

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Court of Common Pleas

The Honorable L. Casey Manning

Trial Court No. 2010-CP-40-00704

RECEIVED

MAY 09 2012

SC Court of Appeals

Hartford R. Best, #105214

Appellant,

v.

Samuel B. Glover, Former Director of the
South Carolina Department of Probation, Parole
and Pardon Board

Respondent

RECORD OF APPEAL

HARTFORD R. BEST
PRO SEE APPELLANT
Lieber C.I. SA-61
P.O. Box 205
Ridgeville, SC 29472-0205

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1 STATE OF SOUTH CAROLINA)
 2 COUNTY OF RICHLAND)
 3)
 4 HARTFORD BEST,)
 5)
 6 -v-)
 7)
 8 SAMUEL GLOVER,)
 9)
 10)
 11 DEFENDANT.)

IN COMMON PLEAS
 COURT
) TRANSCRIPT
 OF
 RECORD
 2010-CP-40-00704

12
 13 SEPTEMBER 1, 2010
 14 RICHLAND, SOUTH CAROLINA

15
 16 B-E-F-O-R-E:
 17 HONORABLE CASEY L. MANNING, JUDGE;

18
 19 A-P-P-E-A-R-A-N-C-E-S:
 20 FOR THE PLAINTIFF:
 21 PRO SE

22
 23 FOR THE DEFENDANT:
 24 BEN ABLIN, ESQ.

25

I-N-D-E-X

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MOTION:

PG.

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CERTIFICATE OF REPORTER:

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COURT REPORTER'S NOTE: THERE WERE NO EXHIBITS ENTERED.

1 (The following proceedings were
2 held on September 1, 2010.)

3 THE COURT: Whose motion?

4 You have one -- yours is to dismiss, correct?

5 MR. ABLIN: That's correct, Your Honor. My name
6 is Ben Ablin, A-B-L-I-N.

7 THE COURT: Yes, sir.

8 MR. ABLIN: Department of Probation, Parol and
9 Pardon Services on behalf of Mr. Glover for the department.

10 The motion to dismiss is essentially based on the
11 fact that Mr. Best is challenging a parole revocation
12 proceeding and that a parole revocation can't be challenged
13 in circuit court. First of all, there's a statute 21 24 680
14 that says that the board is the sole judge of whether parole
15 should be revoked and there's no appeal that arise from
16 that.

17 The second reason being that under PCR statute that
18 if a person is claiming that their parole was unlawfully
19 revoked, say the board didn't follow due process or
20 something like that, then the proper remedy is through post
21 conviction relief -- is specific grounds. And I would like
22 to hand up copies of this case, Your Honor.

23 THE COURT: Go ahead, that's fine.

24 You understand that, Mr. Best? You understand
25 what he's saying?

1 MR. BEST: Yes, sir, Your Honor.

2 THE COURT: Have you filed a PCR, Mr. Best?

3 MR. BEST: No, sir, because we went a writ of
4 mandamus.

5 THE COURT: That's, that's, fine. That's fine.
6 Has the statute time run on you yet?

7 MR. BEST: No, sir.

8 THE COURT: Has it been toll? You got to file a
9 PCR within a year now.

10 MR. ABLIN: I believe the statue may have been run
11 at --

12 THE COURT: Okay. I don't know. I'm just asking.

13 MR. BEST: Yes, sir. At this point it would have
14 ran but --

15 THE COURT: You filed something late --

16 MR. BEST: I can't file because there's no record
17 of the revocation hearing; therefore, I have nothing to even
18 appeal on because they can't even produce the record.

19 THE COURT: Were you on a probation revocation?

20 MR. BEST: I was on parole.

21 THE COURT: Oh, I see.

22 MR. BEST: And they revoked my parole with, you
23 know --

24 THE COURT: And there's no --

25 MR. BEST: Prematurely. And now there's no record

1 of even the revocation. So I can't even --

2 THE COURT: You --

3 MR. BEST: I'm --

4 THE COURT: You can go back and reconstruct the
5 record, I guess, at some point.

6 MR. ABLIN: Well, Your Honor, there, there, would
7 be a tape recording of the hearing.

8 THE COURT: Should be.

9 MR. BEST: Well, I've got a letter from --

10 THE COURT: The court reporter?

11 MR. BEST: The technicians for the parole board
12 stating that they cannot reproduce it and they refund the
13 money.

14 THE COURT: No, no. Not the parole board -- well
15 go ahead. I won't try to guess. That's your position?

16 MR. ABLIN: Right. I'm not aware of any but I do
17 believe that's a PCR issue --

18 THE COURT: Yeah.

19 MR. ABLIN: One way or the other.

20 THE COURT: I was going towards the PCR issue
21 and -- but go ahead.

22 MR. BEST: Thank you. There is a -- just one
23 second, Your Honor. There's a letter here that I received
24 form --

25 THE COURT: Mr -- where are you from, Aynor?

1 MR. BEST: Yes, sir.

2 THE COURT: You know where Landriff's Exxon is?

3 MR. BEST: Yes, sir.

4 THE COURT: Go ahead.

5 MR. BEST: I'm, as a matter of fact, waiting on
6 Mr. Johnson, Mr. Johnson, to come. He might have some
7 pertinent information he could possibly give me to
8 enlightening you on this matter. But they -- Mr. Hucks --
9 Hicks I don't know actually his correct name until I put my
10 fingers on the memo but he is the technician for the parole
11 board.

12 THE COURT: Yes, sir.

13 MR. BEST: Who handled this and he could not
14 produce the record for that and he specifically said that
15 they -- that transcript was unable to be retrieved. Now,
16 that being the case, we've already violated my process of
17 due process of even appealing the matter that's State versus
18 Ladson. Whenever you can't even reproduce a record or even
19 reconstruct one and he said there's, there's, no way that
20 they can reconstruct one at this point. So, I have nothing
21 there to even show that I even can appeal what decision that
22 they've made or even try to base their decision on for the
23 premature revocation.

24 Now, the revocation itself started from my writ of
25 mandamus began in it began in Horry County. I filed it in

1 Horry County in 2000, matter of fact, this is the date here,
2 May, May, of 2009 and we eventually had to refile it here in
3 Richland County because it was dismissed saying that it we
4 was in the wrong -- we was in the wrong court. So we had to
5 file it in Richland County. It was filed here and dated
6 February, February, first of 2010 and we've since been here.
7 I filed a writ of mandamus. After that, I filed a
8 declaratory judgment -- I filed a writ of mandamus. I filed
9 a declaratory judgment. And one of the things that has
10 happened here so far, Your Honor, is that my proceed of due
11 process has been violated and that's clear because whenever
12 you are on parole you have a vested liberty interest at
13 stake, to take that away from the person, if you have to go
14 through the proper procedures that they have setup within
15 their own guidelines and procedures which they ignored and
16 did not follow, which means, I have my liberty interest at
17 stake that could not be challenged not even by the court,
18 not by the courts at this point because they have no record
19 to even reflect back on to even look at, at, this matter --
20 at this point.

21 But one of the things that Mr. Ablin is trying to
22 say that it should be dismiss because it's a PCR hearing --
23 action which means that I shouldn't have to go that way
24 whenever I'm asking for a declaratory judgment on directed
25 verdict on the action of what they've done to show that my

1. procedure of due process was violated, not what -- not which
2. court I should be in at this point. It should be -- we're
3. looking at my 14th Amendment Procedure of Due Process being
4. violated here.

5. THE COURT: I thought the procedure sometime you
6. can't go through door A B so you've got to go through C.

7. MR. BEST: Right.

8. THE COURT: I don't know.

9. MR. BEST: And you right, Your Honor. What has
10. happened they have not provided me with the adequate record
11. of the court. They have not provided this court with an
12. appeal or anything to show a record that, that, even at --
13. on July 18th, 2007 was when the initial hearing was
14. supposedly taking place. Well, the agent that was suppose
15. to have been there was not even on the premises that day and
16. he called me and told me that we was not going to have a
17. hearing that day to come back by the office. Well, then
18. they started filing frivolous, frivolous, warrants against
19. me. Because the initial warrant itself was dismissed and
20. that was what the violation was technically it steemed from.
21. Well, they dismissed the initial warrant and since then, the
22. parole portion should have, I mean, I should have just been
23. reinstated at that point because anything that they tried to
24. compile after that was all -- they would all be considered
25. as fruitily -- poisonous fruit at this point because they

1 have -- they steemed from the initial charge.

2 THE COURT: Uh-huh.

3 MR. BEST: Which means that anything that happened
4 beyond that point was tainted, if the initial charge --

5 THE COURT: Well, what Mr. Ablin is saying is
6 you're making a good argument but you're making it to the
7 wrong person at the wrong place at the wrong time; that's
8 his position right, is that fair enough?

9 MR. ABLIN: That's correct, Your Honor.

10 THE COURT: All right. But go ahead. Go ahead.
11 At least you have a record of making these arguments to me
12 here today because we got a court reporter who won't loose
13 this.

14 You think you can keep up with this, Crystal?

15 CRYSTAL HOLMES: I can keep up with it.

16 THE COURT: All right.

17 MR. BEST: So, one of the things I was hoping that
18 we can show here today in this court that my violation, the
19 revocation was illegal and it was not done through their own
20 proper procedure and channels and guidelines that they have
21 setup.

22 Now, there is a record to show exactly their
23 procedures. Now, they had modifications that they could
24 have used and even just dealing with me on this issue
25 knowing that the initial charge wasn't even adjudicated

1 before a court of law. But instead they chose the most
2 extreme measures to take against me by violating me and
3 putting me back in the department of corrections disrupting
4 my entire life with my five year old son at the time and my
5 fiancé and my grandkids. My work and everything was
6 automatically disrupted from that point on.

7 Now, here we are three years down the road and
8 I'm, I'm, still trying to regain my freedom to get back to
9 my children and my grandkids and my job and, you know, as I
10 said as I was trying to point out earlier is that I have
11 everything in place to return back to society as a
12 productive citizen and do the things that I was doing prior
13 to this revocation that -- you know, in my -- what --

14 THE COURT: What was the basis of your revocation?

15 MR. BEST: Sir?

16 THE COURT: What was the basis of your revocation?

17 MR. BEST: They said they were all technical
18 violations. They were, I didn't report to a meeting.

19 THE COURT: Uh-huh.

20 MR. BEST: Said I didn't give a change of address.

21 THE COURT: All right. The usual.

22 MR. BEST: Right.

23 THE COURT: In other words.

24 MR. BEST: Right. They were all technical
25 violations.

1 THE COURT: But you didn't abscond or anything
2 like that?

3 MR. BEST: No, sir. And, and, there's -- here now
4 is my employer at that time and prior to Mr. Johnson, he, is
5 here now who, you know, would also attest to the fact that I
6 never absconded. They were all technical violations. They
7 knew my whereabouts. My job was always in place. I changed
8 careers --

9 THE COURT: How much time was revoked?

10 MR. ABLIN: Your Honor, he served a life sentence
11 so parole was either revoked or not, not the amount of time.

12 THE COURT: Okay, all right.

13 Go ahead.

14 MR. BEST: So in light of that, Your Honor one of
15 the things that we were looking at was the fact that -- and
16 this is the letter from Mr. Roosevelt Hicks regarding the
17 transcripts of the 2007 hearing. And as I have moving on
18 through explaining about the way how it all of it came about
19 and the meeting that they were saying I supposedly missed
20 the agent gave me a card stating the date and time for which
21 I was suppose to be at that hearing which was the same
22 hearing that he didn't show up to and called me in by cell
23 phone. I wish I had the cell phone records to show, you
24 know, he made contact with me to let me know that the
25 hearing was postponed for that day and he never even signed

1 in at the facility that day as a matter of record to even
2 show that he was going to be there himself. So, he never
3 even was on the premises that day. So, and then he went
4 back the very next day and issued a warrant which these are
5 all things in light of what the sentencing reform committee
6 has come up with says that these are technical violations
7 which means that in light of the way that things are done
8 now in a way that they should have always been done with the
9 parole board their modification guidelines that they have
10 setup. They could have sanctioned me, they could have given
11 me a citation, they could have given me a verbal warning.
12 They had many options available at their exposure to do with
13 me at this point but yet they used the most extreme, Your
14 Honor. And I felt that was very harsh and impartial on me
15 by taking me back away from my family in a situation like
16 this when I've been doing the best that I can; working and
17 providing and paying my fees and everything in time.

18 THE COURT: All right. Thank you, Mr. Best.

19 Mr. Ablin, in response.

20 MR. ABLIN: Without getting into all of the
21 details.

22 THE COURT: Yeah.

23 MR. ABLIN: All of the argument that are being
24 made here today are things that could have, should have and
25 would have been appropriate to present to the parole board

1 at the revocation hearing. This is the first today I've
2 heard about there's not -- there's wasn't -- there's not a
3 tape available this isn't before you the part where
4 Mr. Hicks -- I can't really speak to why it wasn't --

5 THE COURT: I understand.

6 MR. ABLIN: Able to be duplicated but again, all
7 of this goes to the fact the challenge to the process as far
8 as his prole being revoked all of that --

9 THE COURT: This is not the proper venue.

10 MR. ABLIN: Exactly.

11 THE COURT: All right.

12 MR. ABLIN: It's not the proper venue.

13 THE COURT: That's all right. Anything further?

14 What I got to, I just got to take a -- take everything under
15 advisement, look at your arguments -- listen to the
16 arguments, the position of the department and I'll render a
17 decision; that's my job.

18 But I met your daughter before I met you. She's
19 here to support you. She's your daughter? That's what she
20 said.

21 MR. BEST: Yes, she's my daughter and my -- and
22 wife.

23 THE COURT: You're lucky in that respect. So
24 thank you both for your presentation. I'll let you know my
25 decision in due course.

MR. ABLIN: Thank you, Your Honor.

END OF PROCEEDINGS

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1 COUNTY OF RICHLAND)

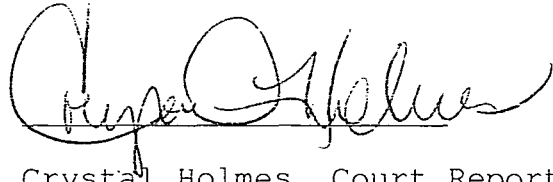
2 CERTIFICATE OF REPORTER

3 I, Crystal Holmes, hereby certify that I reported
4 the preceding case entitled Hartford Best V. Samuel Glover,
5 et al, Case No. 2010-CP-40-00704, at the Richland County
6 Courthouse, September 1, 2011.

7 I FURTHER CERTIFY that the foregoing pages 1
8 through 15 constitute a true, accurate and full transcript
9 of said hearing.

10 I FURTHER CERTIFY that I am not employed by any of
11 the parties hereto and I have no financial interest in the
12 outcome of said case.

13 IN WITNESS WHEREOF, I have heretofore set my hand
14 and seal at Richland County on this 5th day of December,
15 2011.

16 

17 Crystal Holmes, Court Reporter
18 and Notary Public for the
19 State of South Carolina my
20 Commission Expires:
21 April 21 2014
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25

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	Fifth Judicial Circuit
COUNTY OF RICHLAND)	2010-CP-40-704

Hartford R. Best, #105214,)
)
Petitioner,)

v.

**ORDER OF DISMISSAL
WITH PREJUDICE**

Samuel B. Glover, Director of the South)
Carolina Department of Probation,)
Parole and Pardon Board,)
)
Defendant.)

This matter comes before this Court by way of Petitioner's "Petition for Writ of Mandamus and Summons Complaint," dated August 7, 2009, filed February 1, 2010, and initially received via mail by the Defendant, Samuel B. Glover, Director of the South Carolina Department of Probation, Parole and Pardon Services (the Department), on February 10, 2010. Petitioner subsequently submitted a "Motion for Declaratory Judgment and Petition for Default Judgment" dated May 14, 2010. On May 24, 2010, Defendant, by his attorney, the Department's Assistant Chief Legal Counsel, J. Benjamin Aplin, submitted a "Return and Motion to Dismiss Petition for Writ of Mandamus. Petitioner then submitted a "Memorandum in Opposition to Respondent's Return and Motion to Dismiss Petitioner's Writ of Mandamus" dated June 29, 2010; a "Plaintiff's Brief in Opposition to Respondent's Return and Motion to Dismiss Petition for Writ of Mandamus" dated July 19, 2010; and a "Motion to Amend" dated August 3, 2010, seeking to specifically add the Parole Board as a Respondent to the Action. On August 12, 2010, the Defendant filed a "Return to Motion to Amend."

On August 12, 2010, a motion hearing was convened before the Honorable James R.

Barber, III, at the Richland County Courthouse. Petitioner was present and appeared pro se, and Mr. Aplin appeared on behalf of the Defendant. Judge Barber granted Petitioner's motion to amend with consent of defense counsel but declined to address the substantive motions until a later date. On August 16, 2010, Judge Barber issued a written Order to this effect.

On September 1, 2010, a motion hearing was convened before this Court at the Richland County Courthouse. Petitioner was present and appeared pro se, and Mr. Aplin appeared on behalf of the Defendant. At the hearing, the parties argued their respective positions in regard to the Defendant's Motion to Dismiss. After carefully considering arguments from both parties, this Court hereby denies Petitioner's motion for declaratory judgment and petition for default, and finds that this entire matter must be dismissed with prejudice for the reasons set forth below.

PROCEDURAL HISTORY

In his Petition, Petitioner is asking this Court to issue a writ of mandamus directing the South Carolina Board of Probation, Parole and Pardon Services (Parole Board) to reinstate him on parole. He contends he was not afforded minimal due process rights in regard to his September 12, 2007, parole revocation hearing because he was not first given a "preliminary hearing" to determine whether there was probable cause that he had committed a parole violation. Petitioner further contends that since he was never ultimately convicted of a weapon charge, his revocation, which was based in part upon an allegation that he had possession of a firearm, should be reversed. For these reasons, he argues that this Court should issue a writ of mandamus compelling the Parole Board to reinstate him on parole. The Defendant has moved to dismiss the Petition on several grounds.

This Court finds that the Plaintiff's Petition for Writ of Mandamus should be dismissed

for the following reasons: Pursuant to Rules 12(b)(1), 12(b)(2), and 12(b)(6), SCRCPP, for lack of subject matter jurisdiction, lack of jurisdiction over the person, and failure to state facts sufficient to constitute a cause of action or to support the relief requested.

LACK OF SUBJECT MATTER JURISDICTION

This Court finds that it lacks jurisdiction over the subject matter. Rule 12(b)(1), SCRCPP. Petitioner fails to make “a short and plain statement of the grounds including facts and statutes upon which the court’s jurisdiction depends,” Rule 8(a), SCRCPP; therefore, his Petition fails to establish this Court jurisdiction. Indeed, the South Carolina Code provides that the Parole Board “shall be the sole judge as to whether or not a parole has been violated and no appeal therefrom shall be allowed” S.C. Code Ann. § 24-21-680 (2007). Furthermore, to the extent Petitioner contends his parole was unlawfully revoked, his exclusive remedy is through the Uniform Post-Conviction Procedure Act. S.C. Code Ann. § 17-27-20 (2003). Thus, this Court finds that outside of the context of an Application for post-conviction relief, the Court of Common Pleas lacks jurisdiction to address alleged deficiencies regarding parole revocation proceedings. Therefore, this Court concludes that it must dismiss this action for lack of subject matter jurisdiction.

LACK OF PERSONAL JURISDICTION

This Court further finds lack of personal jurisdiction. Rule 12(b)(2), SCRCPP. Petitioner has named the Director of the Department and attempted to serve him as the Defendant; however, he asks this Court to issue a writ of mandamus to the Parole Board. Petitioner argues that the Director exercises dominion and control over the Parole Board, and therefore was properly served as the Defendant in this action. This Court disagrees. The Parole Board is an

independent body composed of seven members appointed by the Governor and is not governed or controlled by the Director. S.C. Code Ann. § 24-21-10. Thus, this Court finds that Petitioner has failed to demonstrate this Court's jurisdiction over the proper person. Therefore, this Court dismisses this action based on lack of personal jurisdiction. This Court notes that while Judge Barber granted Petitioner's motion to amend to add the Parole Board as a Respondent in this action, Petitioner failed to submit any amended pleadings specifically naming the Parole Board.

**FAILURE TO STATE A CAUSE OF ACTION OR
TO SUPPORT THE REQUESTED RELIEF**

This Court further finds that Petitioner's Petition is dismissed pursuant to Rule 12(b)(6), SCRPC, or alternatively grants summary judgment pursuant to Rule 56, SCRPC, due to Petitioner's failure to state facts sufficient to constitute a cause of action or to support the requested relief. Mandamus is the highest judicial writ known to law. Wilben v. Long, 262 S.C. 430, 205 S.E.2d 174 (1974). A writ of mandamus can only be issued where there is a specific legal right to be enforced or a positive duty to be performed. State v. Fuller, 18 S.C. 246 (1882). To warrant the grant of a writ of mandamus requiring the performance of some act the petitioner must show the coexistence of four (4) elements:

1. A duty of the respondent to perform the act;
2. the ministerial nature of the act;
3. the petitioner's specific legal right for which the discharge of the duty is necessary, and;
4. the lack of any other legal remedy.

Redmond v. Lexington Co. Sch. Dist., 314 S.C. 431, 445 S.E.2d 441 (1994).

This Court finds that Defendant has neither the authority nor the duty to perform the specific act Petitioner is asking this Court to direct. Indeed, as explained above, the Director of the Department does not control the Parole Board. In any event, this Court finds that Petitioner has failed to present any facts to support any conclusion other than that the Board acted in full compliance with all duties established in the relevant statutes and the due process clauses of the South Carolina and United States Constitutions. This Court further submits Petitioner has failed to show a specific legal right for which the discharge of any duty is necessary. He was charged with multiple parole violations in four separate arrest warrants, including a charge of failing to appear at a scheduled preliminary hearing, the very hearing which he now complains about not having had. On September 12, 2007, Petitioner ultimately appeared before the Parole Board for a violation hearing at which he was afforded due process. Finally, this Court finds Petitioner has failed to demonstrate the lack of any other legal remedy. As noted above, Petitioner could challenge his parole revocation by pursuing post-conviction relief. Since Petitioner fails to show the co-existence of the four elements listed above, this Court finds that Petitioner is not entitled to a writ of mandamus. Redmond, supra.

THEREFORE, for all of the reasons stated above, this Court concludes that Plaintiff's Petition for Writ of Mandamus must be summarily dismissed with prejudice.

AND IT IS SO ORDERED this _____ day of _____, 2010.

L. Casey Manning
Presiding Judge, Fifth Judicial Circuit

South Carolina Department of Probation, Parole and Pardon Services
Parole Revocation Order

SCDC# 105214
SID# 00303911

South Carolina

-v8-

Hartford Best

ORDER

Whereas the above named Parolee has been charged with violating the conditions of parole ordered on 4-21-00 by the South Carolina Board of Probation, Parole and Pardon Services, as set forth in the warrant or citation filed herein...

After hearing the evidence and being duly advised, we find the Parolee has violated one or more of the conditions of supervision as set forth in the affidavit filed herein and dated 3-15-07 a copy of which is incorporated by reference.

The South Carolina Board of Probation, Parole and Pardon Services now finds that the Parolee has violated the conditions of Parole number

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- Special Conditions
- Additional Conditions which were agreed to by the Parolee on the above date
- 15

In consequence whereof, the South Carolina Board of Probation, Parole and Pardon Services hereby orders the parole revoked and orders the above named Parolee returned to the South Carolina Department of Corrections to serve the remainder of the original sentence imposed by the Court, said sentence to run from the date of commitment until the final date of expiration of the maximum active sentence. The parole is revoked in the (Presence Absence Waiver) of the Parolee by the panel of the full Board.

IT IS ORDERED that the above named Parolee is continued on parole as provided for in the sentence identified above and subject to the conditions set forth therein and not inconsistent with the order. This action is taken in the (Absence Presence Waiver) of the Parolee.

Additional Conditions ordered by the Board.

Additional Conditions:

Louwyne M. Tom
Chairman

entered this 12th, day of September, 2007

Edwin Beck
Chairman

James H. Wilburn

Karen A. Wald

This is to certify that I have read or have had read to me the Order and the Conditions set out therein. If I have been continued on parole, I agree to comply with the above conditions and all conditions of my original parole order not inconsistent with this order.

ed this 12 day of September 2007

[Signature]
Agent

[Signature]

State of South Carolina
Office of the Solicitor
Fifteenth Judicial Circuit



Francis A. Humphries, Jr.
Deputy Solicitor

REPLY TO

P.O. BOX 1276
CONWAY, SC 29528
843-915-5460
FAX: 843-915-6461

Robert B. Bryan
Deputy Solicitor

REPLY TO

P.O. BOX 1688
GEORGETOWN, SC 29442
843-545-3169
FAX: 843-545-3268

J. GREGORY HEMBREE
Solicitor

March 4, 2009

Ralph J. Wilson, Jr.
Attorney at Law
1411 First Avenue
Conway, South Carolina 29526

RE: State vs. Hartford Best
Warrant I632910 - Sale or Delivery of Pistol, Stolen Pistol

Dear Mr. Wilson:

This is to advise that the above-referenced charge against your client has been dismissed by this office.

If you have any questions regarding this case, please do not hesitate to contact our office at (843) 915-8607.

Sincerely,

Francis A. Humphries, Jr.
Chief Deputy Solicitor

cc: Officer Greg Eliason, HCPD

The mission of the Fifteenth Circuit Solicitor's Office is to uphold the public's trust in the pursuit of justice and enforcement of the law.

The State of South Carolina

Race: B Sex: M Age: 49

Vs.

DOB: 3/9/1961 SSN:

Hartford Renard Best

SID: 3039 II FBI: 388 116 W

Defendant

Charges were disposed of in the court indicated below

AKA

Magistrate Municipal General Sessions

19
CERTIFIED COPY
2010 NOV - 5 AM 9:09
CLERK OF COURT
HARRIS COUNTY

IT APPEARS that the defendant is entitled to have all records relating to this offense expunged and destroyed according to the applicable section of the South Carolina Code of Laws indicated below.

Warrant/GS No.: 1632910

Date of Arrest: 3/14/2007

Place of Arrest: Horry County

Arrest Charge: Sale or delivery of pistol to, and possession by, certain persons unlawful; stolen pistol

- § 17-1-40. The charge was dismissed, *not proessed* or the defendant was found not guilty on 03/05/2009
- § 17-22-150(a). The charge was dismissed on _____ by the Solicitor because the defendant successfully completed the Pre-Trial Intervention Program. (PTI Director must attest to eligibility of expungement).
- § 17-22-530(A). The charge was dismissed on _____ by the Solicitor because the defendant successfully completed the Pre-Trial Intervention Program. (PTI Director must attest to eligibility of expungement).
- § 34-11-90(e). The defendant was convicted of a first offense misdemeanor under the Fraudulent Check Law on _____ and no additional criminal conviction as defined by § 34-11-90 (e) has taken place within one year from date of conviction.
- § 44-53-450(b). The defendant was charged with first offense simple possession of marijuana or hashish on _____, received a conditional discharge and has successfully complied with the terms as set forth by the court.
- § 22-5-910. The defendant was convicted of a first offense for a crime carrying a penalty of not more than 30 days on _____, that offense did not involve the exceptions enumerated in § 22-5-910, and no additional criminal conviction as defined by § 22-5-910 has taken place within three years from date of conviction, or five years from the date of conviction for criminal domestic violence. (Summary Court Judge must attest to eligibility.)
- § 22-5-920. The defendant was convicted of a first offense as a youthful offender on _____, that offense did not involve the exceptions enumerated in § 22-5-920, and no additional criminal conviction, as defined by § 22-5-920 has taken place during a five-year period following completion of his sentence, including probation and parole as a youthful offender.
- § 56-5-750(F). The defendant was convicted of a misdemeanor first offense failure to stop motor vehicle on _____, and no additional criminal conviction has taken place for three years after completion of the sentence.


SLED verifies the offense listed above is eligible for expungement: Yes No SLED _____ Date _____

IT IS ORDERED that all records relating to such arrest and subsequent discharge pursuant to the above-referenced section be dismissed, expunged and immediately destroyed and that no evidence of such records pertaining to such charge shall be retained by any municipal, county or state agency except nonpublic information retained on each person accepted for Pre-Trial Intervention pursuant to § 17-22-130, nonpublic information retained by SC Law Enforcement Division (SLED) pursuant to § 34-11-90(e), nonpublic information retained by the Department of Narcotic and Dangerous Drugs under SLED pursuant to § 44-53-450, nonpublic information retained by SLED pursuant to § 22-5-910 and § 22-5-920, and nonpublic information retained by SLED and Department of Public Safety pursuant to § 56-5-750 (F)).

Solicitor Consents Declines to Consent Determined Ineligible for Expungement


15th Judicial Circuit Solicitor

Signed this 1 day of Nov, 2010


15th Judicial Circuit Court Judge

I attest that defendant was accepted into the PTI program based on Solicitor's Determination that the facts of the offense supported that acceptance and that Defendant is eligible for expungement under Code § 17-22-150 (a) (successful completion of PTI) or Code §22-5-910 (summary court conviction) or §44-53-450(b) (conditional discharge).

Larry B. Hyman, Jr
Presiding Judge
15th Judicial Circuit

Hartford R. Best
 Defendant / Attorney for Defendant (Circle One)

Director Pre-Trial Intervention / Summary Court Judge (circle one)

Expunged by SLED by: _____ Date: _____ (For SLED internal use only)

SCCA/223A (11/2009)

EXH100744

Form 16.1- Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

Parole

STATE OF SOUTH CAROLINA
COUNTY OF Horry

ARREST WARRANT

Indictment Number 81-GS-26-97
Warrant Number W-26-07-130
State Identification No. (SID) 00303911

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF Conway, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

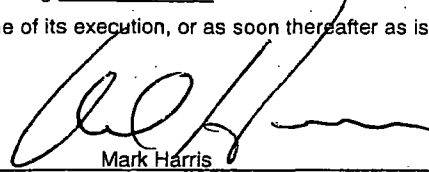
It appearing from the attached affidavit that there are reasonable grounds to believe that Hartford R. Best, did on the 15 day of March, 2007 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Offender violated conditions 4 and 10 of his Parole, as ordered by the State of South Carolina Parole Board on April 21, 2000, and subsequent orders issued by Hearing Officer Jerry Rivers on March 8, 2006 and by The South Carolina Parole Board on June 28, 2006. All violations stated in the affidavit are considered willful and are contrary to the release and continuation agreements previously referenced.

Now, therefore, you are empowered and directed to arrest the said defendant and bring Hartford R. Best before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at Conway, S. C. this

15 day of March, 2007



Mark Harris (L.S.)
Signature of Probation and Parole Agent

County of Horry

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Mark Harris, who, first being duly sworn, deposes and says that Hartford R. Best did within this County and State on the 15 day of March, 2007, violate the criminal laws of the State of South Carolina in the following particulars:

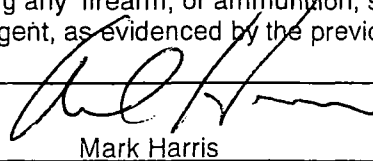
DESCRIPTION OF OFFENSE:

Offender violated conditions 4 and 10 of his Parole, as ordered by the State of South Carolina Parole Board on April 21, 2000, and subsequent orders issued by Hearing Officer Jerry Rivers on March 8, 2006 and by The South Carolina Parole Board on June 28, 2006. All violations stated in the affidavit are considered willful and are contrary to the release and continuation agreements previously referenced.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

#4) Offender failed to refrain from possessing a firearm, as evidenced by an affidavit for arrest issued and served on this offender, on March 14, 2007, by Officer Greg Eliason, of the Horry County Police Department, said affidavit stating offender was in possession of a handgun on March 14, 2007. Offender is a convicted felon and is therefore prohibited by Federal Law and by the Parole condition previously listed from possessing any firearm, or ammunition, suitable for firearm use. #10) Offender failed to follow the advise or instructions of the agent, as evidenced by the previously stated violation.

Sworn to and Subscribed before me this 15 day of March, 2007



Mark Harris

Affiant



(L.S.)

Signature of Notary Public

Address:

June 27, 2015
My Commission Expires

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

Horry

THE STATE

against

Hartford R. Best

ARREST WARRANT

W-26-07-130

Offense: Violation of Parole

Offense Section: 24-21-680

Date: 3-15-07

Officer and Agency: SC Department of Probation, Parole and Pardon Services

Mark Harris

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name Hartford R. Best
Address 1405 Saint John Rd
Galivants Ferry, SC
Phone 358-3501
Sex Male Race Black Height 5'08"
Weight 195 Birth date 3-9-61
Social Security Number 248-33-3269

INFORMATION ON WITNESSES

Name
Address
Phone
Name
Address
Phone
Name
Address
Phone
Name
Address
Phone

PRELIMINARY HEARING held by

Magistrate
on
with

Attorney for the Defendant.

Decision
Date Set
Magistrate
Amount
Surety

BAIL

Constable or Law Enforcement Officer

Copy of this Arrest Warrant was delivered by me to the following defendant:

Hartford R. Best

15th day of March 2007

Signature of Constable or Law Enforcement Officer

Warrant is certified for service in [County of warrant] County. The accused is to be arrested and brought here to deal with according to law.

(L.S.)

Signature of Judge

Form 16.1-Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

Parole

ARREST WARRANT

STATE OF SOUTH CAROLINA

COUNTY OF Horry

Indictment Number 1981-GS-26-97

Warrant Number W-26-07-163

State Identification No. (SID) 303911

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF Conway, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

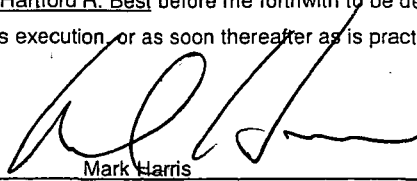
It appearing from the attached affidavit that there are reasonable grounds to believe that Hartford R. Best, did on the 4 day of April 2007 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Offender violated condition 10, pursuant to his release agreement dated 4-20-2000, issued by the South Carolina Parole Board, Indictment 81-GS-26-97. The violation stated in this affidavit is considered willful and is contrary to the release agreement previously referenced.

Now, therefore, you are empowered and directed to arrest the said defendant and bring Hartford R. Best before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution or as soon thereafter as is practicable. Done at Conway, S. C. this

4 day of April 2007



Mark Harris (L.S.)
Signature of Probation and Parole Agent

County of Horry

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Mark Harris, who, first being duly sworn, deposes and says that Hartford R. Best did within this County and State on the 4 day of April 2007, violate the criminal laws of the State of South Carolina in the following particulars:

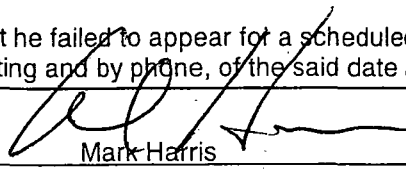
DESCRIPTION OF OFFENSE:

Offender violated condition 10, pursuant to his release agreement dated 4-20-2000, issued by the South Carolina Parole Board, Indictment 81-GS-26-97. The violation stated in this affidavit is considered willful and is contrary to the release agreement previously referenced.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

#10- Offender failed to follow the advice and instructions of the agent, in that he failed to appear for a scheduled administrative hearing, on 4-4-07, at 9:00 am, despite being notified, in writing and by phone, of the said date and time.

Sworn to and Subscribed before me this 4th day of April 2007



Mark Harris

Affiant

Jammy Lewis (L.S.)
Signature of Notary Public

Address:

May 27, 2014
My Commission Expires

RETURN

STATE OF SOUTH CAROLINA
COUNTY OF
Horry

THE STATE
against

Hartford R. Best

INFORMATION ON DEFENDANT

Name Hartford R. Best
Address 1405 St. Johns Rd
Galivants Ferry, SC
Phone 843-385-3087
Sex Male Race Black Height 5'08"
Weight 195 Birth date 3-9-61
Social Security Number 248-33-3269

Constable or Law Enforcement Officer

INFORMATION ON WITNESSES

Name _____
Address _____
Phone _____
Name _____
Address _____
Phone _____
Name _____
Address _____
Phone _____

ARREST WARRANT

W-26-07-163

Offense: Violation of Parole

Offense Section: 24-21-680

Date: 4-4-07

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Mark Harris

Hartford Best

on the 10th day of April, 2007

W. R. P. [Signature]
Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to dealt with according to law.

Disposition _____

Sentence _____

Co-Defendants _____

PRELIMINARY HEARING held by

Magistrate _____
on _____
with _____
Attorney for the Defendant.

Decision _____

BAIL

Date Set _____
Magistrate _____
Amount _____
Surety _____

Signature of Judge

(L.S.)

Form 16-1- Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

Parole

ARREST WARRANT

STATE OF SOUTH CAROLINA

COUNTY OF Horry

Indictment Number 81-GS-26-97

Warrant Number W-26-07-269

State Identification No. (SID) 00303911

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF Conway, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that Hartford R. Best, did on the 6th day of June, 2007 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

By willfully violating conditions 1,2,5, and 10 of his Parole, as ordered by the States of South Carolina Parole Board on April 21, 2000, and subsequent orders issued by Hearing Officer Jerry Rivers on March 8, 2006 and by the South Carolina Parole Board on June 28, 2006. All violations states in the affidavit are considered willful and contrary to the release and continuation agreements previously referenced.

Now, therefore, you are empowered and directed to arrest the said defendant and bring Hartford R. Best before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at Conway, S. C. this 6th day of June, 2007.

Cynthia F. Jones
Cynthia F. Jones

Signature of Probation and Parole Agent

(L.S.)

County of Horry

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Cynthia F. Jones, who, first being duly sworn, deposes and says that Hartford R. Best did within this County and State on the 6th day of June, 2007, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

By willfully violating conditions 1,2,5, and 10 of his Parole, as ordered by the States of South Carolina Parole Board on April 21, 2000, and subsequent orders issued by Hearing Officer Jerry Rivers on March 8, 2006 and by the South Carolina Parole Board on June 28, 2006. All violations states in the affidavit are considered willful and contrary to the release and continuation agreements previously referenced.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

- 1-Offender failed to report as instructed. He missed reporting on June 5, 2007.
 - 2-Offender has failed to inform his Agent of his residence plan. On May 15, 2007 offender was told to report on June 5, 2007 and provide Agent with his current address and he failed to do so. Offenders whereabouts at this time are unknown
 - 5-Offender has failed to notify Agent of his unemployment status. A call was made on June 5, 2007 to offenders last known employer Alcon, Inc. at which time Agent was told offender has not been seen in 2 weeks.
 - 10-Offender has failed to follow the advice and instructions of his Agent, evident by all stated violations.
- All stated violations are considered willful and contrary to the release and continuation agreements previously referenced.

Sworn to and Subscribed before me this 6 day of June, 2007

[Signature]

Signature of Notary Public

(L.S.)

Cynthia F. Jones
Affiant

Address: 1201 3rd Ave., PO Box 1736
Conway, SC 29526
843-381-0373

12/15/15

My Commission Expires

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

Horry

THE STATE

against

Hartford R. Best

ARREST WARRANT

W-26-07-269

Offense: Violation of Parole

Offense Section: 24-21-680

Date: June 6, 2007

Officer and Agency: SC Department of Probation, Parole and Pardon Services

Cynthia F. Jones

CJ

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name Hartford R. Best
Address unknown
known
Phone 843-358-3501
Sex M Race B Height 508
Weight 195 Birth date 3-9-61
Social Security Number 248-33-3269

INFORMATION ON WITNESSES

Name
Address
Phone
Name
Address
Phone
Name
Address
Phone
Name
Address
Phone

PRELIMINARY HEARING held by

Magistrate
on
with

Attorney for the Defendant.

Decision

Date Set 6/26/07
Magistrate Judge [unclear]
Amount \$25,000.00
Surety

BAIL
Must have local employment.
Residence to be approved by agent.
Report as instructed.

Constable or Law Enforcement Officer

of this Arrest Warrant was delivered by me to the defendant:

Hartford Best

13 day of *June*, *2007*

Richard [unclear]
Constable or Law Enforcement Officer

arrant is certified for service in [County of warrant ion] County. The accused is to be arrested and brought e to dealt with according to law.

(L.S.)

Signature of Judge

Form 16.1- Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

Parole
ARREST WARRANT

Indictment Number 81-GS-26-00097

Warrant Number W-26-07-1031

State Identification No. (SID) 00303911

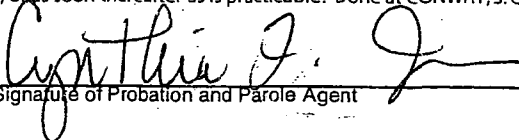
TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF CONWAY, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that HARTFORD R BEST, did on the 19 day of July, 2007 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

By willfully violating conditions 10 of his Parole, as ordered by the State of South Carolina Parole Board on April 21, 2000, and subsequent by Hearing Officer Jerry Rivers and by the South Carolina Parole Board on June 28, 2006. All violations stated in the affidavit are considered willful and contrary to the release and continuation agreements previously referenced.

Now, therefore, you are empowered and directed to arrest the said defendant and bring HARTFORD R BEST before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at CONWAY, S.C. this 19 day of July, 2007.



Signature of Probation and Parole Agent (L.S.)

County of HORRY

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Cynthia F. Jones, who, first being duly sworn, deposes and says that HARTFORD R BEST did within this County and State on the 19 day of July, 2007, violate the criminal laws of the State of South Carolina in the following particulars:

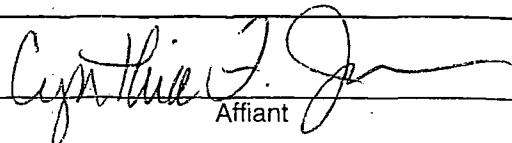
DESCRIPTION OF OFFENSE:

By willfully violating conditions 10 of his Parole, as ordered by the State of South Carolina Parole Board on April 21, 2000, and subsequent by Hearing Officer Jerry Rivers and by the South Carolina Parole Board on June 28, 2006. All violations stated in the affidavit are considered willful and contrary to the release and continuation agreements previously referenced.

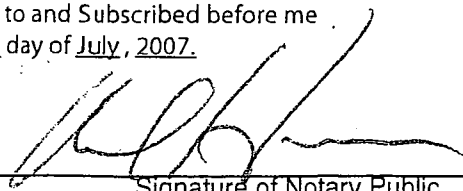
The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

10-Offender has failed to follow the advice and instructions of his Agent, by failing to appear for a scheduled Parole Board Hearing on 7-18-07 at 9:00am. Offender was advised to be at Lee Correctional Facility on 7-18-07 at 9am and signed form 36 and was given a copy. All violations stated in the affidavit are considered willful and contrary to the release and continuation agreements previously referenced.

Sworn to and Subscribed before me
this 19 day of July, 2007.



Affiant



Signature of Notary Public (L.S.)

Address: P.O. BOX 1741
CONWAY, SC 29528
HORRY
USA

(843) 381-0373

12/15/10

My Commission Expires

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

HORRY

THE STATE

against

HARTFORD R BEST

INFORMATION ON DEFENDANT

Name HARTFORD R BEST
Address 507 Sandhill Bay
LORIS, SC 29569
Phone (843) 385-3087
Sex Male Race Black Height 508
Weight 193 Birth date 3/9/1961
Social Security Number 248-33-3269

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

INFORMATION ON WITNESSES

Name
Address
Phone
Name
Address
Phone
Name
Address
Phone
Name
Address
Phone

Hartford Best

ARREST WARRANT
W-26-07-1031
Offense: Violation of Conditions of Parole Supervision

Offense Section: 24-21-680

Date: 7/19/2007

Officer and Agency: SC Department of Probation, Parole and Pardon Services

Cynthia F. Jones

on the 14 day of Aug 2007
Signature of Constable or Law Enforcement Officer

Disposition

PRELIMINARY HEARING held by

Magistrate
on
with

Attorney for the Defendant.

Decision

BAIL

Date Set
Magistrate
Amount
Surety

Sentence

Co-Defendants

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to dealt with according to law.

(L.S.)

Signature of Judge



HORRY COUNTY DETENTION
JAIL OR CONFINEMENT RECORD

PHILLIP E. THOMPSON, SHERIFF

28
B114070559D

AGENCY ID: SC 026023C

Page 20

Name: Hartford Best Address: 1405 St. John Rd.

Race: W B Sex: F M [REDACTED] Ht: 5'8 Wt: 195 Hair: Blk Eyes: Brn

Social Security #: [REDACTED] Drivers Lic. #: 003048041 SC

Occupation(s): Caulity Drive away (Driver) Phone #: 358-3301

Officer: Dean Arresting Agency: Horry County

Bond: 2,000.00 PR 2000 95 108 k d

Date of Arrest: 3/14/07 Time: 0628 AM PM Judge: _____

Offense: 1 WEAPONS / sale or delivery 2 Violation of Probation

Offense: _____

Date of Release: 03/16/07 Authority for Release: [Signature] R#230502 200.00 1528 Time: 1528

Next of Kin: None Given Address: [Signature] BY 208 Phone: [Signature]

Attorney: [Signature] 31407 HARRIS

Remarks: Hold For HCPD Dean 3-14-07 [Signature]
Hold removed HCPD 3-14-07

650-1-1
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15 1090708122



**HORRY COUNTY DETENTION
JAIL OR CONFINEMENT RECORD**
PHILLIP E. THOMPSON, SHERIFF

AGENCY ID: SC 026023C

Galvin's Ferry

Name: Hartford Best Address: 1405 Saint Charles, SC

Race: W B Sex: F M DOB: [REDACTED] Ht.: 5'8 Wt.: 194 Hair: Brn Eyes: BLK

Social Security: [REDACTED] Drivers Lic. #: 003048041

Occupation(s): _____ Phone #: _____

Arresting Officer: P.P. Johnson Arresting Agency: _____

Bond: 2600 25,000 Surety

Date of Arrest: 4, 11, 07 Time: 12/9 AM PM Judge: _____

Offense: 1 VLL 13cts 2) Parole violation

Offense: _____

Date of Release: 5, 10, 07 Authority for Release: _____ Time: _____

Name of Kin: Jaye Donly Address: _____ Phone: _____

Emergency: _____

Remarks: _____

01/15-11/17
Good

B1110106866

W2607163
② I632422
① I632423
④ I632425-2933
③ I632939-2940

HORRY COUNTY DETENTION
JAIL OR CONFINEMENT RECORD
PHILLIP E. THOMPSON, SHERIFF

AGENCY ID: SC 026023C

1405 Saint John Rd

ne: Hartford Renard Best Address: Gallivants Ferry, SC

e: W B Sex: F M [REDACTED] Ht: 5'08 Wt: 195 Hair: BLK Eyes: BRN

ial Security # [REDACTED] Drivers Lic. #: SC/0003048041

upation(s): Real Estate Phone #: 843-358-0963

er: Hrinko Arresting Agency: MBPD

d: 25000 2-13 2600 CS

of Arrest: 04/11/07 Time: 14:45 AM PM Judge: [REDACTED]

ase: Prob Viol. ① PAROLE ② FRAUD CHECK < \$500 - 1st ③ FRAUD. CHECK < \$500 - 1st

ase: ④ FRAUD. CHECK < \$500 - 2ND X 9 CTS ⑤ FRAUD. CHECK < \$500 - 1st X 2 CTS.

of Release: 05/09/07 Authority for Release: P&P SDC Time: 0705

of Kin: Joyce Donnelly Address: [REDACTED] Phone: 358-0963

rney: Held for P&P Harris 4-11-07 504-2006

arks: Held for HCPD Warrant Division T. Cherry 4-11-07 B-7

1st trip to
Lee Comm Inst.

2nd trip to Lec
Comm Inst.

FW 2607269

B1130700773



HORRY COUNTY DETENTION
JAIL OR CONFINEMENT RECORD
PHILLIP E. THOMPSON, SHERIFF

AGENCY ID: SC 0260230

Name: Hartford Renaud Best Address: 1405 4 John Rd Columbia SC 29204

Race: W B Sex: F M D.O.B: [REDACTED] Ht.: 5.8 Wt.: 195 Hair: Blk Eyes: BRO

Social Security #: [REDACTED] Drivers Lic. #: C003048041 SC

Occupation(s): Casualty Agency - Driver Phone #: [REDACTED]

Officer: C. Jones Arresting Agency: DHP

Bond: Cash Bk 25,000

Date of Arrest: 6/13/07 Time: 1174 AM PM Judge: _____

Offense: Violation of Parole

Offense: _____

Date of Release: 6/27/07 Authority for Release: By posted bond/parole (B3) Time: 3:25

Next of Kin: Lyle Dumbley Address: [REDACTED] Phone: [REDACTED]

Attorney: _____

Remarks: CCS records case Hold 65 Bonded Hearing 6/11/07



Horry County Detention
Jail or Confinement Record

32

AGENCY ID: SC 026023C

Phillip E. Thompson, Sheriff

1405 St John Rd

3478761
3478762
3478763
3478764
3478765

Name: Hartford Renard Best Address: Calivants Ferry, SC 29544

Race: W B Sex: F M Ht.: 5'08 Wt.: 190 Hair: BIK Eyes: BRO

Social Security #: [REDACTED] Drivers Lic. #: SC/003048041

Occupation(s): Driver Phone #: 843-504-2000

Officer: Tucker Arresting Agency: MBPO

Bond: 1-6 2000000 ~~2219 2000~~ 8 dismissed 75,000

Date of Arrest: 08/10/07 Time: 23:37 AM PM Judge: Long

Offense: Viol Prob + Parole

Offense: 1-6 VCLS 4 Violation Parole 8 Violation Paraph.

Date of Release: 9/12/07 Authority for Release: P+P Time: 0600

Next of Kin: Joyce Donley Address: Loris, SC Phone: 504-2006

Attorney: ~~Hold P+P/HARRIS #813@0937~~ warrant pulled

Remarks: Return for Court 8/27/07 16:00 Hold For P+P 8/15/07
RU doc

State of South Carolina
Department of Probation, Parole and Pardon Services

MARK SANFORD
Governor



SAMUEL B. GLOVER
Director

2221 DEVINE STREET, SUITE 600
POST OFFICE BOX 50666
COLUMBIA, SOUTH CAROLINA 29250
Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.dppps.sc.gov/

January 15, 2010

Ms. Joyce Donnelly
P.O. Box 1375
Conway, SC 29528

Dear Ms. Donnelly:

We are in receipt of a money order in the amount of \$35.00.

Please find enclosed the duplicate CD's of the parole hearings held on September 10, 2008 for Hartford Best #105214.

Due to audio difficult, a transcript of the parole hearing on Hartford Best #105214 for September 12, 2007, could not be duplicate. Sorry for any inconvenience.

A refund of \$17.50 will be returned to you.

Sincerely,

Roosevelt Hicks
Program Assistant

enclosure.

State of South Carolina
Department of Probation, Parole and Pardon Services

MARK SANFORD
Governor



SAMUEL B. GLOVER
Director

2221 DEVINE STREET, SUITE 600
POST OFFICE BOX 50666
COLUMBIA, SOUTH CAROLINA 29250
Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.dppps.sc.gov/

August 7, 2009

Mr: Hartford R. Best, #105214
Lieber Correctional Institution
P.O. Box 205, Stono B-63
Ridgeville, South Carolina 29472

RE: Two Year Hearing Cycle

Dear Mr. Best:

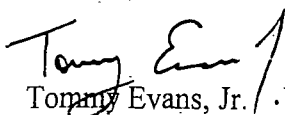
This correspondence is in response to your letter regarding your being allowed to appear before the Parole Board on a bi-annual basis. It is your position that you should be allowed annual parole hearings due to the policy that existed at the time you committed the crime.

According to our records you were convicted of a murder that was committed on October 15, 1980. You were release on parole in 2000, which was revoked in 2007. According to policy if you are revoked on parole you are allowed a hearing one year after the revocation. Upon rejection however, you will be placed in the identical situation you would have been if you were never granted parole.

When you committed this offense no law existed that determined how long an inmate must wait until they are allowed to appear before the board upon rejection. Under Department policy a person serving a sentence of 30 years or greater must wait 24 months until they are allowed to appear before the board upon denial of parole.

Due to the policy that existed at the time you committed this offense, you are not scheduled to appear before the Parole Board until September 10, 2010. I hope that this has answered any inquiries you may have regarding this matter. Good luck in all of your future endeavors, with kind regards I remain,

Sincerely,

A handwritten signature in cursive script that reads "Tommy Evans, Jr." with a large flourish at the end.

Tommy Evans, Jr.
Legal Counsel

TE:te

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
M E M O R A N D U M

THROUGH: Dr. Lorraine T. Fowler, Director, Division of Resource and Information Management
Ms. Meesim Lee, Chief, Offender Management and Fiscal Systems Branch
TO: Mr. Larry Batson, General Counsel, General Counsel's Office
FROM: Deanne Williams, Supervisor, Offender Management System
SUBJECT: Change in EWC Accrual for Lifers
DATE: January 15, 1992

Per your discussion with Dr. Fowler, John Ward, John Norris, and myself in December regarding the Supreme Court's recent decision on EWC for lifers, we in the Offender Management System would like to confirm the following changes. With your final approval we will implement these changes in February (as previously agreed upon).

- 1) Life without Murder: eligible for EWC
- 2) Life with Murder/10 year Parole Eligibility -
 - If offense committed before June 3, 1986: eligible for EWC
- 3) Life with Murder/20 year Parole Eligibility -
 - If offense committed before May 21, 1985: eligible for EWC
 - If offense committed on or after May 21, 1985: not eligible for EWC
- 4) Life with Murder/30 year Parole Eligibility - not eligible for EWC

Also as we discussed, the "date offense committed" is not always entered in the automated system because this information is not always known. In our programming we will use "date offense committed" when available; however, if this date has not been entered we will use the "sentence start date". It was discussed that in cases of disagreement, the burden would fall on the inmate and his counsel to prove the date the offense was committed. Please sign below to acknowledge your agreement or agreement with changes. As always, thank you for your assistance.

S/ Deanne Williams
Deanne Williams

AGREE

AGREE WITH CHANGES

S/ Larry Batson
Larry Batson

COMMENTS:

Note

STATE OF SOUTH CAROLINA)
 COUNTY OF KERSHAW)
)
)
 HENRY BEARD DELANEY, 105215)
 AFFIANT)

AFFIDAVIT

FILED
 Horry County
 98 JUN 29 AM 9:51
 JEANNE J. RODRIGUES
 CLERK OF COURT

PERSONALLY APPEARED BEFORE ME, HENRY B. DELANEY, WHO
 BEING FIRST DULY SWORN DEPOSE AND STATES:

1. THAT I AM THE AFFIANT IN THE FOREGOING AFFIDVIT AND
 THAT I REAFFIRM MY EARLIER STATEMENT OF AUGUST 18, 1993,
 ATTACHED HERETO.

2. My name is Henry Beard Delaney, and I am writing you in reference to the
 case you are handling for Renard Best. After careful thought and
 consideration I feel right about making a statement regarding the crime my
 co-defendant and I are presently incarcerated for. Renard told me you needed
 a communication from me before taking an affidavit.

Understand that at the time the crime was committed Renard was only 18
 yrs. old, he was also quite afraid of me. The facts are that when we entered
 the house no-one was at home. When Mr. Beaty entered I was the one who
 controlled the situation, and Renard had no knowledge whatsoever of what
 my actions would be. I sent him out of the house and Mr. Beaty was alive and
 well.

If an affidavit from me can help to bring Renard some relief then feel free
 to send your investigator to see me.

Henry B. Delaney
 Henry B. Delaney, Affiant

SWORN and SUBCRIBED before me this

17 day of June 1998

C. Kelly Pickett
 NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: My Commission Expires April 4, 2000

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Fifteenth Circuit

JANUARY Term 19 81

IN THE COURT OF GENERAL SESSIONS

INDICTMENT FOR

THE STATE OF SOUTH CAROLINA

HARTFORD RENARD BEST

Age 39-61

Color B/M

COUNT 1: MURDER ACCOMPANIED BY AGGRAVATING CIRCUMSTANCES; COUNT 2: ARMED ROBBERY; COUNT 3: HOUSEBREAKING; COUNT 4: ACCESSORY BEFORE THE FACT OF A FELONY MURDER; COUNT 5: ACCESSORY BEFORE THE FACT OF A FELONY ARMED ROBBERY; COUNT 6: ACCESSORY BEFORE THE FACT OF A FELONY HOUSEBREAKING; COUNT 7: CONSPIRACY; COUNT 8: ACCESSORY AFTER THE FACT

PLED GUILTY TO MURDER (CT. 1)

SENTENCE

The sentence of the law as pronounced by the court is that the within named defendant

HARTFORD RENARD BEST

XXXXXX

XXXXXX

upon the

be confined

public works of Horry County for a term of THE BALANCE OF YOUR NATURAL LIFE or a like period in the state penitentiary

JANUARY 17

A. D. 1981

DAN F. LANEY, JR.

Presiding Judge

IT IS A RECOMMENDATION OF THE COURT THAT HARTFORD RENARD BEST BE KEPT SEPARATE AND APART FROM THE CO-DEPENDANTS GEORGE W. BEST, JR. AND HENRY BEARD DELANEY.

Handwritten notes: 3-2, 10-10-15

STATE OF SOUTH CAROLINA

County of Horry

Billie G. Richardson, Clerk of the Court of General Sessions for Horry County, State of South Carolina, do hereby certify that the foregoing is a true copy of the sentence pronounced by the court in the case above entitled.

GIVEN under my hand and the Seal of the said Court at Conway, S.C. this 17th day of

JANUARY

A. D. 1981

Handwritten signature: Billie G. Richardson

Billie G. Richardson, Clerk of Court

RECEIVED JAN 19 1981

RECEIVED Horry / Robbers Office

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS

NOTICE OF ADR

2010CP4000704

Filing Date: 2/1/2010

Hartford R #105214 Best
Lieber Correctional Institution
P O Box 205
Ridgeville, SC 29472

8/30/2010 10:20 AM
FILED-CLERK OF COURT
RICHLAND COUNTY, S. C.
JEANETTE W. McBRIDE

Hartford R Best

VS Samuel B Glover
South Carolina Dept of Prob Prole and Pardon Board

PLAINTIFF(S)

DEFENDANT(S)

Pursuant to the Standing Order for Alternative Dispute Resolution, dated September 7, 2000 you are required to participate in the following methods of Alternative Dispute Resolution (ADR): mediation or arbitration (binding or non-binding) on or before 300 days from the date of filing of this action. The parties have a right to mutually agree upon the form of ADR and a neutral person(s) to conduct that ADR process. In the event the parties are unable to agree upon the form of ADR, the court hereby designates mediation as the default process of ADR. In the event the parties are unable to agree upon a mediator, the court hereby appoints

Eugene Hamilton Matthews, P.O. Drawer 7788, , Columbia, SC 29202, Phone (803) 771-4400 x x

to serve as mediator. In the event the aforementioned mediator has a conflict of interest or is unable to serve, the alternate mediator is

J. Dennis Bolt, Bolt Law Firm, P.O. Box 137, Columbia, SC 29202, Phone (803) 256-7335 x x

The parties and/or their attorneys shall contact the court-appointed mediator directly regarding scheduling and payment of the court mandated fee.

A Rule to Show Cause why sanctions should not be imposed may be issued in all cases that fail to file a Proof of ADR or Exemption form indicating evidence of participation in, or exemption from an ADR process within 300 days from the date of filing of the action or 90-days from the date of this notice (November 28, 2010).

Date: August 30, 2010

s/Jeanette W. McBride
Jeanette W. McBride, Clerk of Court
Fifth Judicial Circuit, Richland County

NOTICE BY FAX OR MAIL

Notice of this Order was given by facsimile transmission or by first class mail if no fax# is shown, to the attorneys of record on August 30, 2010.

Plaintiff Attorney(s):
Hartford R #105214 Best
Lieber Correctional Institution
P O Box 205
Ridgeville, SC 29472

Defendant Attorney(s):
John Benjamin Aplin
S.c. Dept. of Probation Parole
& Pardon
P.o. Box 50666
Columbia, SC 29250



State of South Carolina
Department of Probation,
Parole and Pardon Services

Probation/Parole Agent

Horry County Office
1201 3rd Avenue
Conway, SC 29526
P. O. Box 1736
Conway, SC 29528

Telephone (843) 381-0373
Fax (843) 381-0383

Report date 7/10/07

July 18th
9:00 Hours



OFFICIAL 10 YEAR DRIVER RECORD

Customer No.: 22274133 Driver License No.: 3048041
 Name : BEST, HARTFORD RENARD
 Address : 507 SAND HILL BAY RD
 City : LORIS State: SC Zip: 295695116
 County : HORRY Sex: M Driver Training: N
 DOB: 03/09/1961

Status - DL: NO SUSPENSION CDL: NO DISQUALIFICATION

License Information

Type	Class	Function	Issued	Expires	First Issued	Rest.	Endor.
Current							
CDL	B	Duplicate	03/16/2007	03/09/2011	06/30/2003	N	Y
Prior							
CDL	B	Renewal	06/30/2006	03/09/2011	06/30/2003	N	Y
CDL	B	Reissue	06/30/2003	03/09/2008	06/30/2003	N	Y
CDL	B	BP to DL	06/30/2003	03/09/2008	06/30/2003	N	Y
CBP	B	Returned	06/11/2003	12/11/2003	06/11/2003	N	Y
CBP	B	Original	06/11/2003	12/11/2003	06/11/2003	N	Y
DL	D	Returned	04/21/2000	03/09/2008	08/22/1978	N	N
DL	D	Duplicate	03/31/2003	03/09/2005	08/22/1978	N	N
DL	D	Re-exam	04/21/2000	03/09/2005	08/22/1978	N	N

Current

Endorsements: P: Bus (Passengers)

Address Change -

Address: 1405 SAINT JOHN RD
 City: GALIVANTS FERRY

Date Changed: 10/19/2007

State: SC

Zip: 295447931

Address Change -

Address: R 3 BX 21
 City: GALVANT FRY

Date Changed: 04/21/2000

State: SC

Zip: 295440000

Point Summary

Total Current Points: 0
 Driver Credit: - 0
 Adjusted Current Points: 0

ACC: REPORTABLE

Accident: 11/27/2006

Posted: 12/18/2006

Accident Case Number: 6146480

FR-10 Audit Number: V-746223

Accident Jurisdiction: SC Accident Loc Ref: SCHDPT

History: N

Contributed: N

SUSP: 042-Cancellation of Insurance

OFFICIAL 10 YEAR DRIVER RECORD

Customer No.: 22274133

Driver License No.: 3048041

Name: BEST, HARTFORD RENARD

Special Driving Privilege: NONE

Suspension Beg: 02/14/2006

Suspension End: 06/30/2006

Causal: 01/07/2006

Post: 01/16/2006

Reinstatement Requirements Met: 06/30/2006

Reinstatement Fee Paid: Y

ACD: D36 Withdrawal Loc Ref:

Withdrawal Reason Ref:

SUSP: 097-Failure to Pay Traffic Ticket

Ticket#: 41562CX

Suspension Beg: 12/08/2005

Suspension End: 12/13/2005

Causal: 05/27/2005

Post: 11/18/2005

Ticket Paid: 12/13/2005

Compliance Received: 12/13/2005

ACD: D56 Court Name: NORTH MYRTLE BEACH MUNICIPAL

Court Address: 1015 2ND AVE S

City: NORTH MYRTLE BEACH

State: SC

Zip: 29582

Phone No: 843-280-5520

ACC: REPORTABLE

Accident: 11/26/2001

Posted: 02/08/2002

Accident Case Number: 135531

FR-10 Audit Number:

Accident Jurisdiction: SC

Accident Loc Ref: SCDPS/ACC#2135531

History: N

Contributed: Y

ACC: REPORTABLE

Accident: 12/17/2000

Posted: 02/20/2001

Accident Case Number: 142019

FR-10 Audit Number:

Accident Jurisdiction: SC

Accident Loc Ref: SCDPS/ACC#4142019

History: N

Contributed: Y

End of Report

Certified to be a true and correct copy of the original document on file with the South Carolina Department of Motor Vehicles.

A. L. Shelton
Driver Services Deputy Director

Medical Examination Report

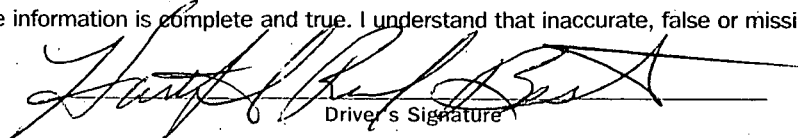
FOR COMMERCIAL DRIVER FITNESS DETERMINATION

44

1. DRIVER'S INFORMATION Driver completes this section							
Driver's Name (Last, First, Middle) Best, Hartford Renard		Social Security No. 248-3269	Birthdate 3 9 61 M/D/Y	Age 46	Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> New certification <input checked="" type="checkbox"/> Recertification <input type="checkbox"/> Follow Up	Date of Exam 06-12-07
Address 1405 St John Rd PO Box 1375		City, State, Zip Code Gal. Ferry, SC 29544 Conway, SC 29528		Work Tel: 803 1504-2006 Home Tel: (803) 358-0963	Driver License No. SC003048041	License Class <input type="checkbox"/> A <input type="checkbox"/> C <input checked="" type="checkbox"/> B <input type="checkbox"/> D <input type="checkbox"/> Other	State of Issue SC

2. HEALTH HISTORY Driver completes this section, but medical examiner is encouraged to discuss with driver.																																																																																																																																				
<table border="0"> <tr><td>Yes</td><td>No</td></tr> <tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr> <tr><td colspan="2">Any illness or injury in last 5 years?</td></tr> <tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr> <tr><td colspan="2">Head/Brain injuries, disorders or illnesses</td></tr> <tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr> <tr><td colspan="2">Seizures, epilepsy</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td colspan="2">medication _____</td></tr> <tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr> <tr><td colspan="2">Eye disorders or impaired vision (except corrective lenses)</td></tr> <tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr> <tr><td colspan="2">Ear disorders, loss of hearing or balance</td></tr> <tr><td><input 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<input type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																			
Loss of, or altered consciousness																																																																																																																																				
Yes	No																																																																																																																																			
<input type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																			
Fainting, dizziness																																																																																																																																				
<input type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																			
Sleep disorders, pauses in breathing while asleep, daytime sleepiness, loud snoring																																																																																																																																				
<input type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																			
Stroke or paralysis																																																																																																																																				
<input type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																			
Missing or impaired hand, arm, foot, leg, finger, toe																																																																																																																																				
<input type="checkbox"/>	<input type="checkbox"/>																																																																																																																																			
Spinal injury or disease																																																																																																																																				
<input type="checkbox"/>	<input type="checkbox"/>																																																																																																																																			
Chronic low back pain																																																																																																																																				
<input type="checkbox"/>	<input type="checkbox"/>																																																																																																																																			
Regular, frequent alcohol use																																																																																																																																				
<input type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																			
Narcotic or habit forming drug use																																																																																																																																				
<p>For any YES answer, indicate onset date, diagnosis, treating physician's name and address, and any current limitation. List all medications (including over-the-counter medications) used regularly or recently.</p> <p style="text-align: center; font-size: 2em; font-family: cursive;">N/A</p>																																																																																																																																				

I certify that the above information is complete and true. I understand that inaccurate, false or missing information may invalidate the examination and my Medical Examiner's Certificate.


06-12-07
 Driver's Signature Date

Medical Examiners Comments on Health History (The medical examiner must review and discuss with the driver any "yes" answers and potential hazards of medications, including over-the-counter medications, while driving)

N/A

Name Hartford Kenard Best

Social Security No. 248-33-3269

TESTING (Medical Examiner completes Section 3 through 7)

45

3. VISION Standard: At least 20/40 acuity (Snellen) in each eye with or without correction. At least 70° peripheral in horizontal meridian measured in each eye. The use of corrective lenses should be noted on the Medical Examiner's Certificate.

INSTRUCTIONS: When other than the Snellen chart is used, give test results in Snellen-comparable values. In recording distance vision, use 20 feet as normal. Report visual acuity as a ratio with 20 as numerator and the smallest type read at 20 feet as denominator. If the applicant wears corrective lenses, these should be worn while visual acuity is being tested. If the driver habitually wears contact lenses, or intends to do so while driving, sufficient evidence of good tolerance and adaptation to their use must be obvious. Monocular drivers are not qualified.

Numerical readings must be provided.

ACUITY	UNCORRECTED	CORRECTED	HORIZONTAL FIELD OF VISION
Right Eye	20/ <u>30</u>	20/	Right Eye <u>180</u> °
Left Eye	20/ <u>20</u>	20/	Left Eye <u>180</u> °
Both Eyes	20/ <u>20</u>	20/	°

Applicant can recognize and distinguish among traffic control signals and devices showing standard red, green, and amber colors? Yes No

Applicant meets visual acuity requirement only when wearing:

Corrective Lenses

Monocular Vision: Yes No

Complete next line only if vision testing is done by an ophthalmologist or optometrist.

Date of Examination _____ Name of Ophthalmologist or Optometrist (print) _____ Tel No. _____ License No./State of issue _____ Signature _____

4. HEARING Standard: a) Must first perceive forced whispered voice ≥ 5 ft., with or without hearing aid, or b) average hearing loss in better ear ≤ 40 dB.

Check if hearing aid used for tests. Check if hearing aid required to meet standard.

INSTRUCTIONS: To convert audiometric test results from ISO to ANSI, -14 dB from ISO for 500 Hz, -10 dB for 1,000 Hz, -8.5 dB for 2,000 Hz. To average, add the readings for 3 frequencies tested and divide by 3.

Numerical readings must be recorded.

a) Record distance from individual at which forced whispered voice can first be heard.	Right Ear <u>5</u> Feet	Left Ear <u>5</u> Feet
--	----------------------------	---------------------------

b) If audiometer is used, record hearing loss in decibels. (acc. to ANSI Z24.5-1951)

Right Ear			Left Ear		
500 Hz	1000 Hz	2000 Hz	500 Hz	1000 Hz	2000 Hz
Average:			Average:		

5. BLOOD PRESSURE/PULSE RATE Numerical readings must be recorded. Medical Examiner should take at least two readings to confirm BP.

Blood Pressure	Systolic <u>120</u>	Diastolic <u>60</u>
----------------	------------------------	------------------------

Driver qualified if $\leq 140/90$.

Pulse Rate	<input checked="" type="checkbox"/> Regular <input type="checkbox"/> Irregular
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Record Pulse Rate: 61

Reading	Category	Expiration Date	Recertification
140-159/90-99	Stage 1	1 year	1 year if $\leq 140/90$. One time certificate for 3 months if 141-159/91-99.
160-179/100-109	Stage 2	One-time certificate for 3 months.	1 year from date of exam if $\leq 140/90$.
$\geq 180/110$	Stage 3	6 months from date of exam if $\leq 140/90$.	6 months if $\leq 140/90$.

6. LABORATORY AND OTHER TEST FINDINGS Numerical readings must be recorded.

Urinalysis is required. Protein, blood or sugar in the urine may be an indication for further testing to rule out any underlying medical problem.

Other Testing (Describe and record)

URINE SPECIMEN	SP. GR. <u>1.020</u>	PROTEIN <u>negative</u>	BLOOD <u>negative</u>	SUGAR <u>negative</u>
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7. PHYSICAL EXAMINATION

Height: _____ (in.) Weight: _____ (lbs.)

The presence of a certain condition may not necessarily disqualify a driver, particularly if the condition is controlled adequately, is not likely to worsen or is readily amenable to treatment. Even if a condition does not disqualify a driver, the medical examiner may consider deferring the driver temporarily. Also, the driver should be advised to take the necessary steps to correct the condition as soon as possible particularly if the condition, if neglected, could result in more serious illness that might affect driving.

Check YES if there are any abnormalities. Check NO if the body system is normal. Discuss any YES answers in detail in the space below, and indicate whether it would affect the driver's ability to operate a commercial motor vehicle safely. Enter applicable item number before each comment. If organic disease is present, note that it has been compensated for. See Instructions To The Medical Examiner for guidance.

BODY SYSTEM	CHECK FOR:	YES*	NO	BODY SYSTEM	CHECK FOR:	YES*	NO
1. General Appearance	Marked overweight, tremor, signs of alcoholism, problem drinking, or drug abuse.		/	7. Abdomen and Viscera	Enlarged liver, enlarged spleen, masses, bruits, hernia, significant abdominal wall muscle weakness.		/
2. Eyes	Pupillary equality, reaction to light, accommodation, ocular motility, ocular muscle imbalance, extraocular movement, nystagmus, exophthalmos, strabismus uncorrected by corrective lenses, retinopathy, cataracts, aphakia, glaucoma, macular degeneration.		/	8. Vascular system	Abnormal pulse and amplitude, carotid or arterial bruits, varicose veins.		/
3. Ears	Middle ear disease, occlusion of external canal, perforated eardrums.		/	9. Genito-urinary system	Hernias.		/
4. Mouth and Throat	Irremediable deformities likely to interfere with breathing or swallowing.		/	10. Extremities - Limb impaired. Driver may be subject to SPE certificate if otherwise qualified.	Loss or impairment of leg, foot, toe, arm, hand, finger. Perceptible limp, deformities, atrophy, weakness, paralysis, clubbing, edema, hypotonia. Insufficient grasp and prehension in upper limb to maintain steering wheel grip. Insufficient mobility and strength in lower limb to operate pedals properly.		/
5. Heart	Murmurs, extra sounds, enlarged heart, pacemaker.		/	11. Spine, other musculoskeletal	Previous surgery, deformities, limitation of motion, tenderness		/
6. Lungs and chest, not including breast examination.	Abnormal chest wall expansion, abnormal respiratory rate, abnormal breath sounds including wheezes or alveolar rales, impaired respiratory function, dyspnea, cyanosis. Abnormal findings on physical exam may require further testing such as pulmonary tests and/or xray of chest.		/	12. Neurological	Impaired equilibrium, coordination or speech pattern; paresthesia, asymmetric deep tendon reflexes, sensory or positional abnormalities, abnormal patellar and Babinski's reflexes, ataxia.		/

* COMMENTS: excellent physical condition

Note certification status here. See Instructions to the Medical Examiner for guidance.

- Meets standards in 49 CFR 391.41; qualifies for 2 year certificate.
- Does not meet standards
- Meets standards, but periodic evaluation required.
- Due to _____ driver qualified only for:
 - 3 months
 - 6 months
 - 1 year
 - Other

- Wearing corrective lenses
- Wearing hearing aid
- Accompanied by a _____ waiver/exemption
- Skill Performance Evaluation (SPE) Certificate
- Driving within an exempt intracity zone.
- Qualified by operation of 49 CFR 391.64

Temporarily disqualified due to (condition or medication): _____
Return to medical examiner's office for follow up on _____

Medical Examiner's Signature _____
 Medical Examiner's Name (print) ACCESS MEDICAL
 Address 3816 HWY 17 SOUTH
 Telephone Number _____

If meets standards, complete a Medical Examiner's Certificate according to 49 CFR 391.43(h). (Driver must carry certificate when operating a commercial vehicle.)

N MYRTLE BEACH S.C. 29582
 PH# 803 272-1411 FAX 803 272-2130
 (813) (813)

MEDICAL EXAMINER'S CERTIFICATE

I certify that I have examined HARTFORD BUS in accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with knowledge of the driving duties. I find this person is qualified; and, if applicable, only when:

- wearing corrective lenses
- wearing hearing aid
- accompanied by a _____
- driver's exemption
- accompanied by a Skill Performance Evaluation Certificate (SPE)
- Qualified by operation of 49 CFR 391.64

The information I have provided regarding this physical examination is true and complete. A complete examination form with an attachment of my findings completely and correctly, and is on file in my office.

SIGNATURE OF MEDICAL EXAMINER: [Signature] TELEPHONE: 603-272-1411 DATE: 6/12/07

MEDICAL EXAMINER'S NAME (PRINT): DAVID HILZ DO CHIROPRACTOR
 Physician Assistant Advanced Practice Nurse

MEDICAL EXAMINER'S LICENSE OR CERTIFICATE NO.: 13740 ISSUING STATE: SC

SIGNATURE OF DRIVER: [Signature] DRIVER'S LICENSE NO.: SC003048041 STATE: SC

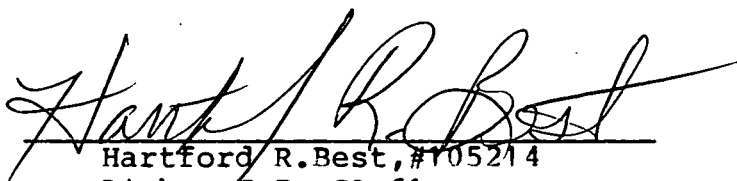
ADDRESS OF DRIVER: 1005 St John Rd Gal Ferry, SC 29544

MEDICAL CERTIFICATE EXPIRATION DATE: 6/12/09

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record of Appeal contains all material proposed to be included by any of the parties and not any other material.

May 7th, 2012

A handwritten signature in black ink, appearing to read "Hartford R. Best", written over a horizontal line.

Hartford R. Best, #105214
Lieber C.I. SA-61
P.O. Box 205
Ridgeville, SC 29472-0205

PRO SEE APPELLANT

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Court of Common Pleas
The Honorable L. Casey Manning

Trial Court No.: 2010-CP-40-00704

Hartford R. Best, #105210

Appellant,

v.

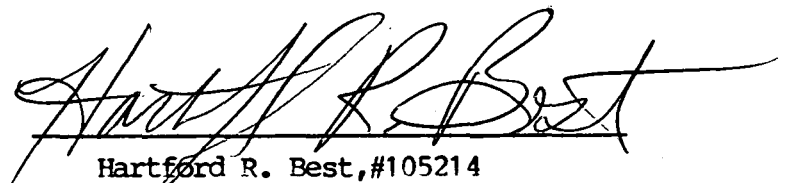
Samuel B. Glover, Former Director of the
South Carolina Department of Probation, Parole and Pardon Board

Respondent

CERTIFICATE OF SERVICE

I, Hartford R. Best, Pro Se Appellant, certify that I have served the Respondent with a copy of the Record of Appeal in the above referenced case has been served upon J. Benjamin Aplin, legal counsel, at State of South Carolina Department of Probation, Parole, and Pardon Services, P.O. Box 50666, Columbia, S.C. 29250.

May 7th, 2012


Hartford R. Best, #105214

May 7th, 2012

Dear Ms. Allen, Deputy Clerk COA;

Enclosed you'll find the copies (15) of
the Final Brief & Record of Appeal in reference
to case # 2010-CP-40-00704.

Thank You,

RECEIVED
MAY 11 2012
SC Court of Appeals

Harold R. Best