRACTICAL NURSE

** ENCOUNTER: 186 PPD 04/29/05 12:56 LEE COMP
PPD READ NEGATIVE.

SIGNED OFF ON 04/29/05 @ 12:57 BY SANDRA R CRENSHAW, MEDICAL ASSISTANT TECH

** ENCOUNTER: 185 MENTAL HEALTH CLINIC 04/25/05 9:01 LEE COMP
TX TEAM NOTE (4/15/05): CASE STAFFED BY MYSELF, T. YATES, J. MCFADDEN. TX

PLAN PRESENTED & APPROVED. NEW I/M FROM R&E, MAX=2007. DX=SCHIZOPHRENIA;
RESIDUAL TYPE. RX=TRAZADONE, PROZAC. CONT. MH SERVICES NEEDED TO MONITOR
DX & RX THERAPY. UPDATE 10/05. G. BREON, CCCIII

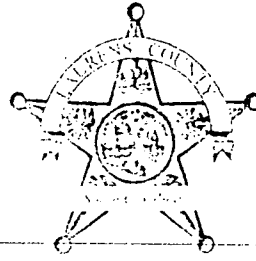
SIGNED OFF ON 04/25/05 @ 9:03 BY SUSAN V BREON, HUMAN SERVICES COORD I

DX. Schizophrenia

3A

Office of the Sheriff

Ricky W. Chastain



NOTE ✓

6-5-13

February 20, 2013

Ben Nabors #233844
Lee C. I
990 Wisacky Hwy.
Bishopville, SC 29010

Re: FOIA Request

Dear Mr. Nabors,

S.C. Appeals Court -
See how they don't
cooperate treat me
fairly? How can I
be no there in prison!

The purpose of this letter is to respond to your letter of February 9th, 2013. You state in your letter that this is a Freedom of Information Act (FOIA) request. If you will review the statute you will find that certain records are available to the public for inspection and copying.

If you desire to review and inspect any of non-exempt public records, our normal office hours are 9 AM to 5 PM, Monday through Friday. Please contact our records clerk, Crystal Bailey, at 864-984-4967 and schedule a mutually convenient time to review these records. Please be advised that certain documents or information contained in the documents responsive to your request may be exempt from disclosure. To the extent that is the case, this office will redact the exempt portions of any such documents and produce a copy of the redacted document to you.

Once you have had the opportunity to inspect the non-exempt documents covered by your request, we will determine the time, labor and materials necessary to cover the estimated costs. Payment of those costs will be required at the time of inspection.

Also, please be advised that it is your responsibility to investigate and determine your duty, if any, under South Carolina law as to the use of any public records for commercial solicitation. Please see South Carolina Code Section 30-2-50.

Thank you in advance for your assistance in this matter and if I may be of any assistance, please do not hesitate to contact me at 864.984.4967 or by email at mcoats@laurenssheriff.org.

Respectfully,

Michael Coats


Michael Coats, Captain
Administrative Services

How expect car
NO CAR IN PRISON!
How do I get
there? ESCAPER
How!

MORE POOFS!

Additional

La Zatatations!


 repeatedly attempts
to get investigator
FUNDS - etc.

THROUGHOUT (ENTIRE)
PRE-trial & post trial
detentions).

Direct your attention
to date of this commu
from the SCCID.

7-27-10.

~~Alex Stalley ESO was
representing me at this~~

 AND refused to
officially hire investigators

AND Sme we thea
IF hand hired

MR. BRADLY p I

SIC 1328

could have presented
DEFENSE OF

Actual Authority
AND L t id

mental

SUPP F (90)
Plea

need

HEW



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Post Office Box 11433
1330 Lady Street, Suite 401
Columbia, South Carolina 29211-1433
Telephone: 803.734.1343
Facsimile: 803.734.1345
Email: executives@sccid.sc.gov

T. Patton Adams, Executive Director
Lisa A. Campbell, Assistant Director
Hugh Ryan, Deputy Director/General Counsel

July 27, 2010

Mr. Ben Nabors
P.O. Box 329
Laurens, SC 29360

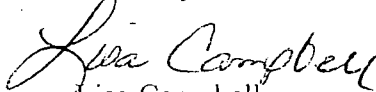
Dear Mr. Nabors;

The role of this agency is to provide funding for Public Defender Offices and private attorneys appointed by the Court to represent indigent clients awaiting criminal trial in state courts. We do not provide legal advice, assistance or representation.

Payment for the services of experts or investigators may be granted by the court, if deemed reasonable and necessary to provide adequate representation of an indigent defendant. Your court appointed counsel may petition the court for the services you are requesting.

I am sorry we cannot help you in this matter.

Sincerely,


Lisa Campbell
Assistant Director

SIC APPEALS COURT
PROSE MOTIONS and
COMMUNICATZATIONS to
6-5-13
THE COURT, STATE COURT appt.
COUNSEL, ETC. I wanted
this introduced N-2
evidence, COURT RECORD and
reviewed by P.C.R. COURT
ON 3-13-13 but due
to being shackled hands,
and on medications, etc,
and being forced to proceed
pro-se without counsel
or help, instruction, etc.
and my diagnosed mental
illnesses, I was unable
to N-tro-duce many
documents, newly discovered
evidence, etc. at trial-
plea and PER hearing.
I now wish ALL of my
evidence, documentations 2-13
entered up IN 2 COURTS RECORD

$$\begin{array}{r} 2 \\ 87 \\ + 3 \\ \hline \end{array}$$

261 copies at
25¢ each

$$\begin{array}{r} 13.05 \\ 52.20 \\ \hline 65.25 \end{array}$$

★
page 2 of 3

Alameda
C/O: ASSISTANT SOLICITOR GENERAL CAROL GIBSON
From: BEN NABORS
CLERK OF COURT

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

dear sir,

As you are aware of, I ~~intended~~ ^{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.

Pg 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 license etc. AND THAT I WAS CONSTANTLY UNDER THE INFLUENCE OF DRUGS WHILE DRIVING THEIR CAR, ETC. I have made all of this public knowledge. IN THE EVENT SOMETHING BEFALLS ME, THE TRUTH WILL STILL BE EXPOSED. MY WIFE IS INNOCENT, AND I BELIEVE A JURY, "ANY JURY", WILL FIND IN HER FAVOR. I'M TIRED OF OUR RIGHTS BEING VIOLATED BY THIS JUDICIAL CIRCUITS OFFICERS OF THE LAW. RIGHTS RIGHTS RIGHTS IT 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

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





PAGE 1 OF 4

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 for it's inspection, and

V. State for D.C.P. County 2 12 12


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 it's "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

Page 4 of 4

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,

³⁰
Ben Nabors

BEN NABORS ✱

P.O. Box 329

Laurens, S.C. 29360



LAURENS COUNTY
CLERK OF COURT

11-22-09

110: SOLICITORS OFFICE

MR. CADE GIBSON, ESQUIRE

8TH CIRCUIT SOLICITORS

2009 DEC -2 A 10:47

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

RE: J-616454 - J-616455

WINNIE LANCASTER

DEAR MR. GIBSON

11-22-09

I have been trying, "UNsuccessfully I might add" to be allowed THE USE OF THE COUNTIES LAW LIBRARY TO RESEARCH CASE LAW, CONCERNING MY DEFENSE OF THE ABOVE, please have someone, at their earliest convenience, explain to me why I'm being denied this CONSTITUTIONAL right. And while you're in the explanation department, please look up this answer 4-me, if it's within the solicitors offices means to do such. Why haven't I had the monies appropriated to my defense fund for the services of an investigator in which I do wish and intend to hire, along with expert witnesses, which I will and intend to use for my defense also, during my trial? I have been requesting these things, all three of them, (1.) THE USE OF THE COUNTIES LAW LIBRARY, (2.) APPROPRIATION OF MONIES INTO MY INDIGENT DEFENSE FUND FOR THE SERVICES OF BOTH INVESTIGATOR AND EXPERT WITNESSES, (3.) A FAST

~~DEAR MR. GIBSON~~

Pg 2.

and speedy trial concerning my charges. I can't but help feel like that my fundamental and constitutional rights have been violated, and I'm humbly requesting that your office please address these issues at it's earliest convenience. please, do not be upset or vindictive towards either myself, nor my wife, simply because I want and expect your office to allow me the enjoyment and use of these rights. please respond.

THANK you, 4 your time, sir.

Sincerely,

³
Ben Nabors

11-22-09

~~DATE:~~

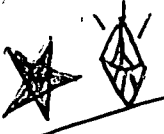
BEN NABORS



C.C. Michael Turner JR Esquire.
P.O. Box 668, Laurens, S.C. 29360

C.C. Clerk of Court, Madam Lancaster,
Laurens County Court House,
P.O. Box 287, Laurens S.C. 29360
C.C. Cade Gibson 8th Circuit Solicitor
P.O. Box 516, Greenwood, S.C. 29360

[Handwritten initials]



LAURENS COUNTY
CLERK OF COURT

11-20-09

C/O: LYNN LANCASTER
CLERK OF COURT
LAURENS COUNTY
FROM: BEN NABORS

2009 DEC -2 A 10:47

P.O. Box 329, LAURENS S.C. 29360
RE: ENCLOSED CORRESPONDENCES TO THE
SOLICITORS OFFICE, P.O. BOX 516,
GREENWOOD, S.C. 29648

Dear madam,

11-20-09

please find enclosed a letter,
ie, motion of, addressed to MR. Cade
GIBSON 8th CIRCUIT SOLICITOR FOR LAURENS
COUNTY. Please check and file and
forward copies of, to both MR. GIBSON'S
OFFICE, as well as to my court appointed
attorney, MR. TURNER JR.'S OFFICE.

Thank you Ms. Lancaster
for your time and help, concerning this
matter of importance. Please allow me
the chance and opportunity to let you know
that I am very thankful, for both yourself,
well as your staff, for the many times
in which you have met my request, and have
patiently tolerated such. Thank you and
happy holidays.

Sincerely,
Ben Nabors

STATE OF SOUTH CAROLINA } IN THE COURT OF GENERAL SESSIONS
COUNTY OF LAURENS } NOTICE OF MOTION AND MOTION

THE STATE OF SOUTH CAROLINA } FOR THE PRODUCTION AND
- VS - } INSPECTION OF EVIDENCE AND
INFORMATION WHICH MAY LEAD

BENJAMIN RAY NMB3075A TO: 22 TO EVIDENCE
PRO SE DEFENDANT } J-615016, J-6150454, J-6150455

To: Jack Hammack, Esq. 8th Circuit Solicitor
J-616016, J-616454, J-616455

YOU WILL PLEASE TAKE NOTICE THAT
as pro se defendant, I am requesting,
under the authority of Brady vs. Maryland,
373 U.S. 83 (1963); Napue vs. Illinois,
360 U.S. 364 (1959); Alcorta vs. Texas,
355 U.S. 28 (1957); Mooney vs. Holohan,
294 U.S. 103 (1935); Giglio vs. U.S.,
405 U.S. 150 (1972); Moore vs. Illinois,
408 U.S. 786 (1972); and Kyles vs. Whitley,
U.S. (1995), that your office supply
to me, or make available for inspection,
all evidence which may be favorable to the
pro se defendant with regard to the
offenses with which he has been charged.
The pro se defendant is requesting access
to such favorable information as is in
your custody as well as that being
held by investigating officers or
agencies. Such information would
include but would not be confined to the
following:

- 1.) All written statements of the defendant, whether signed or unsigned;
- 2.) All written statements made by witnesses or any other persons, whether signed or unsigned, which relate to this case;
- 3.) All tape recordings made by witnesses or any other persons in connection with these cases.
- 4.) Any and all written reports to the State Law Enforcement Division (SLED) Criminalistics Laboratory; Federal Bureau of Investigation Laboratories; City or County Police Department Criminalistics Identifications personnel, concerning an examination made by said laboratories and/or personnel thereof, of any physical, photographic or written evidence concerned with the investigation of these cases;
- 5.) Any and all photographs taken of the prose defendant;
- 6.) Any and all photographs taken at the scenes of the alleged crimes and/or the victim, or otherwise relating to this case;
- 7.) Photographs that have been exhibited to any person for the purpose of establishing the identity of the perpetrator of the crime charged and the name and address of the person(s) to whom the photographs were shown;

[Signature]

8.) Handwritten notes made by police or other investigating officers of their conversations with the Defendant;

9.) Handwritten notes made by police or their investigating officers of their conversations or interviews with witnesses;

10.) All transcripts made of tape recorded statements made by the accused and by potential prosecution witnesses, as well as any handwritten notes;

11.) Names and addresses of all witnesses having knowledge of the offense charged who have been interviewed by the Solicitor, his investigators, his staff or the investigating officers, whether subpoenaed or not, in the crimes charged;

12.) A copy of the incident reports, together with copies of all supplemental reports written by officers investigating the crimes involved in the above entitled action;

13.) Right to inspect and/or copy or photograph all items of any kind and nature seized and removed as a result of any search of the alleged victim's car, A 2008 Ford Escape . This being the vehicle associated with the alleged crime;

14.) Record of arrests and convictions of any and all witnesses, including the prose Defendant and any co-Defendants, known to the Solicitor's office, in relation to these cases⁽¹⁾.




15.) All notes or memoranda, by police officers or other investigating officers of their conversations with persons who the State expects to or has called before the Grand Jury proceedings in connection with these case(s);

16.) Any physical or tangible item in the possession of the Solicitor's office which may have relevance to the guilt or innocence of this prose defendant;

17.) The right to inspect and examine any and all video/audio tapes made at the scene of the crime(s) alleged herein and to obtain a copy thereof.

Recognizing that Brady vs. Maryland, supra, and other authorities cited require that only information favorable to the prose defendant be made available, and further recognizing that a genuine disagreement may arise as to whether or not a particular item of evidence is favorable, it will be requested that the court order provide for an in camera inspection of the items sought to be discovered should you feel that such items are not favorable to the defendant. By permitting the court to examine the items requested, the legitimate interests of the state will be protected in that no disclosure in excess of Brady, et al, will occur. Further, it will be requested of the court that said order will be a continuing one, providing that in



— The event any items sought to be discovered herein become available subsequent to the making of the order pursuant to this motion, said items will be made available to the pro se defendant forthwith if discovered during trial, or no later than 12:00 noon on the first day following its acquisition if discovered before trial.

The purpose of said motion is to enable the defendant herein, the (pro se defendant) to properly prepare a defense to the offenses charged and to properly prepare for the examination of any witnesses who may testify in this case. pro se defendant would show that the failure to produce any of the foregoing evidence or information by the law enforcement agency involved would result in a violation of the fifth, sixth, and fourteenth Amendments of the Federal Constitution of the United States.

DATE: 10-20-09

10-20-09

Ben Nabors

My Commission expires

10-20-2017

Respectfully Submitted,

* *Ben Nabors*

BENJAMIN RAY NABORS

pro se defendant,

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

zip code: 29360

Ben Nabors
1/24

STATE OF SOUTH CAROLINA } IN THE GENERAL SESSIONS COURT
COUNTY OF LAURENS }
THE STATE OF SOUTH CAROLINA } AFFIDAVIT OF SERVICE

VS. } case number(s).
BENJAMIN Ray NABORS 27 A 10:22 } J-615016 - J-6150454,
PRO SE DEFENDANT } J-6150455 - J-615016
} J-616454 - J-616455

I hereby certify that, ON 10-20-09, I served
the NOTICE OF MOTION and motion to produce
PURSUANT TO Rule 5 Rules of Criminal procedure, and
NOTICE OF MOTION and motion FOR THE production and
INSPECTION OF EVIDENCE and INFORMATION which may
LEAD TO EVIDENCE, UPON JACK HAMMACK, ESQ. 8TH CIRCUIT
SOLICITOR'S OFFICE, by placing it in the U.S. mail with
the proper postage affixed at the following address:
JACK HAMMACK, ESQ. 8TH CIRCUIT x BEN MAHER
8TH CIRCUIT SOLICITOR'S OFFICE AFFIDAVIT
P.O. BOX 516, GREENWOOD, SC. [REDACTED]
Zipcode: 29648

10-20-09
Avery Burke
Notary Commission expires
10-30-2017

S.C. APERTS⁶⁻⁵⁻¹³

THIS SUM EVIDENCE

① did not able send
UP Judge NEWMAN

① WAS VERY FUN FOLL
SEL THE THE Judge

MAKE ME BE POL

PRO SE ① NEVER

CHOULD THEY DO!

IT WRONG! L.C.S.D

HAS NOT BEEN MADE
TO RESPOND!

HELP ME ONLY TO FEEL
JUST WANT FAIRNESS!

Inmate Benjamin Nabors

Self Mutilation / 175

10-1108a

ID # 0701/PK # 137037



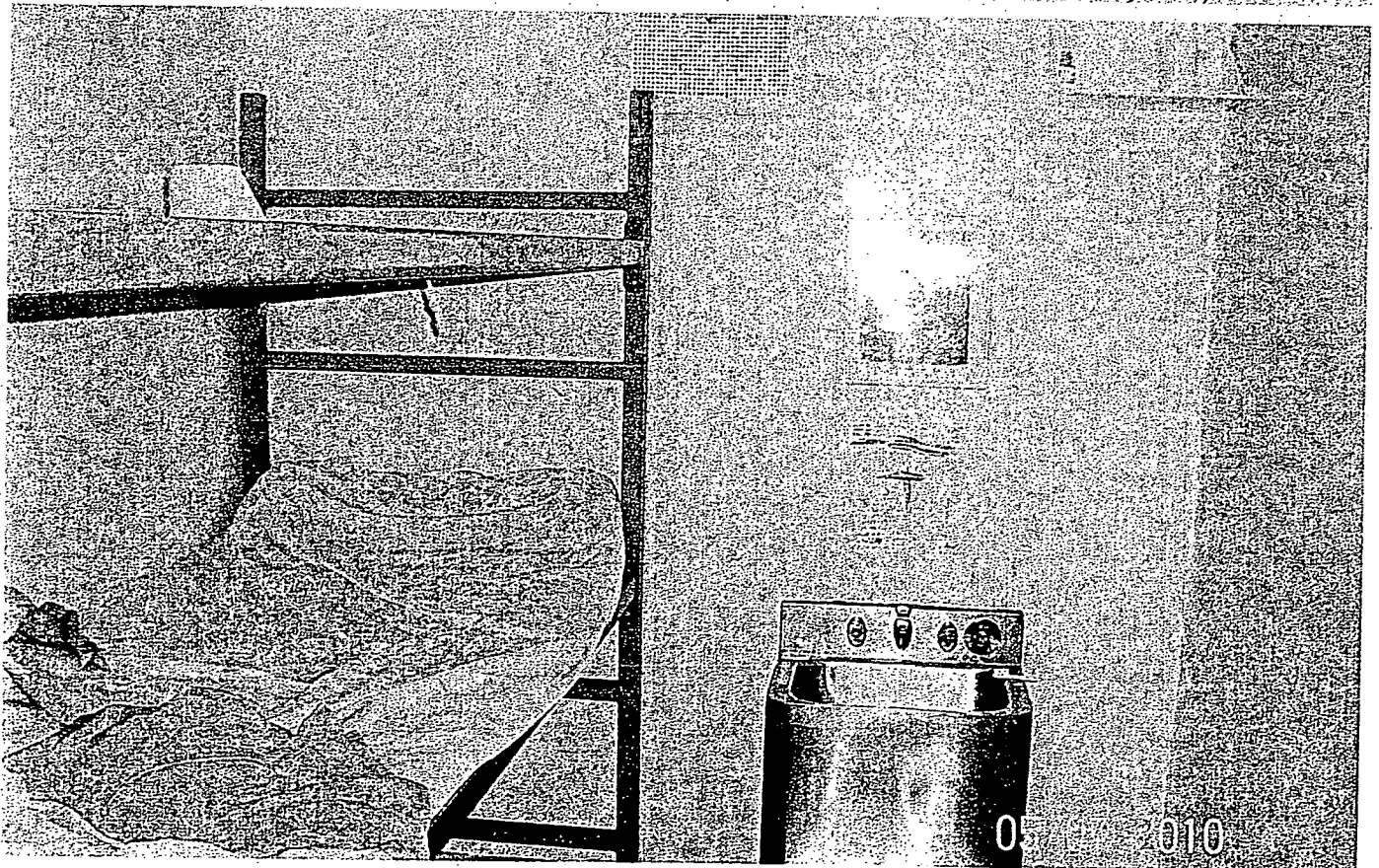
Sgt. J. Smith

2L

5/7/2010

68

down the nail, but above the
 incision, or must be approx 4 inches in
 and approx 3 millimeters in depth of a
 the skull has been exposed to the nail.
 Then the bone must be cracked open so you
 take your right index finger and with your
 nail you will dig around in the cortex of
 rains frontal lobe of the brain sized
 hip has been located and removed from
 brain. your headaches should then stop
 your bad dreams and feelings of better
 past and gone will cease.
 The penetration of the skull's bone
 will be reached by striking your



Sgt. J. Smith

2L

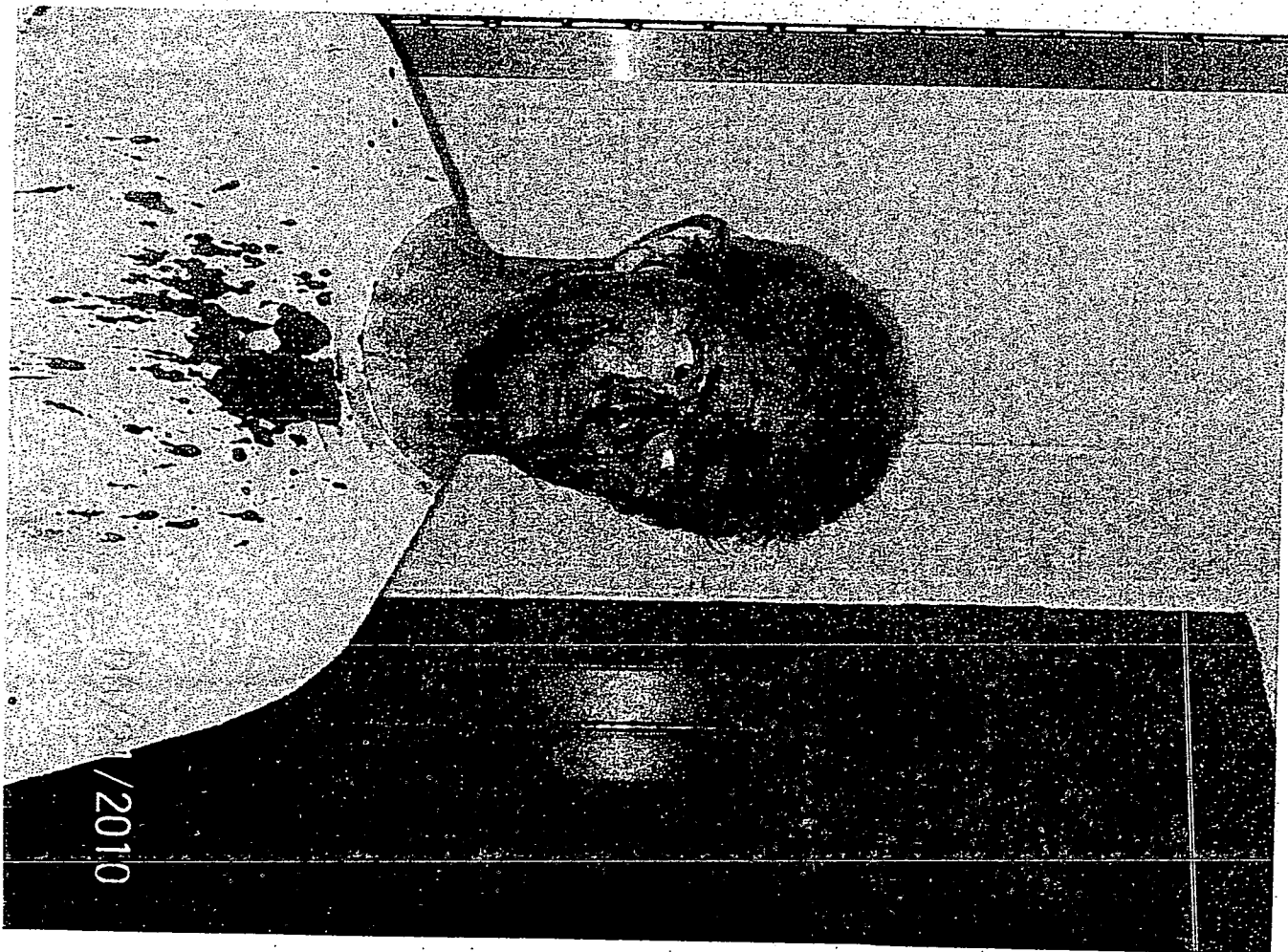
5/7/2010

CLASSIFICATION

9
6



10-1483



EL 15

10-1483



06/21/2010

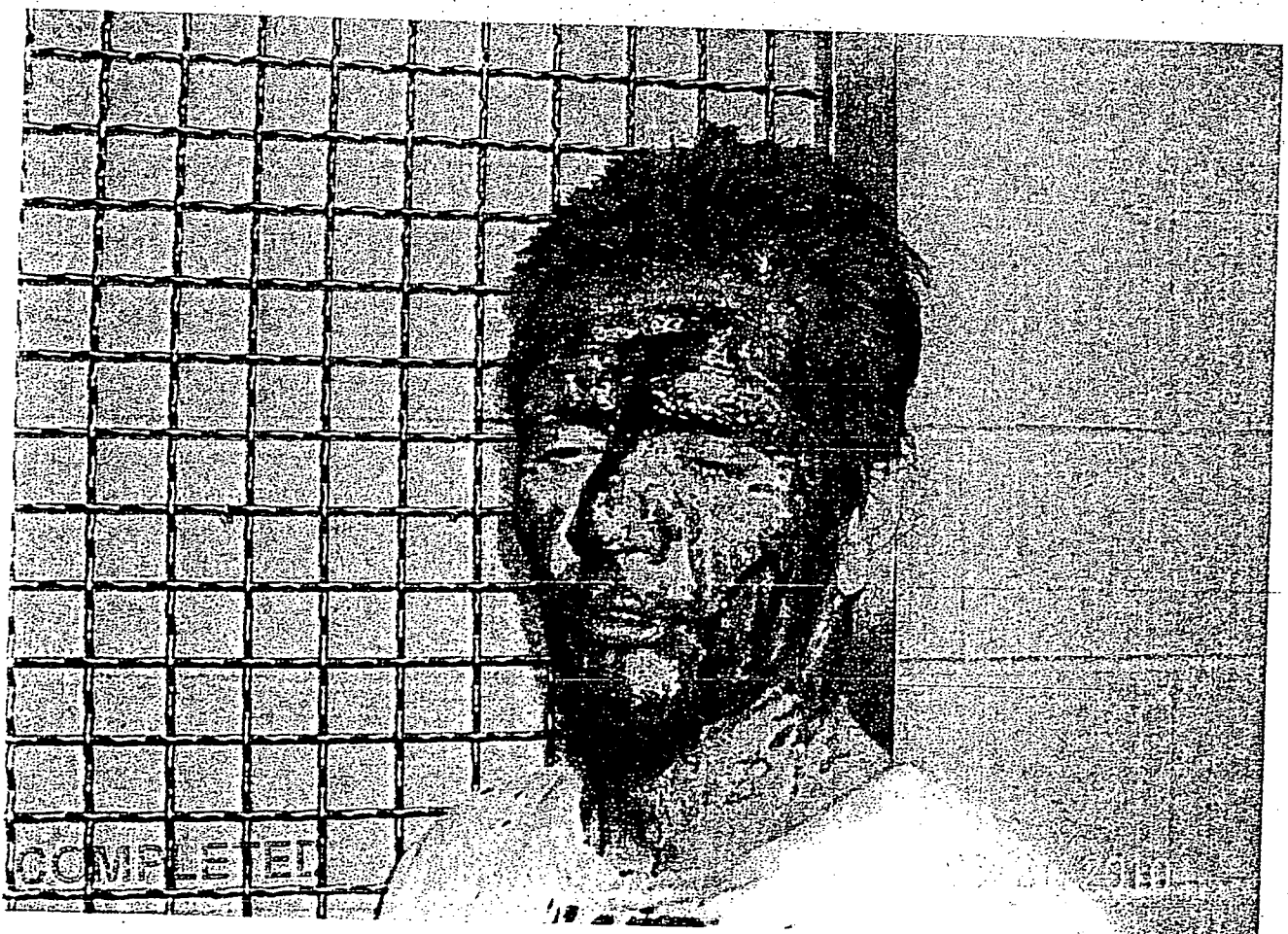
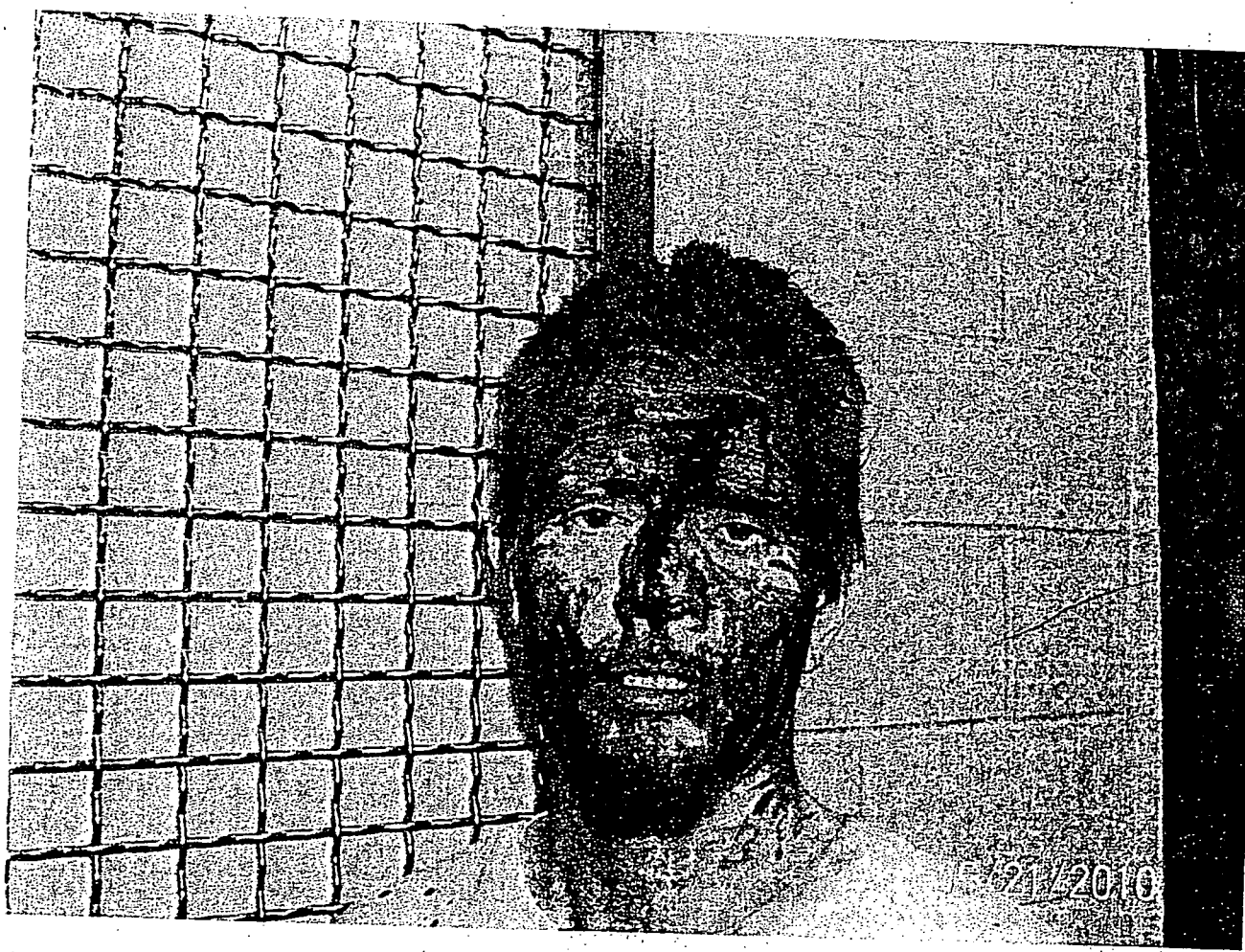


06/21/2010

01/23/2011

10
22

10-14832

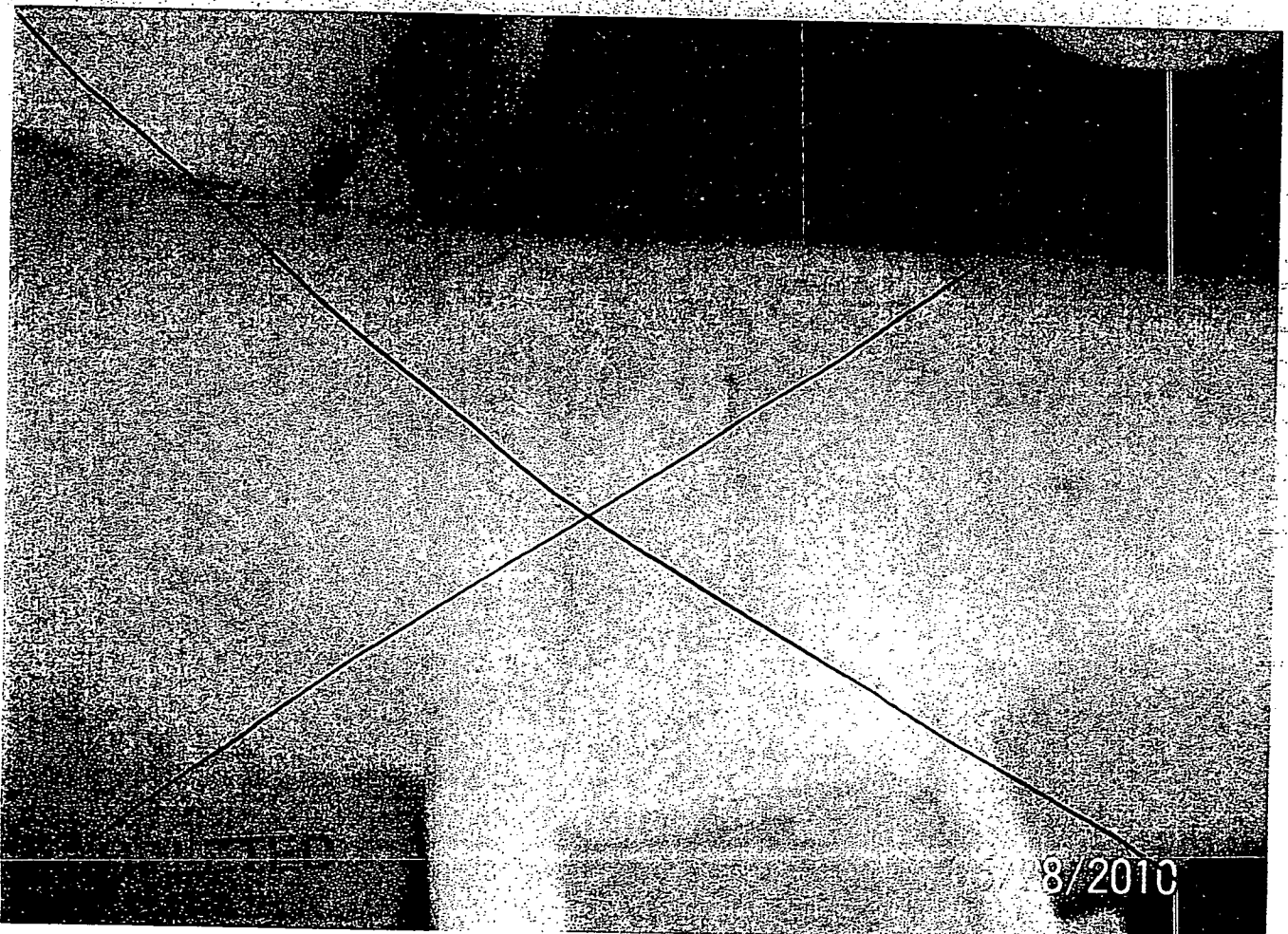


11
60

10-1483



06/21/2010

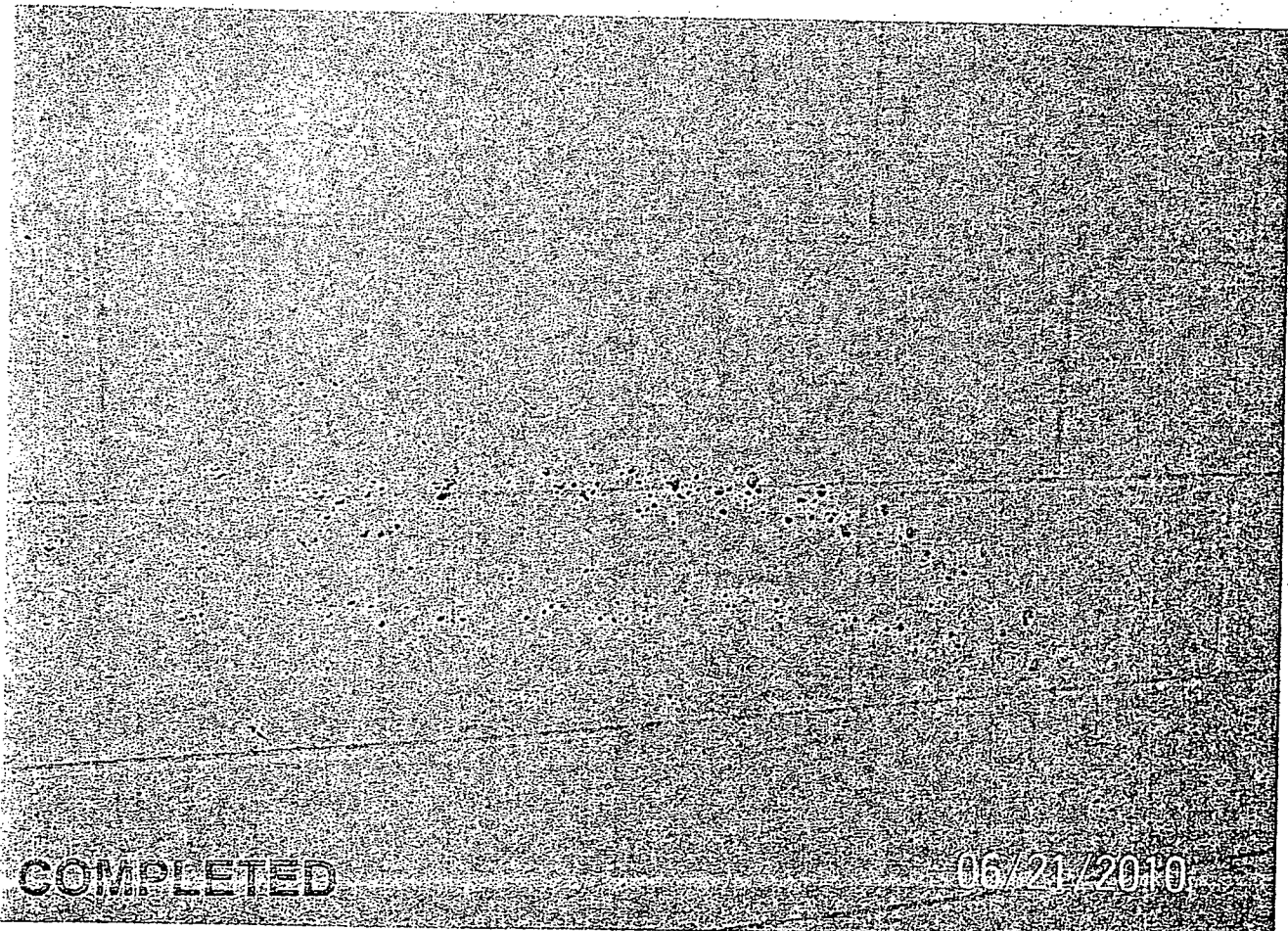
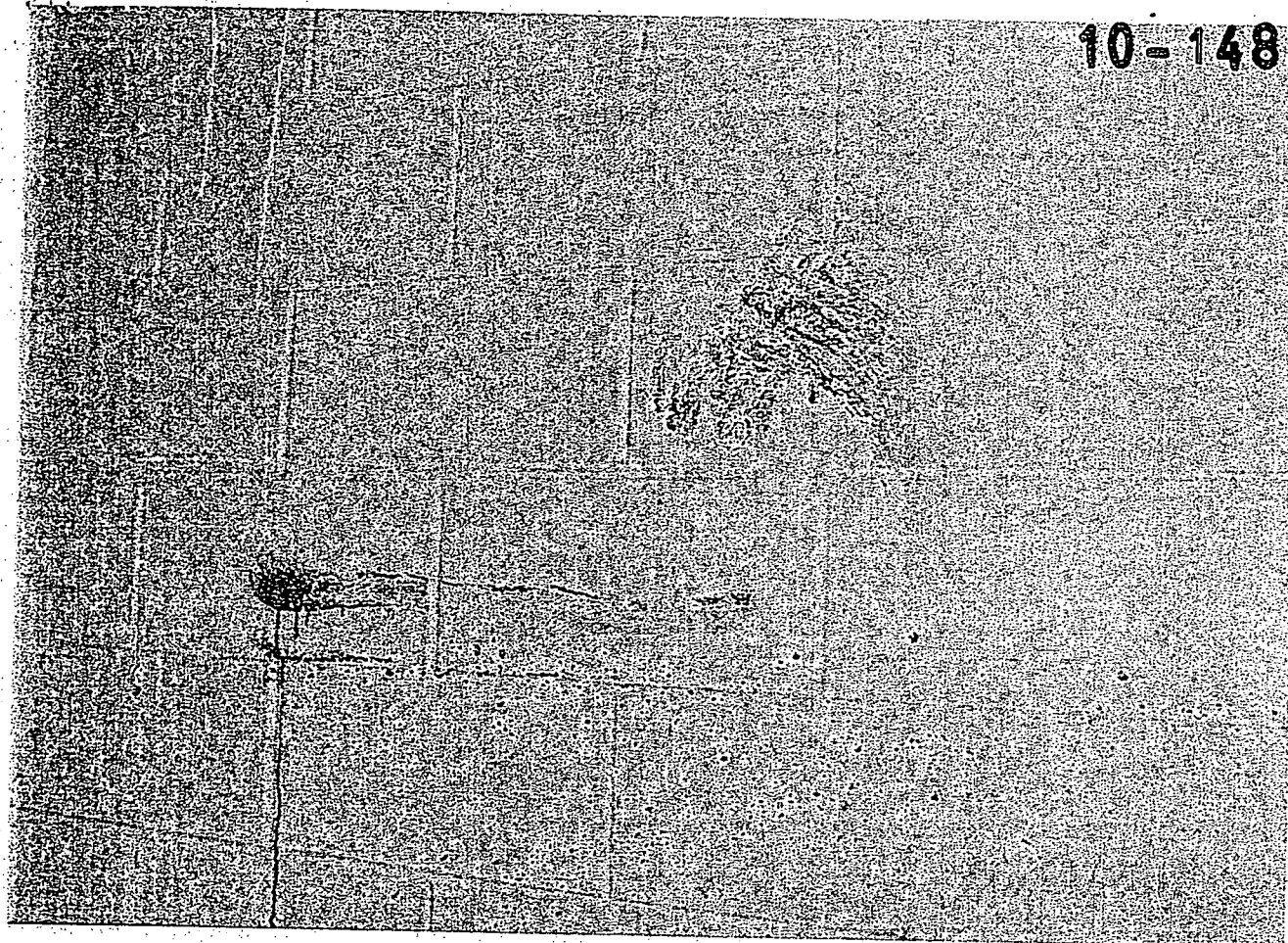


8/2010

16

LL

10-1483



COMPLETED

06/21/2010

NOTIFICATION

18

CC

CC

20

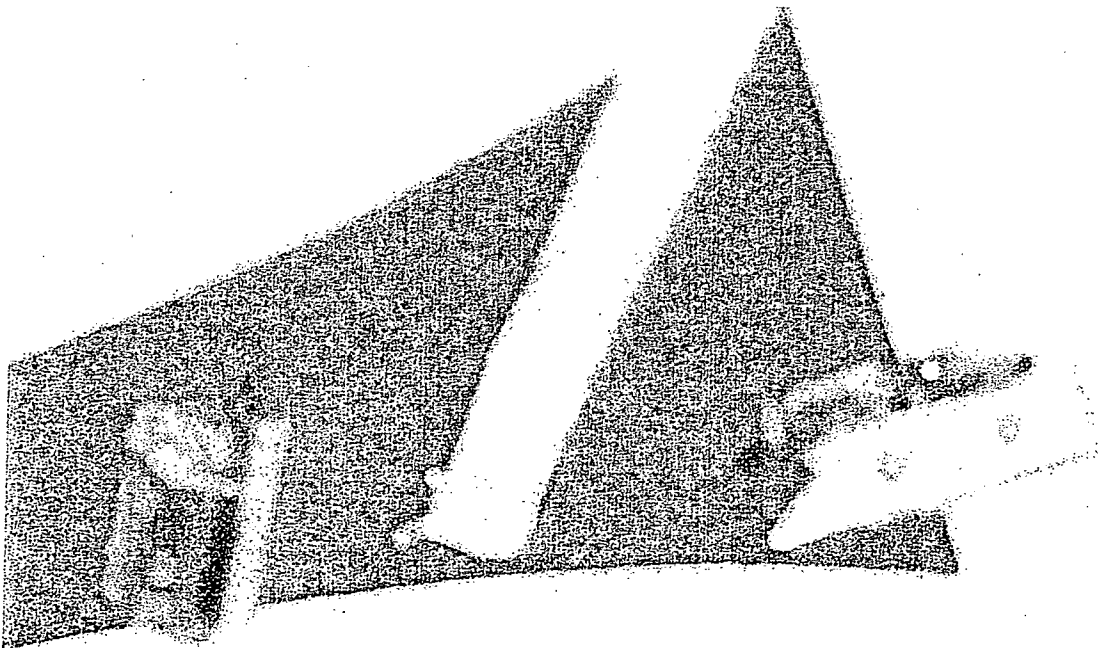
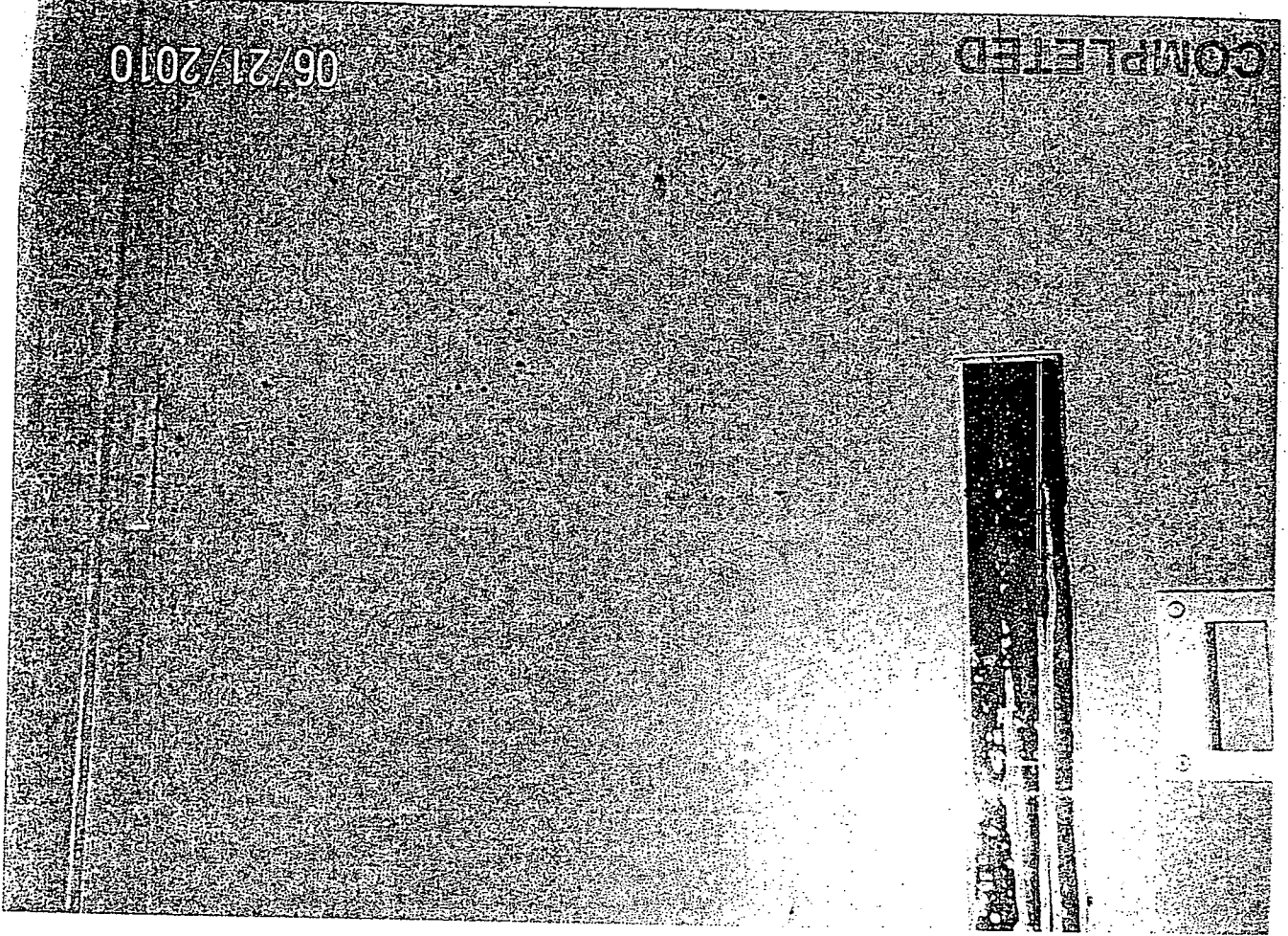
CC

2/2010

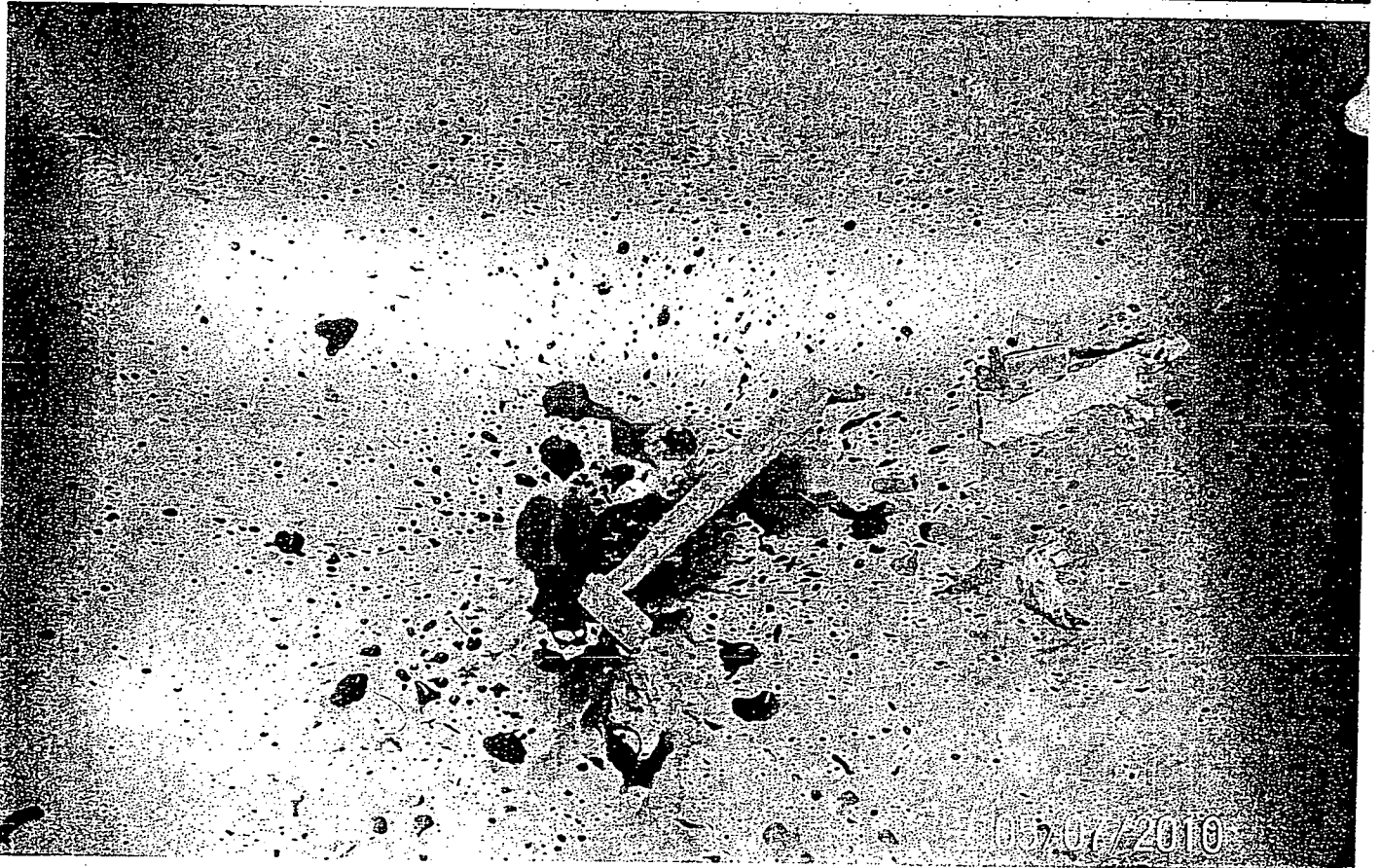
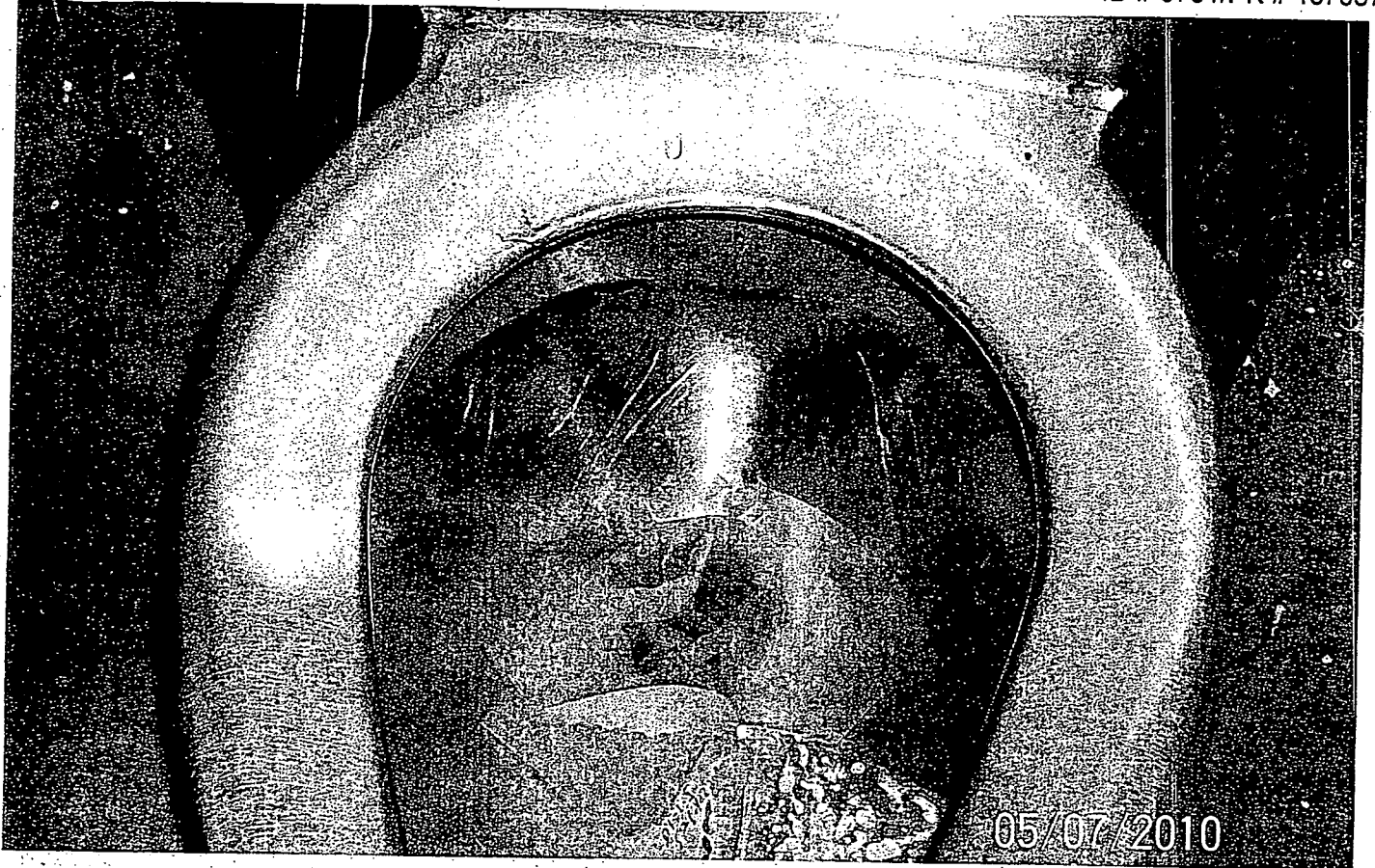
??

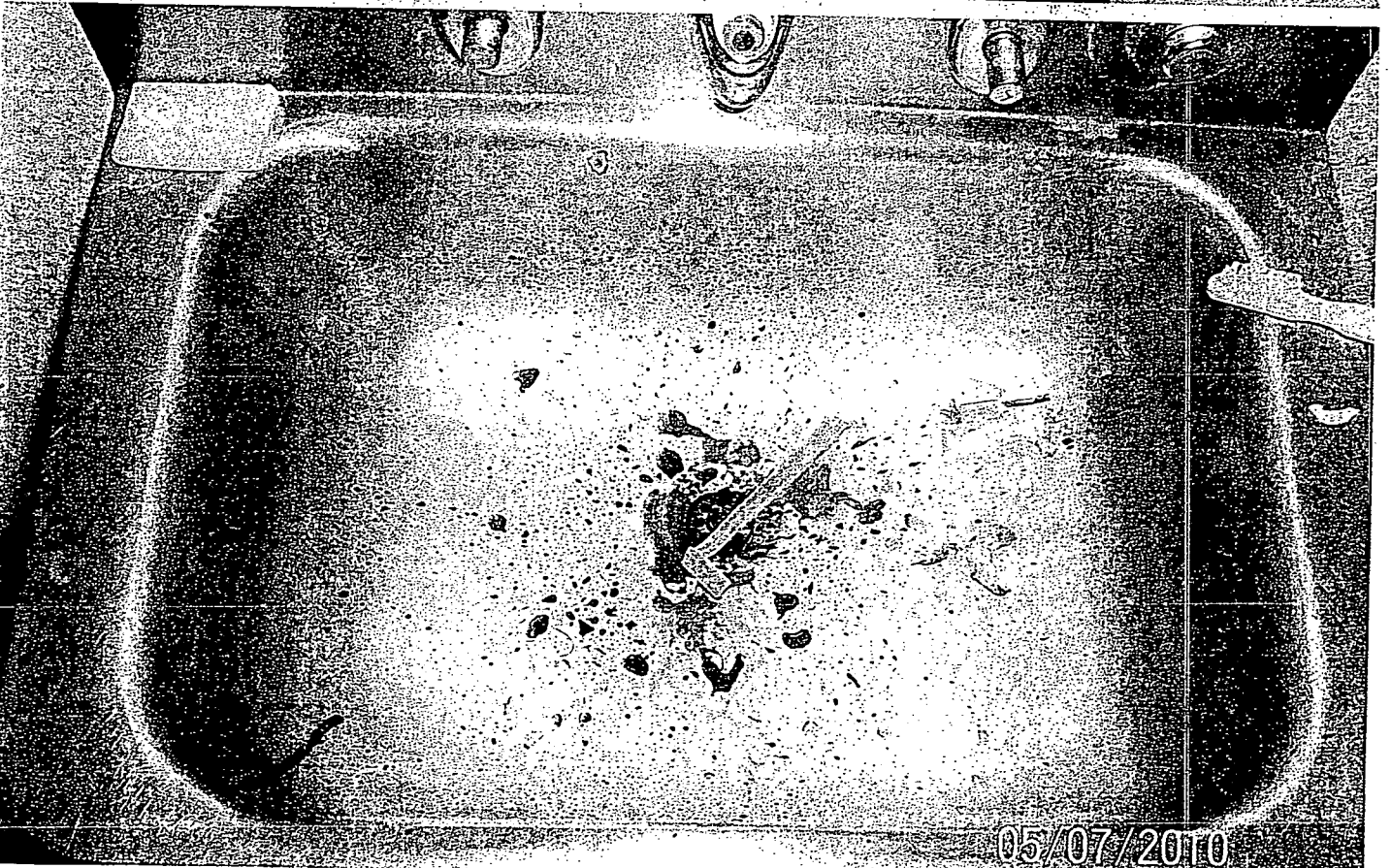
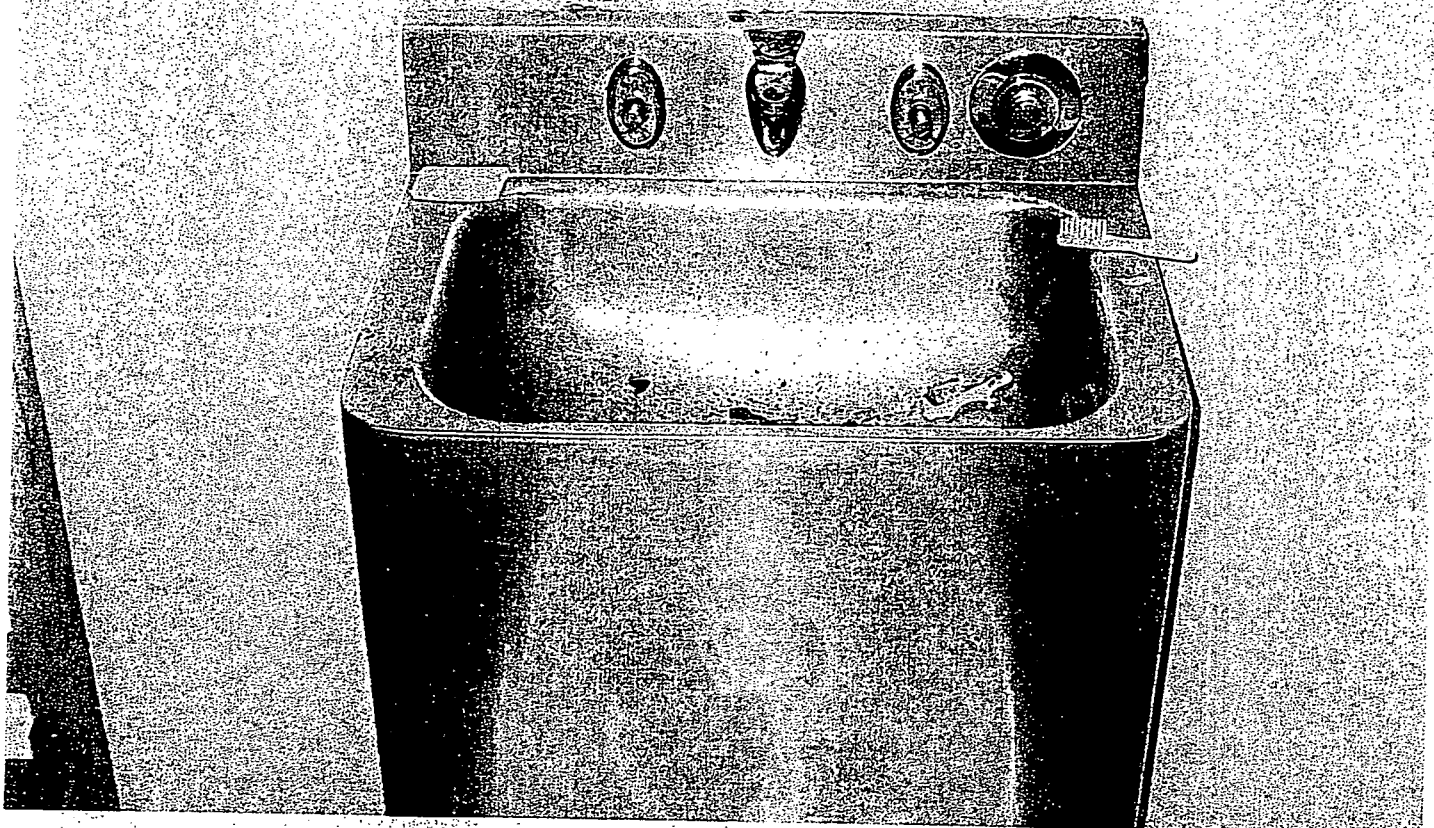
06/21/2010

COMPLETED



10-1483





05/07/2010

Sic to SE Appeals
Appeal Court Corp

~~SE~~ ~~SE~~ ~~SE~~ ^{PO} did not
HAVE COUNSEL
at this important
stage keeping
on 1-19-10 my
lawyer Mike Turner
done with Drew Rodman
from my case he
told court he would
NOT fairly represent
me @ wanted an
this in to produce
N-2 evidence at
PCR ON 3/3/13 but

DID NOT GET TO
COP CARDS
DEFENDANTS
IN MY FED
CASE OBSTRUCTED
JUSTICE THANK

NOT TO BE ALL
THIS TO JUDGE
4 MY

160

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS

IN THE COURT OF GENERAL SESSIONS

Indictment No.(s):

A/Warrant No.(s): J616 454, 455,
J6150 16

The State of South Carolina

Plaintiff
RECEIVED

ORDER FOR COMPETENCY TO STAND
TRIAL EVALUATION PURSUANT TO
STATE V. BLAIR

v.
JAN 27 2010

EVALUATION BY:
(Select Only One)

COURT UNIT

Department of Mental Health (Mental Illness)

OR

Department of Disabilities and Special Needs
(Mental Retardation or Related Disability)

Benjamin Ray Nabors

Defendant.

Per Sol
1/27/10
address
sim
onsp.
+
orgaeking
GH

This matter is before me for an order requiring defendant Benjamin Ray Nabors, charged with armed robbery, to submit to an evaluation for competency to stand trial pursuant to State v. Blair, 275 S.C. 529, 273 S.E.2d 536 (1981) and S.C. Code Ann. § 44-23-410 (1976).

BASIS FOR ORDER. I have considered the showing made in support of the motion requesting this evaluation and have reason to believe defendant may lack the competency to understand the criminal proceedings or to assist with the defense as a result of a lack of mental competence.

This order is issued for the following reasons: Mr. Nabors is claiming lack of competency to determine mental competency, and he exhibited erratic behavior. *Should have been on cell.*
GH

THEREFORE, IT IS ORDERED: Defendant shall be examined and observed at an appropriate facility by two examiners of the Department of Mental Health if suspected of having a mental illness or by two examiners designated by the Department of Disabilities and Special Needs if suspected of having mental retardation or a related disability, to render an opinion whether defendant is competent to stand trial.

COMPLIANCE DEADLINE/TRANSPORT FOR EVALUATION. The examining facility shall schedule the ordered examination no later than thirty (30) days from the examining agency's receipt of this order. If defendant is currently free on bond or personal recognizance,

161

defendant is responsible for making transportation arrangements to attend the examination. In the event defendant does not appear at the scheduled examination, upon written notice of such failure by the examining agency to the Sheriff of the county in which this case arose, defendant shall be taken into custody by the Sheriff and held until an examination can be scheduled and completed, and thereafter shall be released. Defendant's bond or bail is hereby revoked to the extent necessary to carry out the provisions of this order, and upon completion of the examination and release of defendant, any previous bail or bond issued by the Court shall remain in effect. If defendant is in custody at the time of the scheduled examination, the Sheriff is hereby authorized and required to transport defendant to and from the examination, arriving at the examining facility at the time established by confirmed appointment with the staff of the examining facility. In the event defendant is in custody of a law enforcement agency other than a Sheriff's department, nothing herein prevents such agency from carrying out the provisions of this order.

TRANSFER TO ALTERNATE AGENCY. If the initial examination is performed by the Department of Mental Health, and examiners find indications of mental retardation or a related disability but not mental illness, the Department of Mental Health shall not render an opinion on mental competency, but shall inform the Court, prosecutor, and defense counsel that defendant is "not mentally ill" and shall provide a copy of such notification and a copy of this order to the Department of Disabilities and Special Needs. Likewise, if the initial examination is performed by the Department of Disabilities and Special Needs, and examiners find indications of mental illness but not mental retardation or a related disability, the Department of Disabilities and Special Needs shall not render an opinion on mental competency, but shall inform the Court, prosecutor, and defense counsel that defendant does "not have mental retardation or a related disability" and shall provide a copy of such notification and this order to the Department of Mental Health.

In either case, the examining agency shall make copies of any records gathered or created in connection with its examination available to examiners designated by the alternate agency, and the alternate agency shall thereafter designate examiners to evaluate defendant as to competency to stand trial within thirty (30) days of receipt of the notification from the initial examining agency.

FINDING OF DUAL DIAGNOSIS. If examiners of either the Department of Mental Health or the Department of Disabilities and Special Needs find an indication of a dual diagnosis of mental illness and mental retardation or a related disability, no opinion on defendant's mental

(162)

competency shall be rendered, and the dual diagnosis must be reported to the Court, prosecutor, and defense counsel. The examining agency shall also provide notification of the finding and a copy of this order to the other agency. Thereafter, the Department of Mental Health and the Department of Disabilities and Special Needs shall arrange for an examiner from each agency to further evaluate defendant to render a final report on defendant's mental competency. Both agencies are authorized and required to make copies of all relevant records within their possession or control available to examiners for purposes of completing the dual evaluation.

AUTHORIZATION FOR INPATIENT EVALUATION. In the event examiners from either agency determine defendant requires an inpatient examination, upon written notice to this Court from the director of the examining agency or his designee, defendant shall be committed to an appropriate facility of the requesting agency for no more than fifteen (15) days for examination and observation related to defendant's mental competency to stand trial.

REQUEST FOR EXTENSION. Before the expiration of the examination period or the examination and observation period, the Department of Mental Health or the Department of Disabilities and Special Needs, as appropriate, may apply to a judge designated by the Chief Justice of the South Carolina Supreme Court for an extension of time up to fifteen (15) days to complete the examination or the examination and observation.

DETENTION BEYOND EVALUATION PERIOD. If, in the judgment of the designated examiners, defendant is in need of immediate hospitalization or inpatient treatment, upon written request to this Court from the director of the examining facility or his designee, defendant may be detained by the requesting agency in a suitable facility for so long as deemed clinically necessary or until a hearing required and provided by S.C. Code Ann. § 44-23-430 (1976) may be conducted by this Court. An additional Court order **shall** be necessary for ongoing pre-trial inpatient detention of defendant as discussed in this paragraph.

ISSUANCE AND ADMISSIBILITY OF WRITTEN REPORT. Within ten (10) days of all examinations or the conclusion of the observation period, a written report shall be made to the Court pursuant to S.C. Code Ann. § 44-23-420 (1976). A copy of the report shall also be forwarded to the prosecutor and defense counsel. This evaluation report shall be admissible as evidence in subsequent hearings pursuant to S.C. Code Ann. § 44-23-420(c) (1976); thus, the report is a statutory exception to the rule against hearsay and shall be admissible without need for foundational

163
testimony. However, the report shall be inadmissible in any other proceedings except as expressly permitted by South Carolina law.

OWNERSHIP AND DISCOVERABILITY OF EXAMINING AGENCY FILES. The examining agency is an independent entity, conducting this evaluation pursuant to Court order, and is not aligned with any party before the Court. To promote full disclosure and to assure the cooperation of defendant during the evaluation process, ownership of the examining agency's files shall be vested with the examining agency, including clinician's notes, staff reports, evaluation documents, memoranda, test results, etc. Neither these files nor any of their contents shall be provided to any party except upon presentation of a Court order authorizing such or a release authorization signed by defendant. In the event the examining agency's evaluation opinion is contested, an examiner may be appropriately and fully questioned as to the basis for the examiner's opinion at any hearing pursuant to S.C. Code Ann. § 44-23-430 (1976). However, examiners and agency staff may not be compelled to testify regarding statements made during the competency examination for any purpose other than to establish competency. Also, statements made during the examination may not be used to impeach defendant at trial. Hudgins v. Moore, 337 S.C. 333, 524 S.E.2d 105 (1999).

MEDICAL PROVIDERS/SCHOOLS MUST RELEASE NECESSARY RECORDS. State agency examiners conducting the evaluation may need clinical and school records concerning defendant to assist in forming an opinion. It is therefore ordered, upon presentation by the examining agency of this order with a written request for specific records attached thereto, that any physician or clinician, licensed health care facility, licensed health care provider, or any school district is hereby authorized and required to furnish copies of all records concerning defendant to the Department of Mental Health or the Department of Disabilities and Special Needs, or both.

COUNSEL REQUIRED TO FURNISH NECESSARY RECORDS. Upon written request from the examining agency, counsel for the prosecution and defense shall furnish to the agency such records and information in counsel's possession as the agency requests, including but not limited to copies of law enforcement reports, investigations, witness statements, statements by defendant (both written and electronic), defendant's medical records, and prior psychiatric or psychological evaluations of defendant. Nothing herein shall be construed to require counsel to divulge any information, documents, notes, or memoranda that are protected by attorney-client privilege or work-product doctrine.

169

DUTIES OF DEFENSE COUNSEL. Unless the prosecution is the party moving for this evaluation, defense counsel has the responsibility to file, serve, and transmit this order as outlined in the final paragraph below. Defense counsel does not have the right to attend any clinical interview scheduled pursuant to this Order, nor does defendant have a constitutional right to compel counsel's attendance. State v. Hardy, 283 S.C. 590, 325 S.E.2d 320 (1985). The Court recognizes, however, that circumstances may arise through which the examining agency may request counsel's attendance to facilitate the examination. In the event that such a determination is made, the examining agency may request counsel's attendance in writing, and counsel's level of participation shall be prescribed by the examining agency's written evaluation protocol. In this event, because of the substantial number of individuals awaiting examination, such interviews cannot be rescheduled, postponed, or canceled to accommodate counsel except upon presentation to the examining agency of a written statement from a circuit court judge that counsel's attendance is required in Court at the time the examination is scheduled. Whether or not defense counsel is requested to attend the clinical interview, defense counsel must meet with defendant prior to the interview to discuss this Court order, the evaluation process, the clinical interview, defendant's rights with regard to the clinical interview, and penalties associated with non-appearance and non-cooperation. Failure to comply with these requirements may result in sanctions for defense counsel. Defendant's refusal to participate at the interview because of the absence of counsel will be deemed non-cooperation. Failure of defendant to cooperate or participate in the interview may result in cancellation of the interview, examiners being unable to offer an opinion on competency to stand trial, and the case being called for trial without completion of the evaluation.

FILING, SERVICE, AND TRANSMITTAL OF ORDER. It is the responsibility of counsel for the party requesting the evaluation to file and serve this order as outlined herein. In the event the evaluation has been requested by consent, or the moving party cannot be determined, defense counsel shall be responsible. After being signed by the Court, the original order without attachments shall be immediately filed with the Clerk of Court and a certified copy served upon the opposing party. Further, within five (5) business days, a certified copy of this order, together with the attachments listed at the end of this order, must be served upon the examining agency at the address listed below. To expedite commencement of the evaluation process and scheduling of the clinical interview, counsel is instructed to immediately contact the examining agency to advise of the

issuance of this order and forthcoming service upon the agency:

Evaluation Order Service Information

Department of Mental Health

Forensic Evaluation Service Paralegal
S. C. Department of Mental Health
CBHS Forensic Center
7901 Farrow Road
Columbia, S.C. 29203-3220
(803) 935-5540 (Phone)
(803) 935-5544 (Fax)
Email: FES-PARALEGAL@SCDMH.ORG

Department of Disabilities and Special Needs

Office of Clinical Services
Department of Disabilities and Special Needs
Post Office Box 4706
Columbia, S.C. 29240
(803) 898-9694 (Phone)
(803) 898-9660 (Fax)
Email: OBSForensics@ddsn.sc.gov

AND IT IS SO ORDERED.

Franklin

Presiding Circuit Judge

Hill

Printed Name of Presiding Circuit Judge

Laurens, South Carolina

Dated: *1/19/10*

Schwammack
Prosecutor

PO Box 516
Address

Greenwood, SC 29648
City, State, Zip

864 984 2202
Telephone

jhammack@co.laurens.sc.us
Email

Michael Turner, Jr.

Defense Counsel
105 West Public Square

Address
Laurens, SC 29360

City, State, Zip
864-984-6565

Telephone

Email

166
Department of Mental Health at the address listed below. To expedite commencement of the evaluation process and scheduling of the clinical interview, counsel is instructed to immediately contact the Department of Mental Health to advise of the issuance of this order and forthcoming service upon the agency:

Evaluation Order Service Address for the Department of Mental Health

Forensic Evaluation Service Paralegal
S. C. Department of Mental Health
CBHS Forensic Center
7901 Farrow Road
Columbia, S.C. 29203-3220
(803) 935-5540 (Phone)
(803) 935-5544 (Fax)
Email: FES-PARALEGAL@SCDMH.ORG

AND IT IS SO ORDERED.

Ham / mi

Presiding Circuit Judge

1/17/11

Printed Name of Presiding Circuit Judge

Laurens, South Carolina

Dated:

1/19/11

Jack W. Hammack
Prosecutor
PO Box 576

Address

Greenwood, SC 29648

City, State, Zip

864 984 2202

Telephone

hammack@co.laurens.sc.us

Email

Michael Turner, Jr.

Defense Counsel

105 West Public Square

Address

Laurens, SC 29360

City, State, Zip

864-984-6565

Telephone

Email



South Carolina Department of Mental Health

HIPAA (PHI) FAX COVERSHEET

To:

Michael Turner Jr., Esq.

From: Sophia B. Smith

Date: 2-10-2010

Urgent For Review Please Comment

SUBJECT:

MESSAGE:

Please see the Refusal Letter for Benjamin Nabors.

Thank you.

Cc: C. Yates Brown Jr., Sol. (864) 984-6200

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR EN ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, C EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER O NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US VIA U.S. POSTAL SERVICE. THANK YOU.

6-5-13
SIC APPEALS
COMT

THIS EVALUATOR
WAS NOT ADMIRABLE
CAUSE ~~OF~~ REFUSE
IT TOLD NO NO
NO NO NO DID
NOT WANT TO
BE EXAMINED.
L.C.D.C. GUARANTY
TRANSPORTATION
OFFICER TURNER
AND MS. BAKER
FORCED ME TO
AT GUN POINT
STUN AND MACE
MAKE ME AT ALL
WENT 3X EVERY
863 excepts last



South Carolina
Department of
Mental Health

Division of Inpatient Services
Forensic Evaluation and Treatment Services
Building #6
7901 Farrow Road
Columbia, South Carolina 29203
Information: (803) 935-5600
Fax: (803) 935-5544

January 27, 2010

Michael Turner Jr., Esq.
105 W. Public Square
Laurens, SC 29360

Dear Atty. Turner:

A court ordered evaluation for **Benjamin Nabors**, DOB: 12-18-1975 is scheduled for **Wednesday, February 10, 2010 @ 8:30 AM** at the (DMH) Forensics Evaluation Service, Craft-Farrow Psychiatric Hospital, Building #6. Competence to stand trial evaluations may include questions about potential evidence and limited discussion of the alleged offense(s). Criminal responsibility evaluations may include extensive discussion of the alleged offense(s). Consequently, some defendants decline to participate before consulting with their attorney or ask that their attorney attend the evaluation. Therefore, we ask that you speak with your client prior to this appointment to advise him or her of the non-confidential nature of the evaluation and how to proceed.

Because DMH does not communicate with defendants regarding scheduling or provide transportation for them, you must see that your client is present for the evaluation, whether they are in detention or the community. In doing so, please do not forward this letter directly to your client or their family. If the defendant is transported by law enforcement personnel, the transport officer must remain in the building until the evaluation is complete.

Due to security concerns and space constraints, we ask you to limit the number of persons accompanying defendants to the evaluation. Contact our office in advance should you require special accommodations.

Finally if you have any information that may be relevant to this defendant's past or current mental health, which you have not yet discussed with us or forwarded to us, please do so immediately. Our telephone number is (803) 935-5600. Our fax number is (803)-935-5544.

Sincerely,

Sophia B. Smith, AA

Cc: C. Yates Brown Jr, Sol.
Laurens Co. Det. Ctr., Transport Div.

Division of Inpatient Services

G. Werber Bryan Psychiatric Hospital - William S. Hall Psychiatric Institute - Morris Village Alcohol & Drug Addiction Treatment Center
Forensic Services - Sexually Violent Predator Treatment Program - Patrick D. Harris Psychiatric Hospital C.M. Tucker, Jr. Nursing Care Center

56



Columbia Behavioral Health System
Forensic Center
7901 Farrow Road
Columbia, South Carolina 29203
Information: (803) 935-5600
FAX: (803) 935-5544

February 10, 2010

Michael Turner Jr., Esq.
105 W. Public Square
Laurens, SC 29360

Re: The State of South Carolina v. Benjamin Nabors
DMH Case 963-0097
Laurens County Court of General Sessions

Dear Michael Turner Jr., Esq.

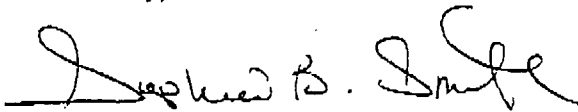
In accordance with the court order issued by the Honorable D. Garrison Hill, a forensic evaluation was initiated by the Forensic Evaluation Service (FES) of the Department of Mental Health (DMH). However, no report can be issued at this time due to the following:

1. Law Enforcement failed to transport the defendant for the first scheduled appointment. The defense attorney should confirm the defendant's transportation arrangements for the next scheduled appointment.
2. Law Enforcement failed to transport the defendant for the second scheduled appointment. **The defense attorney must contact the DMH-FES within 15 days of the date of this letter in order to have the evaluation process resumed.**
3. The defendant refused to cooperate due to desire to not participate, to speak with attorney, or to have attorney present for the interview process. **The defense attorney must contact the DMH-FES within 15 days of the date of this letter in order to have the evaluation process resumed.**
4. A 15 day extension is needed to complete the evaluation.
5. The defendant needed emergency hospitalization. The DMH-FES arranged this.
6. The defendant needs a joint evaluation with the Department of Disabilities and Special Needs. The DMH-FES will arrange this.

7. The defendant needs a 15-30 day period of inpatient evaluation. The DMH-FES will arrange this.
8. The forensic examiner needs a psychological or medical consultation on the defendant. The DMH-FES will arrange this.
9. Other:

As noted above, if no report can be issued due to reason number 1, 2 or 3, the defense attorney must contact the DMH-FES within 15 days of the date of this letter in order to have the evaluation process resumed. After 15 days, the Court will be notified that the evaluation cannot be completed due to reason 1, 2 or 3. Please contact Ms. Sophia Smith (803-935-5600) regarding rescheduling the appointment. If no report can presently be issued for a reason(s) other than number 1, 2 or 3, the DMH-FES will continue the evaluation process and no action on your part is necessary.

Sincerely,


Sophia B. Smith, AA

cc: C. Yates Brown Jr, Sol.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LAURENS,)
)
 State of South Carolina,)
)
 Plaintiff,)
)
 vs.)
)
 Benjamin Ray Nabors,)
)
 Defendant.)

IN THE COURT OF GENERAL SESSIONS
 INDICTMENTS: 09-GS-30-1276, 1385, 1386,
 1387

ORDER

The court hereby relieves Mr. J. Michael Turner, Jr. as counsel of record for the defendant Ben Nabors and appoints Alex R. Stalvey, Esquire, of the Greenville County Bar as counsel.

IT IS SO ORDERED!

March 5, 2010
 Greenville, SC

D. Garrison Hill

 D. Garrison Hill
 Circuit Judge

pg 1 of 8

RECEIVED

FEB 19 2010

2-11

RECEIVED

FEB 19 2010

41

OFFICE OF DISCIPLINARY COUNSEL

74-16

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 him

but to all other parties involved in these criminal proceedings as well, that I 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 ongoing and what does appear to be, an "up hill" bat here within the Eighth Circuit, to receive adequate and meaningful representation of counsel, in regards to my charges,

p. 3 of 8

4
 South Carolina, the county of Lauren
 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, a
 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 complain-
 is that Mr. Turner, Jr. has not attempt
 to honor any of my request, nor has
 taken such seriously, further more
 has done exactly what I asked him to
 not do.

In that I have contended that a
 the day of the crime, I was in fact
 "insane, or mentally ill", on 6-18-0
 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 a

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 NITE HOURS OF 6-9-09, AND THE VERY EARLY MORNING HOURS OF 6-10-09, FROM LAUREN COUNTY'S 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 SUFFER FROM MENTAL HALLUCINATIONS, AND THERE DID STEAL THE VICTIM'S CAT, 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 Counties 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 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, its 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 such
would mean that they would have to
also put the above parties on trial,
as well. AND that causes a conflict

State of South Carolina

2-18

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!!! with you please be the ones who will help me?

Sincerely,

~~Ben Nabors~~

~~2-17-10~~

DATE

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

State of

CCCCCCCC

STATE of South Carolina)	IN THE COURT OF COMMON PLEAS
COUNTY OF LAURENS)	EIGHTH CIRCUIT -
BENJAMIN RAY NABORS)	
PRO SE APPELLANT)	C/A NO. 2011-CP-30-308
V.)	NOTICE OF APPEAL
STATE of South Carolina)	AND MOTION
RESPONDENT)	59(e), FOR COURT
)	TO ADDRESS (ALL) ISSUES

The Above pro se appellant applicant swears under penalty of perjury that he did on the 28 day of May 2013 file a pro se motion 59(e) and a notice of appeal. AND ACCENTS HE IS INNOCENT OF CONVICTIONS WRONGFUL UNLAW SEI FULL SENTENCES PRAY TO THIS COURT FOR RELIEF

5-28-13
 NABORS

Bm R M
 BENJAMIN RAY NABORS

OF MIND.

See DMH Report concerning
DRUG INDUCED PSYCHOTIC STATES

6-10-09, was indeed, under
actual police Authority by
the L.C.S.D. NARCOTICS UNIT
when such said^a exposure
to toxic meth chemicals^b
did so happen, thus set
the stage for what latter
on in the afternoon of 6-10-09
^a the events which led to such
said applicant's current convictions,
^a which caused directly caused
the state of mind which such
said applicant is accused
~~of~~^b of having illegally
committed. Those acts being
Armed Robbery and Carjacking,
from which this humble and

RRI

2

diagnosed mentally ill applicant
does seek complete and
fair redress by these
Honorable courts, P.C.R.
COURT as well as appellate
COURTS. Applicant assents his innocence!

My P.C.R. case was
not thoroughly judged or
fairly prosecuted. Not simply
because applicant was made
left little choice but to proceed
as pro se. My P.C.R., the
applicant's P.C.R. ISSUES
were not fairly examined
by the P.C.R. COURT. The
above and below named
applicant did NOT get redress
ON VERY VERY IMPORTANT ISSUES

(RR2)

OUR FAMILY AT THE 3-13-13 PROCEEDINGS
 P.C.R. APPLICANT WAS NOT FAIR AND
 SEVERAL OF P.C.R. APPLICANTS
 ISSUES, SUCH AS JUDICIAL
 ERRORⁿ Judge HAN WAS VERY PREJUDICED
 AGAINST ME. SEE RECORD
 (ISSUE 2)

THE P.C.R. COURT ON 3-13-13 AFTER
 APPLICANT TRIED TO EXPLAIN "ON
 RECORD" THAT THE DEPARTMENT
 OF MENTAL HEALTH'S EXAMINATION
 OF THE PRO SE APPLICANTS
 REPORT WAS BOTH SEVERELY
DEFECTIVE AS WELL AS FRUIT
OF THE POSIONED TREE.

NOTE
 →

THE APPLICANT CONTESTED SUCH
 DIMINISHED REPORT BE ALLOWED INTO

(RR3)

CONTS RECORD BECAUSE
 OF THE FACT THAT APPLICANT
 DID NOT HAVE A FAIR AND
 LEGAL VOICE THROUGH MIKE
 TURNER JR. ESQ. AT THE
 EXAMINATION HEARING BEFORE
 THE HONORABLE D. GARRISON
 HILL ON OR ABOUT 1-19-10
MIKE TURNER JR. ESQ. REMOVED
 HIMSELF FROM MY TRIALS DEFENSE
 BY WAY OF MOTION TO THE
 GENERAL SESSIONS COURT ON OR
 ABOUT 12-7-12 OR THEREABOUTS.
 AT THE HEARING BEFORE JUDGE
 HILL ON 1-19-10, OR THEREABOUT
MIKE TURNER JR. ESQ. AFTER

RR4

5

he informed me as well as
the 8th CIR GENERALS COM,
as well as the 8th CIR.
SOLICITORS OFFICE, THAT
he could not ethically represent
me BENJAMIN RAY NABOR?
Both FAMILY AND WITHOUT
PREJUDICE. YET THERE HE WAS
ON 1-19-10 OF THEREABOUTS,
ACTING AS MY COUNSEL OF
RECORD. ALSO AT SERIOUS
ISSUE AND DIRECT CONFLICT
IS THAT JUDGE D. GARRISON
HILL ALSO WAS QUESTIONABLY
BIASED AND PREJUDICED
AGAINST THIS ABOVE NAMED
APPLICANT, DO TO THE FACTS
(RRS)

That such said Justice had
 prior relationship with
 applicant, in that he was
 approached in person by me
 and my co defendant, (wife)
Jennifer Hughes, outside his
 office building at or near

305 East North Street, A'ville
 SC 29601 in 2008 when such
 applicant and his co defendant
 (wife) Jennifer Ann Hughes
 did solicit Judge Hill, without
 knowing at that point he was
 a Justice of SC, we myself
 and co defendant first solicited
 change from his honor, then after
 his honor informed us "NO" to get

SPARE

RRB

away from him, "as he was about to enter a vehicle" such applicant as this inquired from his honor would he like to exchange money for sex with Jennifer Hughes, after he was asked such question by the applicant he threatened to have us both locked up UNLESS you beat IT NOW and to this day, also ON 10-13-09 or there about Judge Hill had a formal complaint filed against him by the above applicant with the Supreme Courts Office of Disciplinary

RR7

INVESTIGATION WHAT SO
EVER INTO FACT THAT ON
6-10-09, THIS APPLICANT
WAS OPERATING AS A
UNDERCOVER NARCOTIC SPY
BY THE L.A.S.D. NARC. UNIT.
AND AS HE WAS ACTING
UNDER ACTUAL AUTHORITY
ON 6-10-09 - AT 836
HELLMAN, RD. GLENWOOD
SEC. 29645 SUCH APPLICANT
CARFOOD WAS EXPOSED TO THE
TOXIC METH CHEMICALS
AT THAT LOCATION ABOVE
AND APPLICANT'S PARANOID
SCHIZOPHRENIA WAS AGITATED
RR8

(38) ULI 20-11
(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) Applicaat 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-E 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.

2A