

IN THE COURT OF GENERAL SESSIONS  
FOR THE STATE OF SOUTH CAROLINA  
COUNTY York

INDICTMENT NOS. 2013-GS-46-04369  
2013-GS-46-04371

IN RE: STATE V. AKEEM ALIM-NAFIS ABDULLAH-MALIK

IN THE COURT OF APPEALS  
FOR THE STATE OF SOUTH CAROLINA

APPELLANT AKEEM ALIM-NAFIS ABDULLAH-MALIK

V.

RESPONDANT, STATE OF SOUTH CAROLINA

CASE # 2014-001001

**RECEIVED**  
AUG 28 2014  
SC Court of Appeals

**APPEAL BAIL**

---

by A. A-N Abdullah-Malik  
A. A-N Abdullah-Malik  
Appellant, Pro-Se

TABLE OF CONTENTS

- I. DECLARATIONS OF HUMAN RIGHTS
- II. UNITED STATES CONSTITUTIONAL RIGHTS
- III. SOUTH CAROLINA CONSTITUTIONAL RIGHTS
- IV. STATUTE PROVISIONS
- V. CASE AUTHORITIES

**JURISDICTION**

Pursuant Declarations of Human Rigts Articles I. thru XXX, U.S. Constitutional Rights Amendments I,V,VI,VIII and XIV, S.C. Constitutional Rights Sec. 1.2.3.4.7.9.11.12.14.15.18.19.22.23.24.

**SEVERELY JOINTLY  
PROCEDURE JURISDICTION**

Pursuant to SCACR Rules 201,203,230, and 262, TITLES 18-1-70,18-1-80,,18-1-90 and applicability in Magistrates Courts 18-3-50.

CASE HISTORY

Place 16th Judicial Circuit  
Court of General Sessions  
County York

Judgement Issued

March 10th, 2014

Sentenced Imposed

Bglr 3rd 1st Offense (5) Five Years  
Criminal Conspiracy (3 1/2) Three Half Years  
Consecutively Ran

Nature of Offenses

Petit Larceny Base Of Offense Underlining Offense 2013-GS-46-04370  
Bglr 3rd 1st Offense 2013-GS-46-04369  
Criminal Conspiracy 2013-GS-46-04371

Plea Agreement

Guilty Mentally Ill/ Diminished Capacity at Time of Incident

Type Trial

Bench Trial by Judge

Did Not Testify at Trial

Statement in Open Court at Sentencing Juncture, Mitigating Factors, for Sentence Imposment

Appealed Judgement

March 11th, 2014

Appeal Status

Pending In The South Carolina Appeals Court

Petitions In Other Courts

No Other Petitions In Any Other Courts Pertaining To This Judgement

Name of Attorney Throughout Criminal Proceedings

(a) Initial, (b) Preliminary, (c) Trial, (d) Sentencing

Pro-Se Represented throughout proceedings

Appellant Sentenced on more than (1) One Indictment, Only (1) One Count  
Consecutive Sentences in same "court" same Circuit Judge

**WHEREFORE** Appellant PRAYS Appeal Bail is GRANTED within applicable  
reasonableness to the financial means of the Appellant, time served of sent-  
ences, equatable to property returned amount of merchandise of store undamaged  
or disturbed...

## FACTUAL BACKGROUND

Appellant Akeem Alim-Nafis Abdullah-Malik Pro-Se [Hereinafter] Appellant On September 14th, 2014 was Terry Stopped by The York County Sheriff Department Field Officer CLARK questioned unMiranderized then turned Appellant over to the Tega Cay Police Officer for Arrest and Processing. Appellant and co-defendant Bobby Randel Robbins after booking was then transferred to the custody of Fort Mill Detention awaiting bail. On September 15th, 2013 both Appellant and co-defendant was detained on bails in the amount of \$200,000 dollars total \$100,000 each for property offenses of less than \$2,000 dollars from Shoptlifting Merchandise from Kangaroo Express Store Chain.

Appellant and co-defendant both of local surrounding county address and local family communities ties, no open warrants were not able to meet such demands on bail. Both transferred to the York County Detention Center on same day September 15, 2013. Appellant at time of arrest was a full time Veteran Rehabilitation Assistance Program Participant (VRAP); as well, a Mental Health and Medical Patient of Bill Hefner Veterans Administration Medical Center co existence of Charlotte Base Outpatient Clinic (CBOC). Appellant a full time college student, stable home environment, father of (5) Five and grandfather of (8) at present.

Appellant and co-defendant both served approximately (6) Six month in The York County Detention Center, co-defendant released on Time Served Sentence (s) Awhile Appellant was intent to proceed to Trial By Jury. However unable to proceed to trial by jury, absent authorization to Vior Dire Jury, & Judges refusal to issuance of subpoenas filed by the Appellant. Appellant forced to throw in towel at day of forced trial upon the Appellant by Judge Paul Burch authorizing the Quashing of Subpoena and Subpoena for Expert Witnesses by the Appellant.

Appellant forced to Guilty Plea, was Denied Mental Ill Competency Evaluation Judge Burch finding Appellant not mental ill absent competency evaluation. Judge Paul Burch refuted mitigating testimony by Appellant for a clinical approach to sentencing that expert testimony would have provided at such a critical stage sentencing that Appellant is a (3) Three Time Honorable Discharged Veteran who at time of arrest was under care of Veterans Administration, Appellant also a former Federal Civil Service Worker, U.S. Pentagon, Walter Reed and VA Hospital after Military discharges honorably last a Full Time Student at Central Piedmont Community Colleg Charlotte North Carolina.

Appellant has long standing family community ties in York County a biological mother, step father, three siblings and a slew of nephews and nieces. Appellant himself a residence of surrounding county Mecklenburg at time of arrest, nor presently is a flight risk, no active open warrants, nor detainers, or fta's. In support of Appellant position and petition for bail.

Appellant is seeking a modification reversal of sentencing, or a Veterans Clinical Approach to this Appeal Pending. Per-se H.R. Bill 3179 Rep Todd Rutherford Veterans Treatment Court for Non-Violent Offenders Appellant is a non-violent Offender in instance and qualifies for alternative sentence, relinquishing the "State" of housing, medical, and mental health expenses and providing the Appellant with adequate Rehabilitation reintegration etc.

Appellant filed a "Timely Notice of Appeal" March 11th, 2014. Same morning as being transferred to the South Carolina Department of Corrections (SCDC). Where Appellant is serving a (5) Five Year and (3 1/2) Three and Half Years consecutively. Stemming from base offense of Shoplifting (Termed) Petit Larceny Statutorily. However merchandise from a Store defines Shoplifting See: Black Law Dictionary 11th Edition...

Pursuant to THE DECLARATIONS OF HUMAN RIGHTS ARTICLES I. THROUGH XXX.

PREMEMBLE Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspirations of the common people.

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be proclaimed by rule of law.

Whereas it is essential to promote the development of friendly relations between nations.

Whereas the peoples of the United Nations have in Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom.

Whereas Member States have pledged themselves to achieve, in cooperation with United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore

THE GENERAL ASSEMBLY

proclaims

THIS UNIVERSAL DECLARATIONS OF HUMAN RIGHTS

as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect

for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Art. 1.2.3.4.5.6.7.8.9.10.11.12.13.14.15.16.17.18.19.20.21.22.23.24.25.26.27.  
28.29.30.

## THE CONSTITUTION OF THE UNITED STATES OF AMERICA

We the People of the United States, in Order to form a more perfect Union establish Justice, insure domestic Tranquility, provide for the common defense promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Prosterity, do ordain and establish this Constitution for the United States of America. Art. I.through VII. Amendments Ithrough XXVII.

### PREAMBLE

#### CONSTITUTION OF THE STATE OF SOUTH CAROLINA

We, the people of the State of South Carolina, in Convention assembled, grateful to God for our liberties, do ordain and establish this Constitution for the preservation and perpetuation of the same.

Sec: 1.2.3.4.7.9.11.12.14.15.18.19.22.23.24.(at bar) In Instance

#### CODE OF LAWS OF SOUTH CAROLINA 1976

#### TITLE 18-70,18-1-80,18-1-90 AND 18-3-50

#### §§ 18-1-70 NOTICE OF APPEAL SHALL STAY EXECUTION OF SENTENCE

In criminal cases service of notice of appeal in accordance with law shall operate as a stay of the execution of the sentence until the appeal is finally disposed of. Crim Law Key 1083 to 1084 Westlaw Topic No.110 C.J.S. Crim. Law § 2356

#### §§ 18-1-80 Confinment until bail given

Pending such appeal the defendant shall still remain in confinement until he give bail in such sum and with such surities as to the court shall seem proper. Bail Key 44, West Law Topic No. 49 C.J.S. Bail Release and Detention

Pending Proceedings §§ 7 to 8, 39 to 45, 47 to 54, 56 to 60. Library Reference (s).

§§ 18-1-90 When bail may be allowed

Bail may be allowed to the defendant in all cases in which the appeal is from the trial, conviction, or sentence for a criminal offense. However, bail is not allowed when the defendant has been sentenced to death, life imprisonment, or imprisonment for more than 10 years. Bail key 44(2), West Law Topic No. 49, C.J.S. Bail Release Pending Proceedings §§ 7 to 8, 48 to 49, 52 to 53, 56.

Cross References

How Bail is given in appeals from magistratsee § 18-3-50

Sentence of confinement not stayed until defendant post bail, see Rule 246, SCACR.

#### SOUTH CAROLINA APPEAL COURT RULES

RULE 201 (A) JUDGEMENTS, ORDERS AND DECISIONS SUBJECT TO APPEAL  
(B) WHO MAY APPEAL

RULE 203 (A) NOTICE OF APPEAL  
(B) TIME FOR SERVICE

RULE 246 (A) STAYS PENDING APPEAL

The service of a notice of appeal by a criminal defendant shall operate as a stay of the execution of the sentence until the appeal is finally disposed of; provided, however, a sentence of confinement shall not be stayed until the defendant has posted bail under S.C. Code Ann §§ 18-1-80 and -90 (1985). Where the sentence exceeds imprisonment for (10) Ten Years, the defendant may only be admitted bail by an appellate court. Where the State has taken an appeal, the appeal shall automatically operate as a stay of further proceedings in the lower court..

(B) STAYS OF SENTENCES AFTER AFFIRMANCE.

No stay of any sentence in a criminal case which has been affirmed by the judgement of an appellate court shall be granted, except by order of an appellate court, or a judge or justice thereof, upon motion pursuant to Rule 240.

RULE 262 FILING AND SERVICE

(A) FILING (1) AND (2)

(B) SERVICE

RULE 230 (a) Not utilized in instance for bail. Here in instance...

CASE AUTHORITIES

IN RE MICHAEL (S.C. 2004) 360 S.C. 540 602 S.Ed 729

STATE V. GIBBS (S.C 2013) 353 S.C. 226 577 S.E. 2d 454

MOORER V. MCDUGAL (1965) 245 SC 633 142 S.E. 2d 46

STATE V. AVANT (S.C. 1910) 85 S.C. 570 67 S.E. 908

HAINES V. KERNER 401 U.S. 1008 91 S.CT 981 (1971)

GORDON V. LEAKE 574 F2D 1147,1151

SUPPORTING FACTS  
MITIGATING FACTS TO SUPPORT GRANTING BAIL

Appellant without redundance here in instance. Adds that before hand in instance nowto henceforth is a U.S. Honorable Discharged Army Veteran at time of arrest made affirmation assertion to the 'courts" of such Dignosed with a Axis 4 PTSD Dignosis was under care of the Veteran Administration Medical and Mental Health Administration Center conjunctively with Center Base Outpatient Clinics. Appellant in instance has been is uprooted cultural divided in connection to warranted treatment readily available ,as well the Appellant prior to arrest was actively recieving treatment. In which in the event Bail is Granted the Appellant can return to the Veteran Administration for continued care. Even to the extent the Veterans Administration offers a alternative to incarceration for Non-Violent Offenders ( as the Appellant) to participate in Veterans Treatment Court monitored that will insure any other "Courts" including criminal courts the safety and return of any veteran to answer Calender or Court Calls. This is a provision that only a Veteran Judge or Veteran Representative would be cognizable of such programs available to veterans in the United States. Rep. Todd Rutherford has such Bill in the stae of South Carolin H.R. 3179.

Appellant inspite prior record is 53 years of age, a father, grandfather, not a flight risk, not on parole, nor probation in any other jurisdictions, charges charged with are not deemed violent , the Appellant is not a threat to society, nor inflicted bodily harm through assultative nature. These are property crime that Appellant co-defendant received Time Served Sentences. Yet the Appellant received (5) Five and (3 1/2) Three and Half years ran consecutively for a less than 2,000 Two Thousand Dollar Property Crime from a Chain Store. All property was returned and undamaged. That no loss was suffered.

Appellant has a local permanent living address in jurisdiction for return to court purposes, is a active U.S. Army Veteran who will return to Veteran Treatment in the event Bail is GRANTED. For monitoring, Counseling, and in the event available return to College (VRAP) to continue education for employment reintegration purposes. Appellant will comply to 'courts" ORDERS and stay within compliance of the "courts direction.

Appellant since SCDC tenure has remained legally active in learning and seeking to perfect his craft via due diligence as a Pro-Se Litigant. That can support the Appellant legally as a paralegal, investigator or a post-conviction attorney support personnel employee. Now gaining the South Carolina business etiquette in legal forums.

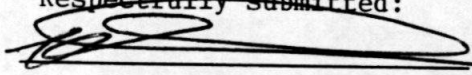
Appellant has volunteered in various prison groups available at Turb-  
eville Correctional Institution which houses both adult youth offenders and Department Juvenile Justice prisoners. As a mentor for the youth. Appellant now at Kershaw Correctional Institution has submitted request to become a active member for the lawyers guild. Appellant in aspiration of deterring any unwarranted characteristics does participate in the religious programs offered since being transfered here at Kershaw Correctional Institution. Appellant in using his former military skills has provided the Unit Drill Instructor in assisting the unit in preparation for future drill competitions. With cadenses the appellant learned awhile in the military.

Last yet not however least appellant after 28 years of active incarcerations does address his short comings and past future character flaws. Ask this support the **GRANTING** of Bail.

**WHEREFORE,** for the foregoing reasoning [PRAYS] ORDER **GRANTING** Appellant Bail, Immediate Release, On His Own Recognizance. Appellant Promises To Return To said Court as so ORDERED. Alternatively Appellant would ask that securing return Appellant Active participation in continued Veterans Counseling, and Medical and Mental Health Treatment. In the event this does not satisfy the "courts" Appellant asks a bail set to commensurate with Appellant means to meet bail in the amount of no more than \$1,000 dollars 10 0/0 percent to the "courts", or no value to exceed the the property return \$2,000 dollars at 10 0/0 percent to the 'courts'.

This said 20<sup>th</sup> day 8<sup>th</sup> month  
Twenty Years & Forward year

Respectfully submitted:

  
Akeem Alim-Nafis Abdullah-Malik  
Appellant/ Pro-Se  
Affiant

**LEGAL AUTHORITIES**  
**CASE ANALOGY**  
SUPPORTING GRANTING BAIL

Appellant conjunctively with factual basis, severely reliance on the Declaration of Human Rights, PREMBLE to end, U.S. Constitution Articles I. thru VII, Amendments I thru XXVII; S.C. Constitution Art. I Sec 2,3,4,7,9,11, 12, 14,15, 18, 19, 22,23,24 to end; Art. % Sec thru 27.

Appellant MOVES RESPECTFULLY to GRANT BAIL in His OWN RECOGNIGANCE or a reasonable amount non EXCESSIVE for the Appellant to be set FREE based upon reliance of State v. Workman 263 S.E. 2d 865 SC 1980.

"Purpose of Appeal Bond in a criminal case is to allow defendant to go free during the pendency of Appeal while assuring his presence upon affirmance of his conviction or as the "court" may otherwise direct 8 C.I.J. Bail 5 6J P 19."

State v. Whitener 225 S.C. 244, 81 S.E. 2d 984 SC 1954

"Appellant thereupon applied to this "court" for writ of habeas corpus granting him bail"

State v. Gibbs 353 SC 226 (SC 2013) 577 S.E. 2d 454

" Operating in conjunct with Title 18-1-90 When Bail Shal Be Allowed" Bail shall be allowed to defendants in all cases (also see 18-3-50, 17-15-120) which the appeal is from trial, conviction, or sentence for a criminal offense except that no bail be allowed when defendant shall be sentenced to death, life, or for a term of 10 years in which appeal is from the trial conviction is sentence for criminal offense.

State v. Avant SC 570 (SC1910) 67 SE 908

" The service of Notice in writing on the solicitor of a n intention to appeal is the prerequisite to the granting of bail"

In re Michael H. (S.C. 2004) 360 SC 540, 632 SE 2d 729, 125 S.CT 1644, 544

U.S. 943 161 L.Ed.2d 511 bail-44 (3.1)

Suprem Court may Grant Bail under S.C. Constitution Art 5. Sec 4 and Art 5 Sec 5

Before Amendment 1944 Code 1962 and 7 and 8. Bail after conviction was me

discretion and Not a Right Nicholos v. Patterson (S.C. 1943) 202 SC 352  
S.E. 2d 155

In re Michael H. The Court of Appeals set Bond at 1,000 dollars and then remanded the matter to family court to set the conditions of the Bond. The Family Court set numerous restrictive conditions of bail.

### CONCLUSION


#### SUMERIZED

Supreme Court Affirmed the Court of Appeals decision denying the state to declare the Appeal Bond Issued by the Court of Appeals Null and Void See Waller v. Alcicones (Cite Omitted).

Appellant for the foregoing reasons, time already served on the sentences a Non Viloent Sentence(s)the considerations of reversals, sentence modificat-  
ion, or A Veteran Treatment Court Sentence (VTC), or a alternative re-senten-  
cing to a lower lesser sentence to Veteran Treatment Outpatient Clinic with  
the Veterans Administration Medical Center(s). Appellant Moves for a conducive  
sentence that is applicable with the total valuse of the return property  
that was undamaged and Appleeant complete Remorese for the matter before  
you sincerely.

This sad 20<sup>th</sup> day August month 2014 year

Respectfully submitted:

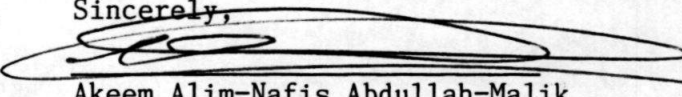
  
Akeem Alim-Nafis Abdullah-Malik  
Appellant/ Pro-Se

CERTIFICATE OF SERVICE

I'AM duly depose on 26<sup>th</sup> day 8 month 2014 year. I did deposit in the U.S. Postal Service depository at Kershaw Correctional Institution 4848 Goldmine Highway, Kershaw South Carolina 29067. Pre-paid postage. To all CC: Listed Below.

This said 26<sup>th</sup> day 8 month 2014 year

Sincerely,

  
Akeem Alim-Nafis Abdullah-Malik  
Appellant Pro-Se

CC: S.C. Court of Appeals  
1015 Sumter Street  
Columbia, S.C. 29210

CC: S.C. Attorney General  
Last Known Address

CC: 16 Judicial Circuit General Sessions Court  
Last Known Address

CC: 16 Judicial circuit Solicitor Office  
Last Known Address

**RECEIVED**  
AUG 28 2014  
SC Court of Appeals

CONCLUSION  
BLANK PAGE

Appellant asks respectfully the "COURTS" apology for any typographical errors that are not amendable at this juncture. As well the Legal Law Library Provision available in the South Carolina Department of Correction (s). That limits the production computer generated via West or Lexis Law System of the 21st Century.

Appellant ask that HAINES V. KERNER 401 U.S. 1008, 91 S.CT 981 (1971)  
GORDON V. LEAKE 574 F 2d 1147,1151

Is applied to this Case At Bar. The Appellant is not a Licensed Bar Attorney Nor A Attorney In or At Law, Nor a Student In Formal Law School.

EXHIBIT 1

VETERAN ADMINISTRATION DATA



# Bureau of Justice Statistics Special Report

January 2000, NCJ 178888

## Veterans in Prison or Jail

By Christopher J. Mumola  
BJS Policy Analyst

In 1998 there were an estimated 25,062,400 veterans in the United States population, including 225,700 veterans held in the Nation's prisons and jails. Males comprised 95% of all veterans and 99% of those veterans in prison and jail. Among adult males in 1998, there were 937 incarcerated veterans per 100,000 veteran residents, up from 571 per 100,000 in 1985. Despite the increase, male veterans were incarcerated at less than half the rate of adult male nonveterans (1,971 per 100,000) in 1998.

Since 1985 the number of U.S. veterans has declined by nearly 3 million, an average decline of 1% per year. The number of male veterans dropped from 26,962,000 in 1985 to 23,834,100 in 1998, while the number of female veterans rose from 1,044,700 to 1,228,300. The number in prison or jail rose from 154,600 in 1985 to 225,700 in 1998, an increase of 46%. However, during this period the number of nonveteran inmates rose 172%. Veterans accounted for 12% of all inmates in 1998, down from 21% in 1985.

These data are based on interviews with national samples of inmates. In responses to the 1997 Survey of Inmates in State and Federal Correctional Facilities and the 1996 Survey of Inmates in Local Jails, inmates provided information on their military service, as well as their criminal history and personal background.

### Highlights

#### Over 225,000 veterans held in Nation's prisons or jails in 1998

	Estimated number of veteran inmates	
	1985	1998
Prison	100,200	156,400
Local jail	54,400	69,300

	Percent of inmates reporting military service	
	1986	1997
Prison	24.9%	14.5%
Federal	20.2	12.5
State		
Local jail	21.2%	11.7%

\$ 1 in every 6 incarcerated veterans were not honorably discharged from the military.

\$ About 20% of veterans in prison or jail reported seeing combat duty during their military service.

\$ In 1998, an estimated 56,500 Vietnam War-era veterans and 18,500 Persian Gulf War-era veterans were held in State and Federal prisons.

#### Veterans more likely than others to be in prison for a violent offense but less likely to be serving a sentence for drugs

Offense	State prisoners, 1997	
	Veterans	Nonveterans
Violent	55.1%	46.1%
Property	20.3	22.2
Drug	14.4	21.5
Public-order	10.2	9.8

	Average maximum sentence	
	Veterans	Nonveterans
Violent	264 mo	214 mo
Property	123	116
Drug	118	107
Public-order	86	79

\$ About 35% of veterans in State prison, compared to 20% of nonveterans, were convicted of homicide or sexual assault.

\$ Veterans (30%) were more likely than other State prisoners (23%) to be first-time offenders.

\$ Among violent State prisoners, the average sentence of veterans was 50 months longer than the average of nonveterans.

#### Veterans in State prison reported higher levels of alcohol abuse, lower levels of drug abuse, than other prisoners

	State prisoners, 1997	
	Veterans	Nonveterans
Drug use in month before offense	45.4%	58.1%
Alcohol dependent	30.6%	23.6%
Identified as mentally ill	19.3%	15.8%
Homeless at some time in 12 months before arrest	12.4%	10.3%

\$ Veterans in State prison (26%) were less likely than other State prisoners (34%) to report having used drugs at the time of their offense.

\$ Nearly 60% of veterans in State prison had driven drunk in the past, compared to 45% of other inmates.

\$ About 70% of veterans, compared to 54% of other State prisoners, had been working full-time before arrest.

EXHIBIT II

VETERAN ADMINISTRATION DATA

12/28/2013

Find Law Knowledgebase Published: 2012-12-21

South Carolina using veterans' courts to address drug crimes Article provided by William Monckton - Monckton Law Firm, P.A. In the years since the wars in Iraq and Afghanistan began, there has been a lot of discussion about the issue of post-traumatic stress disorder and substance abuse among returning service members. While this increased visibility is certainly helpful, PTSD and addiction are by no means new problems in the military community. Because of the stress they have experienced, combat veterans are more likely to experience issues with mental health or illegal drugs. The unique mindset that service members have also means that they are often more unlikely to ask for help if problems arise. All too often, this leads veterans to get in trouble with the law. Recently, South Carolina officials have followed the lead of other states in creating special courts for veterans facing criminal charges. The courts work much like more traditional "drug courts." Participants are given a reprieve from jail time so long as they are getting treatment for their underlying addiction or mental health issues and are complying with the other terms of their sentence. In addition, participants get support from mentors and other participants, all of whom are veterans themselves. The courts work because they frame recovery in a way that makes sense to someone with a military mindset. South Carolina veterans' courts aren't just reserved for recent Iraq and Afghanistan veterans. Nearly all veterans are eligible, regardless of when they served or whether they had been deployed to a combat zone. The only restrictions are that the underlying offense must be non-violent and that the veteran has a diagnosed mental health or substance abuse disorder. It is not necessary for the disorder to be directly connected to a service-related injury or traumatic event. South Carolina's program is relatively new, so there is not yet good data about how successful veterans' court participants have been. Still, with over 400,000 veterans in South Carolina, anything the state can do to help struggling service members is bound to have a positive impact. South Carolina drug crimes Veterans' court is just one of the many alternative sentencing options available to people charged with drug crimes and other non-violent offenses in South Carolina. Most drug crimes are rooted in addiction, and it is often more beneficial to treat the underlying problem than to simply lock the person up. If you or a loved one is struggling with addiction or mental health issues and facing criminal charges, it is a good idea to talk to an experienced South Carolina criminal defense attorney. In most cases, alternative sentencing options must be explored early on in the process. The attorney can help you identify alternatives to –

See more at: <http://knowledgebase.findlaw.com/kb/2012/Dec/902137.html#sthash.FRtpoxOp.dpuf>

## Veterans Treatment Courts Offer Alternative to Prison

Dec 3, 2013 6:00am

For military veterans who find themselves afoul of the law due to substance abuse or mental health issues, a system called veterans treatment courts is giving them an alternative to prison time.

The courts are modeled on the drug treatment or mental health treatment courts first established two decades ago.

"Words cannot describe the second chance that you guys gave me but if I had to, it would be that I am in a lifelong debt of gratitude," former Marine corporal Eric Gonzales said Monday as he addressed the audience at the Veterans Treatment Court Conference being held in Washington D.C.

Organized by Justice for Veterans Treatment Courts Vets, the conference aims to broaden the reach of veterans treatment courts to help military vets, particularly those who served in the wars in Iraq and Afghanistan.

Justice for Vets estimates that since 2004 the number of veterans being treated for mental illness and substance abuse has increased by 38 percent, most of them among the 2.5 million American military service members who served in Iraq and Afghanistan.

Gonzales, who served in Afghanistan, said he has gotten his life back in order after he faced serious prison time for a high-speed pursuit fueled by substance abuse. He told the conference that the "court gave me the chance of a lifetime to work on my mental health rather than throwing me in prison where I would still be battling with my issues."

"Someday in the not-so-distant future when there is a vet treatment court in reach of every vet in need, we will look back on today as the moment we turned the corner," said Judge Robert Russell, who established the first veterans treatment court in Buffalo, N.Y., in 2008.

Working with the local Veterans Affairs office, Russell set up the veterans-focused court after he noticed an increase in the number of veterans appearing before his Drug Court and Mental Health Court.

Retired Army general and drug czar Gen. Robert McCaffrey told the gathering that the main reason for the conference was "to train each other, to learn how to institutionalize and maintain this spectacular concept."

McCaffrey is the chairman of the Veterans Treatment Court Committee of the National Association of Drug Court Professionals.

At the conference's opening session, Veterans Affairs Secretary Eric Shinseki told the audience that when he visited Judge Russell's courtroom in 2009 "the power of the veteran's court concept was clear, undeniable and compelling."

"Since that visit, VA has been your full partner, agreeing to bring all of its capabilities to bear, wherever a judge is willing to establish a veterans court," said Shinseki, who praised the work of the veterans courts and highlighted his department's "Veterans Justice Outreach" program.

The program's 172 specialists work with courts to help veterans entering the justice system to get mental health or substance abuse care from the VA.

Statistics show the program is having a positive effect — two thirds of veterans who appear before treatment courts successfully complete their treatment, Shinseki noted.

Gen. Martin Dempsey, chairman of the Joint Chiefs of Staff, is schedule to address the conference on Wednesday.

\*\* I found NO VTC, s in South Carolina

EXHIBIT III

VETERAN ADMINISTRATION DATA



Search bar with "SITE MAP [A-Z]" link

- Home, Veteran Services, Business, About VA, Media Room, Locations, Contact Us

I AM A...

VA » Locations » PTSD Program Locator » North Carolina

Select One

# Locations

Search in Facility Directory: [input] [button]

- Locations Home, VHA Facilities, VBA Facilities, NCA Facilities, VA Central Office Listing, Vet Centers, PTSD Program Locator, SUD Program Locator, Gravesite Locator, Facilities by State, Interactive US Map, Facility Listing

## North Carolina

### PTSD Program

Descriptions of VA PTSD Programs | Learn more about PTSD: VA National Center for PTSD

**NOTE:** The contacts provided for the PTSD Programs are for information inquiries and are not continuously monitored.

**All VA Medical Centers offer PTSD treatment, even if there is no specific PTSD program. Contact your local VA Medical Center and ask for the Mental Health clinic. Many Vet Centers and VA Community Based Outpatient Clinics also offer PTSD treatment.**

**If you need immediate assistance, call 911 or 1-800-273-TALK/8255, press 1.**

#### Asheville VA Medical Center

1100 Tunnel Road  
Asheville, NC 28805  
Phone: 828-298-7911

#### PTSD Clinical Team (PCT) Outpatient

Bruce L. Purvis (828) 299-2519

#### Durham Clinic

1824 Hillandale Road  
Durham, NC 27705  
Phone: 919-383-6107

#### PTSD Clinical Team (PCT) Outpatient

Josephine Allen (919) 286-0411 X 7977

#### Fayetteville VA Medical Center

2300 Ramsey Street  
Fayetteville, NC 28301  
Phone: 910-488-2120 Or 910-488-2120

#### PTSD Clinical Team (PCT) Outpatient

Dana Foster, AO, MHSL (910) 488-2120 X 5828

#### Salisbury - W.G. (Bill) Hefner VA Medical Center

1601 Brenner Avenue  
Salisbury, NC 28144  
Phone: 704-638-9000 Or 704-638-9000

#### PTSD Clinical Team (PCT) Outpatient

Kristin Humphrey, PhD (704) 638-9000 X 3175

#### Specialized Inpatient PTSD Unit (SIPU) Inpatient

Kristin Humphrey, PhD (704) 638-9000 X 3175

*VAA Asheville 1160.03*  
*38 U.S.C. 1710*  
*38 CFR 17.46 and 17.47*  
*986-Idland Dr.*

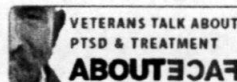


EXHIBIT IV

VETERAN ADMINISTRATION DATA

**CONTENTS**

**PROGRAMS FOR VETERANS WITH POST-TRAUMATIC STRESS  
DISORDER (PTSD)**

<b>PARAGRAPH</b>	<b>PAGE</b>
1. Purpose .....	1
2. Background .....	1
3. Definitions of Post-traumatic Stress Disorder (PTSD) .....	2
4. Clinical Complexity of VA Patients (Comorbidities) .....	2
5. Scope .....	3
6. Responsibilities of the Veterans Integrated Service Network (VISN) Director .....	3
7. Responsibilities of the Facility Director .....	3
8. Principles of Treatment and Rehabilitation of Veterans with PTSD .....	3
9. PTSD Continuum of Care .....	4
10. Specialized Mental Health PTSD Services .....	6
11. Specialized Outpatient PTSD Care .....	7
12. Specialized Inpatient and Residential PTSD Care .....	9
13. Women's PTSD Services .....	10
14. Dual Diagnosis (Co-occurring PTSD and Substance Use Disorder (SUD)) .....	11
15. PTSD in General Mental Health Settings .....	12
16. Integrating Mental Health in Polytrauma Sites .....	12
17. Primary Care Post Deployment Health Clinics (PDHCs) .....	13
18. Mental Health In Settings Serving Older Veterans with PTSD .....	14
19. References .....	15
<b>APPENDIX</b>	
A. Summary of Reporting Codes for PTSD Programs .....	A-1

## Another view

# Let's end veteran homelessness

By MICHELLE OBAMA  
Special to McClatchy Washington  
Bureau

**WASHINGTON** At the beginning of June, 85 mayors, governors and county officials from across the country – and across the political spectrum – signed on to the Mayors Challenge to End Veterans Homelessness. Today, we're announcing that in the two months since then, 97 more state and local leaders have signed on – meaning that a total of 182 local leaders have pledged to end homelessness among the veterans in their communities by the end of 2015.

I know that might sound like a pipe dream. After all, veteran homelessness is a problem we've faced for decades – in fact, almost 90 percent of all homeless veterans served prior to 9/11. And as a country, we've never been able to rally the resources and the public will to get all of our veterans off the streets and into stable housing.

So why do all these state and local leaders believe that things are any different today? The answer to that question is simple: because today – thanks to federal, state and local leadership and the determined, daily work of advocates on the ground – we're finally seeing that ending veteran homelessness is not just something we should strive to achieve – it's something we actually can.

For example, in recent months, Phoenix and Salt Lake City effectively ended chronic homelessness among their veterans. New Orleans is on track to end all veteran homelessness within the next six months. Last year, New York City helped more than 2,000 veterans get into safe and stable housing. St. Paul and Minneapolis have cut veteran homelessness in half over the last five years, and between the two cities there are just 18 veterans left on the streets.

Any number of veterans left out in the cold is too many, but those numbers show us that even in some of our largest metropolitan areas, ending veteran homelessness is eminently achievable.

My husband has believed this from the moment he took office. That's why he not only vowed to end veteran homelessness, he coupled that pledge with record funding and innovative strategies to get it done. We know that through solutions like "housing first" – an evi-

This weekly column features opposing views from readers. These opinions are contrary to those expressed on this page or which otherwise take issue with something that appears in The Herald. All commentaries submitted become the property of The Herald and may be republished in any format.

dence-based strategy to get our veterans into permanent housing before tackling issues like mental health, substance abuse or employment – we can not only do right by our veterans but also save taxpayer money. Quite simply, it's cheaper to pay someone's rent than to pay for hospital bills, law enforcement and so many other services if they're living on the street.

By employing that strategy, even in the midst of a historic recession, we've seen tremendous progress. Since 2008, we've housed more than 73,000 veterans through the HUD-VASH program, which provides housing vouchers to help homeless veterans pay for permanent, stable housing. And last year alone, under a program called Supportive Services for Veteran Families, we kept more than 60,000 veterans and their family members from falling into homelessness. Next year, we expect that number to grow to over 100,000.

But we know that this problem can't be solved by Washington alone. It takes local leaders to implement community-wide plans. It takes advocates and service providers who know our veterans by name and can connect them with the services and support that they need. And it takes folks from all across the country making their voices heard and dedicating their time and energy to help these veterans find a place to call home.

So if your mayor hasn't signed on to the mayors challenge, light up their phone lines and ask them why not. If you've got a free minute, contact a local organization in your neighborhood and ask when you can volunteer or where you can donate.

Our veterans have given so much to this country – time and again, with their service and sacrifice, they've shown us who they are. Now it's up to the rest of us to show who we are. It's up to us to show these veterans we've got their backs and end veteran homelessness once and for all.