

Exhibit 1  
1 of 2

PLEASE RETAIN THIS RECEIPT FOR INCOME TAX PURPOSES.

TAXES FOR THE YEAR ENDING  
DEC 31, 2008

TAX DIST.  
110

TAX YEAR  
2008

MILLAGE (ALL TAXING AUTHORITY)  
319.4

RECEIPT NO.  
08 050119

AMOUNT OF TAX PAYMENT INCLUDING PENALTY AND/OR INTEREST  
93.

DESCRIPTION OF VEHICLE					NUMBER MONTH	ASSESSMENT
YEAR	MAKE	BODY STYLE	MODEL NO.	IDENTIFICATION NUMBER		

LAND		IMPROVEMENTS		TOTAL	ASSESSMENT	
ACRES	LOTS	APPRAISAL VALUE	NUMBER	APPRAISAL VALUE	APPRAISAL VALUE	
	1	3450	3	RESIDENTIAL 41523	44973	1799

MAP BLOCK PARCEL 90059-18-004	PROPERTY IDENTIFICATION DIXIE ST L 133
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FLORENCE CO  
TAX RECEIPT

TAX PAID  
15:22  
DECEMBER  
19 2008  
*Dean Fowler*  
DEAN FOWLER, JR.  
COUNTY TREASURER

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

NAMIAS JANEL

PO BOX 4741  
FLORENCE

SC  
295024116

T9

STATE VEHICLE REGISTRATION FEE PAID	
ROAD SYSTEM MAINTENANCE FEE PAID	
SOLID WASTE FEE PAID	
TOTAL PAID	93.
** TAX RELIEF	294

12/19/08

Date: Feb 04, 2012 Florence County Taxes Inquiry Time: 21:33

Map/Block/Parcel 90059 18  
004 Property Card File Year 2008 File

FLORENCE COUNTY TAX ASSESSOR  
Property Card Record for MBP: 90059-18-004 TAX YEAR: 2011 9/30/11 11:00:21 PAGE: 61820  
----- PROPERTY LOCATION Address -----  
NAME/ADDRESS ===

Number: 00803 Suffix:  
Street Name: DIXIE ST Street Suffix:  
City: State: Zip: 00000 0000  
District: 110 Land Class: RI RESIDENTIAL IMPROVED  
SC29540  
Legal Desc: DIXIE ST L 133

Land Characteristic Selections

Code	Description	Level
01	Topography	1
02	Street	1
03	Utilities	1
03	Utilities	2
03	Utilities	3
04	Fronting Traffic	3
05	Ownership	1
L A N D Lots: Regular Lot		
Eff Frontage: 50 Eff Depth: 122		

R E S I D E N T I A L MBP: 90059-18-004 BUILDING ID#: 001 SUFFIX#: 000  
Building Use Code: B209 RESIDENTIAL 1 FAMILY Age Erected: 1950 Grade: D Story Height: 1S  
1 STORY  
Bedrooms: 02 Full Bath: 1 Half Bath: 1 Fireplaces: Heating & Air Conditioning: 4 HTG & AC  
Total Living Area: 1,085 Exterior Wall Construction: F STUD FRAME 08 SF-MASONRY VENEER  
Ext.Feat.Code: 21 Description: OMP Area: 102  
OBY Code: 14 SHOP Size: (len, wid, ht) 16 22 AREA: 352  
OBY Code: 1 GARAGE Size: (len, wid, ht) 20 22 AREA: 440  
OBY Code: Size: (len, wid, ht) AREA: 440  
Improvement Cost with Additions: .00 Yard/Other Bldg Values: +NH#: 2N Total  
Buildings Value: 41,523.1

ARGUMENT

The lower court erred in accepting appellant's refusal to waive his right to counsel in the case when the record clearly established that he desired to proceed pro se at trial.

At trial, Janel Namias testified that she became involved with appellant in December, 2005, when they both lived in New Jersey. Namias stated that she and appellant moved to South Carolina in 2006 and that in July 2007, they bought a house in Florence and moved in together. Namias stated that in September 2007 when they started having money problems, she noticed a behavioral change in the defendant to the extent that he became aggressive and paranoid and began drinking more than usual.

Namias stated that on September 29, 2008, she and appellant exchanged cross words over the presence of a neighbor who was in their yard, and that during that conversation, appellant screamed at her, pushed her, and threatened to kill her. Afterwards, according to Namias' testimony, appellant continued to act strangely in that he could not sleep and kept thinking people were entering their house.

Namias then went on to state that on the evening of October 2, 2008, appellant took her car keys, cell phone, and pocketbook from her, and then pushed her on the bed and told her that she could not leave the house. Namias did not leave. Namias stated that on the morning of October 3, 2008, she was able to leave the home, and went to the police department to report the October 2, 2008 incident. Apparently, at some point on October 3, 2008, their home was demolished. The house was smashed and trashed so badly that it was no longer habitable. R. p. 99, line 12.

Appellant was arrested in connection with the damaged home on October 3, 2008, and then questioned by police on October 10, 2008. R. p. 288, line 1 – p. 289, line

QWA 00061DB17B from NC2K

FLRSL400

.QWA.00061DB17B.NC2K.20081021 09:02:29  
TO: FLRSL400-82231 20081021 09:02:29 00061DB17B  
FROM: NC2K-1945979 20081021 09:02:29  
1L01015B01160E2QWA  
SC021015A

\*\*\*MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.  
\*\*\*\*\*WARNING - THE FOLLOWING IS AN NCIC PROTECTION ORDER RECORD. DO NOT  
SEARCH, DETAIN, OR ARREST BASED SOLELY ON THIS RECORD. CONTACT ENTERING  
AGENCY TO CONFIRM STATUS AND TERMS OF PROTECTION ORDER\*\*\*\*\*

\*\*\*\*THE SUBJECT OF THIS RECORD IS PROHIBITED FROM RECEIVING OR POSSESSING  
A FIREARM UNDER FEDERAL LAW (TITLE 18, U.S.C., SECTION 922)\*\*\*\*

MKE/PROTECTION ORDER - CAUTION  
ARMED AND DANGEROUS

ORI/SC0210000 NAM/FLOWERS, CARMICHAEL SEX/M RAC/B DOB/19550212  
HGT/600 WGT/250 EYE/BRO HAI/BLK  
SOC/227786097

OLN/0101863090 OLS/SC OLY/2018

PNO/2008DR211858 BRD/Y ISD/20081007 EXP/20091007

PPN/NAMIAS, JANEL PSX/F PPR/W PPB/19661103 PSN/251553786

PCO/01 - THE SUBJECT IS RESTRAINED FROM ASSAULTING, THREATENING, ABUSING,  
PCO/HARASSING, FOLLOWING, INTERFERING, OR STALKING THE PROTECTED PERSON AND/OR  
PCO/THE CHILD OF THE PROTECTED PERSON.

OCA/2008DR211858

MIS/CAUTION WEAPON INVOLVED WEAPON PRESENT ON RESPONDENTS PROPERTY RESPONDENT  
MIS/HAS ACCESS TO WEAPONS PETITIONER IS AWARDED POSSESSION OF RESIDENCE LOCATED  
MIS/AT 803 DIXIE ST IN FLORENCE SC *Lockhart removed*  
DNA/N

ORI IS FLORENCE CO SO FLORENCE 843 669-3911

PCO/03 - PROTECTED PERSON IS GRANTED EXCLUSIVE POSSESSION OF THE RESIDENCE OR  
PCO/HOUSEHOLD.

PCO/04 - THE SUBJECT IS REQUIRED TO STAY AWAY FROM THE RESIDENCE, PROPERTY,  
PCO/SCHOOL, OR PLACE OF EMPLOYMENT OF THE PROTECTED PERSON OR OTHER FAMILY OR  
PCO/HOUSEHOLD MEMBER.

PCO/05 - THE SUBJECT IS RESTRAINED FROM MAKING ANY COMMUNICATION WITH THE  
PCO/PROTECTED PERSON INCLUDING BUT NOT LIMITED TO, PERSONAL, WRITTEN, OR  
PCO/TELEPHONE CONTACT, OR THEIR EMPLOYERS, EMPLOYEES OR FELLOW WORKERS, OR  
PCO/OTHERS WITH WHOM THE COMMUNICATION WOULD BE LIKELY TO CAUSE ANNOYANCE OR  
PCO/ALARM THE VICTIM.

PCO/08 - SEE THE MISCELLANEOUS FIELD FOR COMMENTS REGARDING THE TERMS AND  
PCO/CONDITIONS OF THE ORDER.

NIC/H582145761 DTE/20081008 1642 EDT

NO NCIC WANT FBI/68689N9

Exhibit # 2

Exhibit # 3

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

Janel Namias  
Petitioner

vs.

Carmichael Flowers  
Respondent

IN THE FAMILY COURT  
TWELTH JUDICIAL CIRCUIT

**FAMILY COURT ORDER  
PROTECTION FROM DOMESTIC ABUSE ACT**  
(For Use By Family Court Judges)

FILE NO. 2008-DR-21-1858  
Judge: George M. McFaddin  
Attorney for Petitioner: Elizabeth Capers Hart  
Attorney for Respondent: Pro Se  
Court Reporter: Priscilla Molewski

**PETITIONER IDENTIFIERS**

11-3-66  
Date of Birth of Petitioner

And/or on behalf of minor family member(s) or other  
Protected persons: (list name and DOB)

**RESPONDENT IDENTIFIERS**

SEX *	RACE *	DOB*
M	AA	2-12-55
EYES	HAIR	SOCIAL SECURITY #
		227-78-6097
DRIVERS LICENSE #		STATE

Relationship to Petitioner:

Respondent's Address

\*Indicates required information for entry into NCIC

**CAUTION:**

- Weapon Involved
- Weapon Present on Respondent's Property
- Access to weapons

**THE COURT HEREBY FINDS:**

That it has jurisdiction over the parties and subject matter,  
Respondent has been provided with reasonable notice and opportunity to be heard.  
Additional findings of this order are as set forth below.

**THE COURT HEREBY ORDERS:**

- That the above named Respondent be restrained from committing further acts of abuse or threats of abuse.
- That the above named Respondent be restrained from any contact with the Petitioner/Plaintiff as set forth on the attached pages.

The terms of the this order shall be effective until October 7, 2009

**WARNINGS TO RESPONDENT;**

This order shall be enforced in any county of South Carolina and by the courts of any state, District of Columbia, any U. S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

State and federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922).

Only the Court can change this order.

For Additional Information Call:

(843) 665-2121 Sheriff

(843) 665-3096

Clerk of Court

Phone Number

Phone Number

Exhibit #5

B. Section 16-11-520(B) of the 1976 Code is amended to read:

"(B) A person who violates the provisions of this section is guilty of a:

- (1) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the injury to the property or the property loss is worth ten thousand dollars or more;
- (2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the injury to the property or the property loss is worth more than two thousand dollars but less than ten thousand dollars;
- (3) misdemeanor triable in magistrates court or municipal court, notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, if the injury to the property or the property loss is worth two thousand dollars or less. Upon conviction, the person must be fined not more than one thousand dollars, or imprisoned not more than thirty days, or both."

C. Section 16-11-523(C) of the 1976 Code, as added by Act 260 of 2008, is amended to read:

"(C) A person who violates the provisions of this section is guilty of a:

- (1) misdemeanor under the jurisdiction of magistrates or municipal court, notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both, if the direct injury to the property, the amount of loss in value to the property, the amount of repairs necessary to return the property to its condition before the act, or the property loss, including fixtures or improvements, is two thousand dollars or less;
- (2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the direct injury to the property, the amount of loss in value to the property, the amount of repairs necessary to return the property to its condition before the act, or the property loss, including fixtures or improvements, is more than two thousand dollars but less than ten thousand dollars;  
or
- (3) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the direct injury to the property, the amount of loss in value to the property, the amount of repairs necessary to return the property to its condition before the act, or the property loss, including fixtures or improvements, is ten thousand dollars or more."

D. Section 16-13-10(B) of the 1976 Code is amended to read:

"(B) A person who violates the provisions of this section is guilty of a:

- (1) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the amount of the forgery is ten thousand dollars or more;
- (2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the amount of the forgery is less than ten thousand dollars.

(C) If the forgery does not involve a dollar amount, the person is guilty of a misdemeanor under the