IN THE STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED
NOV - 6 2015
S.C. Supreme Court

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Opinion No.: 2015-UP-333 (S.C. Ct. App. filed July 1, 2015)

Jennifer D. Bowzard, ... Petitioner,

-v-

Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office, ... Respondent.

APPENDIX

Sandra J. Senn, Esquire
Robin Jackson, Esquire
Senn Legal, LLC
3 Wesley Drive
Post Office Box 12279
Charleston, SC 29422
Phone: (843) 556-4045
Attorneys for Respondents

Lawrence C. Kobrovsky
123 Meeting Street
Charleston, SC 29401
Phone: (843) 853-3703

-And-

John E. Parker
William F. Barnes, III
PETERS, MURDUAGH, PARKER,
ELTZROTH, & DETRICK, P.A.
101 Mulberry Street, East
Post Office Box 457
Hampton, SC 29924
Phone: (803) 943-2111
Attorneys for Petitioner

INDEX TO APPENDIX

Appendix

Record on Appeal.....1

Court of Appeals Order re Non-Paper Exhibit.....400

Appellant's Final Brief.....402

Respondents' Final Brief.....443

Court of Appeals Opinion.....469

Petition for Rehearing.....475

Order Denying Petition for Rehearing.....482

INDEX

ORDERS

1. Order Granting Defendant's Motion for Summary Judgment dated June 13, 2013.....5

PLEADINGS

2. Summons and Complaint action filed April 30, 2012.....11

3. Defendants Answer to Complaint dated September 21, 2012.....16

4. Defendants Motion for Summary Judgment dated February 20, 2013.....20

5. Defendants Amended Motion for Summary Judgment dated April 15, 2013.....22

6. Defendants' Memorandum in Opposition to Summary Judgment Motion.....24

TRANSCRIPT

7. Motions Hearing Transcript from April 16, 2013.....38

Argument of Robin Jackson.....39
Argument of John E. Parker.....47
Argument of Robin Jackson.....51
Argument of John E. Parker.....52
Argument of Robin Jackson.....70
Argument of John E. Parker.....73
Argument of Robin Jackson.....74
Argument of John E. Parker.....75

8. Exhibits Submitted in Opposition to Respondent's Summary Judgment Motion.....77

Exhibit 1 - Criminal Domestic Violence – Berkeley County Sheriff's Incident Report, 05/14/11.....77

Exhibit 2 - Criminal Domestic Violence – Berkeley County Sheriff's Incident Report, 06/25/11.....79

Exhibit 3 - Criminal Domestic Violence – Berkeley County Sheriff's Incident Report, 07/02/11.....82

Exhibit 4 - Intimidation – Berkeley County Sheriff's Incident Report, 07/18/11.....87

Exhibit 5 - Criminal Domestic Violence, High and Aggravated Nature, Failure to Stop for Blue Light – Berkeley County Sheriff, 07/26/11.....90

Exhibit 6 - Photograph of Jennifer Bowzard.....94

Exhibit 7 - Arrest Warrant – Berkeley County Sheriff's Office for James Allen Sanders, CDVHA, 07/27/11.....95

Exhibit 8 - Victim Notification Information – Berkeley County Sheriff's Office, 07/26/11.....97

Exhibit 9 - Report – Berkeley County Sheriff's Office, 07/27/11.....99

Exhibit 10 - Commitment of James Allen Sanders to Berkeley Detention Center, 07/27/11.....100

Exhibit 11 - Notice of S16-25-125.....101

Exhibit 12 - Sheriff Wayne Dewitt's Information Sheet, 07/29/11.....102

Exhibit 13 - Sheriff's Office Narrative James Allen Sanders Trying to Escape.....103

Exhibit 14 - Order of Family Court Restraining James Allen Sanders, 08/02/11- Copy sent to Berkeley County Sheriff's Office.....104

Exhibit 15 - Notice from Sheriff that James Allen Sanders Released from Jail, 08/03/11.....108

Exhibit 16 - Violation of Court Order, Incident Report, 08/05/11.....109

Exhibit 17 - Statement of Jennifer Bowzard to the Berkeley County Sheriff, 08/15/11.....110

Exhibit 18 - Hearing Notice, Violation of Court Order, 10/10/11 for Hearing on January 26, 2012.....111

Exhibit 19 - Notice of Rule to Show Cause for November 29, 2011.....112

Exhibit 20 - Petition for Contempt for Sanders Sending Letters from Jail, 10/31/11.....113

Exhibit 21 - Rule to Show Cause, Contempt.....116

Exhibit 22 - Escape Warrant.....117

Exhibit 23 - Affidavit of Richard Dixon with Attachment of Sheriff's Office Investigation.....118

Exhibit 24 - Search Warrant – Jennifer Bowzard in Protective Custody.....130

Exhibit 25 - Sheriff's Record Showing Sanders' Escape from Jail While Being Held for Violation of a Court Order.....132

Exhibit 26 - Escape Booking and Incident Report.....135

Exhibit 27 - MUSC Records on Jennifer Bowzard's Hospitalization, 04/13/12.....143

Exhibit 28 - Berkeley County Website Charges.....148

Exhibit 29 - Videotape of Escape.....149

OTHER MATERIALS

9. Affidavit of Lt. Kris Jacumin.....150

10. Jail File of James Sanders.....152

11. Victim's Services Form showing GPS monitor.....302

12. Bail Proceeding Form, July 27, 2011.....303

13. Victim's Services Form showing monitor placed August 1, 2011.....304

14. Summary Court Discharge.....305

15. Sheriff's Office Investigation.....307

16. Letter from Rick Hendrick Toyota, February 3, 2012.....387

17. Invoice from Holiday Inn for January 26, 2012 through January 31, 2012.....388

18. Copy of check from Sheriff DeWitt, April 19, 2012.....390

19. Letter of June 26, 2013 from Barnes to Court Reporter Garrison requesting complete transcript.....391

20. Letter of June 24, 2013 from Barnes to Clerk of Court Brown filing copy of Notice of Appeal.....392

21. Letter of June 26, 2013 from Barnes to Clerk, SC Court of Appeals filing Notice of Appeal.....395

22. Letter of July 16, 2013 from Barnes to Clerk, SC Court of Appeals – advising transcript received.....397

23. Certificate of Appellate.....398

STATE OF SOUTH CAROLINA	IN THE COURT OF COMMON PLEAS
COUNTY OF BERKELEY	CASE NO.: 2012-CP-08-1283
Jennifer D. Bowzard, Plaintiff, v. Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Defendants.	**ORDER**

FILED
2013 JUN 12 PM 4:05
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, SC

This matter came before the court on April 16, 2013, on the motion for summary judgment of the defendants Sheriff Wayne Dewitt and Berkeley County Sheriff's Office. The plaintiff was represented by Johnny Parker and the defendants were represented by Robin Jackson. The defendants moved for summary judgment on the basis of South Carolina Tort Claims Act Immunity. Counsel for both sides submitted memoranda of law, affidavits and supporting documentation for their arguments. The court has considered all of these. For the following reasons, the court grants the motion for summary judgment.

FACTS

The court finds that the following facts are undisputed:

On July 26, 2011, James Sanders was arrested for criminal domestic violence of a high and aggravated nature (hereafter "CDVHAN") as a result of assaulting the plaintiff, Jennifer Bowzard. He was then placed in the Hill-Finklea Detention Center (hereinafter "Detention Center"), which is operated by and under the jurisdiction of the Defendants, Sheriff Wayne Dewitt and the Berkeley County Sheriff's Department. On July 30, 2011, Mr. Sanders was released from the Detention

Rm 9/1/1

Center under a $40,000.00 surety bond. The conditions of the bond included requirements for Mr. Sanders to be on good behavior, to wear an ankle bracelet, and to be on house arrest. However, after his release, he continued to have contact with Ms. Bowzard.

On August 2, 2011, the Family Court of Berkeley County issued a restraining order, proscribing Mr. Sanders from having any contact with Ms. Bowzard. On August 19, 2011, Mr. Sanders was arrested for violating the August 2, court order, and returned to the Detention Center. There, he continued to violate the restraining order by contacting Ms. Bowzard by telephone. Ms. Bowzard did not seek to block her phone number or to restrict access to it by callers from the Detention Center. She did, however, report some of these contacts to the Berkeley County Sheriff's Office.

On October 13, 2011, the original surety bond for Mr. Sanders' CDVHAN charge was revoked while he was locked up at the detention center. On January 26, 2012, Mr. Sanders went before the family court and the court sentenced him to time served for violating the family court order. If that had been the only reason for his imprisonment, he would have been released on January 26, 2012. However, because the criminal bond had been revoked, Sanders was not eligible for release. Upon his return from court on the 26th, he was only being held on the criminal charges. The criminal charges were being verified when Sanders managed to slip his hand out of the handcuff holding him to the bench in the booking area. He hid the hand until an employee opened a door to the outside. Then he jumped up, followed her outside, and escaped custody. Ms. Bowzard was immediately notified of this and was promptly taken into protective custody. She was never contacted or harmed by Mr. Sanders during the time she was in protective custody, nor was she contacted or harmed by Mr. Sanders after she declined further protective custody. Mr. Sanders was captured on March 1, 2012, in Myrtle Beach, South Carolina.

RMOTT/2

LAW

Plaintiff alleges that Defendants were grossly negligent. Plaintiff alleges several ways in which Defendants' actions both violated a duty owed to Plaintiff and proximately caused Plaintiff's damages. (Pl. Compl., p. 3, l. 15). Defendants have raised the affirmative defense of immunity pursuant to the Tort Claims Act. It is undisputed that Defendants' actions were committed by state employees within the course and scope of their employment. Defendants are therefore immune from liability under the South Carolina Tort Claims Act, S.C. Code §§ 15-78-60(3), (4), (5), (6), (20) and (21). The South Carolina Tort Claims Act provides specific, enumerated exceptions limiting the liability of the state and its political subdivisions in certain circumstances. *See* S.C. Code § 15-78-60 et seq. (2005); *Wells v. City of Lynchburg*, 331 S.C. 296, 302, 501 S.E. 2d 746 (Ct.App.1998).

a. Defendants are not liable for injury resulting from Mr. Sanders' phone calls from the Detention Center to Plaintiff

The Plaintiff has alleged that, by allowing Mr. Sanders to contact her from jail, in violation of a court order, Defendants are liable for her injuries. (Pl. Compl., p. 3, l. 15(a) - (c)). Under S.C. Code § 15-78-60(3), Defendants are not liable for any loss resulting from "execution, enforcement, or implementation of the orders of any court". Defendants are also immune from liability under § 15-78-60(6), as they are not required to provide police protection to Plaintiff. Further, Defendants are not liable for the criminal acts of third persons. S.C. Code § 15-78-60(20). By violating the court order prohibiting his harassing phone calls, Mr. Sanders was engaging in a criminal act. It was this act that caused Plaintiff's injury, if she suffered one.

Moreover, Plaintiff only alleges in her complaint that she suffered her injuries after Mr.

Rm 07/13

Sanders' escape. (Pl. Compl., p. 3, l. 12). Thus, Mr. Sanders' phone calls to her from the Detention Center, occurring before his escape, could not have been a proximate cause for this alleged injury. Further, these calls would have necessarily indicated that they were coming from an incarcerated person who therefore could not pose a physical threat. The Plaintiff had the option to refuse or to block these calls. She did neither. To the contrary, she talked to Sanders multiple times for the full 15 minutes that inmate calls were permitted and spoke with him every time he called her, in violation of her own restraining order.

b. Defendants are not liable for injury resulting from the escape of Mr. Sanders from the Detention Center

The Plaintiff has alleged that, by failing to comply with certain policies and procedures regarding Detention Center operation, and by allowing the escape of Mr. Sanders, Defendants have caused her injury. Defendants are immune from liability flowing from these actions for several reasons. First, Plaintiff's alleged injuries were caused by Mr. Sanders' escape. S.C. Code § 24-3-50 specifies that "the wilful failure of a prisoner to remain within the extended limits of his confinement as authorized by § 24-3-20(b), or to return within the time prescribed to the designated place of confinement, including a local facility, is an escape and is punishable as provided in § 24-13-410." Thus, by failing to remain in the Detention Center as originally ordered, Mr. Sanders committed a criminal act. See § 15-78-60(20) (granting immunity from liability arising from criminal acts of third parties). Even if Mr. Sanders' escape were not a criminal act, Defendants would still have immunity under § 15-78-60(21). This section holds that the Defendants are not liable for injury stemming from "the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity, including but not limited to a prisoner, inmate, juvenile, patient,

PMDTF/4

or client or the escape of these persons" (emphasis added). While it was regrettable that Mr. Sanders was able to escape, Defendants immediately notified Ms. Bowzard and took her into protective custody, thereby ensuring her safety. (Pl. Compl. p. 2, l. 11). Mr. Sanders never even attempted to contact her while he was out.

c. **Defendants are not liable for Plaintiff's injuries allegedly arising out of violations of either § 23-15-50 or § 23-17-70**

Though Plaintiff argues that defendants are liable for the escape of an inmate being held in a civil action, it is clear from the evidence, that at the time of his escape, Sanders was only being held on criminal charges. The court therefore finds that S.C. Code § 23-15-50 or S.C. Code § 23-17-70, are not applicable to this matter. The South Carolina Supreme Court has held that S.C. Code § 23-17-70 does not create liability when the prisoner is being held on criminal charges. *See Washington v. Lexington County Jail*, 337 S.C. 400, 523 S.E.2d 204 (1999). "When read in conjunction with section 23-17-60, it is clear that recovery under section 23-17-70 is authorized for damages suffered when a prisoner escapes the sheriff's custody after the prisoner has been committed to custody of the sheriff in a civil action and not in a criminal action." *Id.* at 407, 523 S.E.2d at 207. As Mr. Sanders was in the Detention Center because of a criminal domestic violence charge, § 23-17-70 cannot apply to his escape and the defendants are entitled to immunity pursuant to § 15-78-60(4) and (5).

RMDT/5

CONCLUSION

The court hereby finds that the Defendants are immune from liability pursuant to the South Carolina Tort Claims Act. Therefore, the defendants are entitled to summary judgment on all causes of action.

Honorable R. Markley Dennis, Jr.

June 13, 2013

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF BERKELEY	)	CIVIL ACTION NO.: 2012-CP-08-1283
	)	
JENNIFER D. BOWZARD,	)	
	)	
Plaintiff,	)	
	)	SUMMONS
v.	)	*(Jury Trial Requested)*
	)	
SHERIFF WAYNE DEWITT and BERKELEY COUNTY SHERIFF'S OFFICE,	)	
	)	
Defendants,	)	
	)	

FILED
2012 APR 30 PM 3:52
CLERK OF COURT
BERKELEY COUNTY, SC

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at P.O. Box 457, Hampton, SC 29924, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

BY: _____

John E. Parker
101 Mulberry Street, East
P.O. Box 457
Hampton, SC 29924
Phone: 803-943-2111
Fax: 803-914-2014
jparker@pmped.com
ATTORNEYS FOR PLAINTIFF

April 26, 2012
Hampton, South Carolina

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF BERKELEY	)	CIVIL ACTION NO.: 2012-CP-08- 1283
	)	
JENNIFER D. BOWZARD,	)	
	)	
Plaintiff,	)	
	)	**COMPLAINT**
v.	)	*(Jury Trial Requested)*
	)	
SHERIFF WAYNE DEWITT and BERKELEY COUNTY SHERIFF'S OFFICE,	)	
	)	
Defendants.	)	

FILED
2012 APR 30 PM 3:
CLERK OF COURT
BERKELEY COUNTY, S.C.

The Plaintiff alleges:

1. The defendant is the duly elected Sheriff of Berkeley County and as such is responsible for and operates the Hill-Finklea Detention Center in Berkeley County pursuant to § 24-5-10, South Carolina Code (1976).

2. Venue of this matter is proper in Berkeley County.

3. On July 26, 2011, James A. Sanders, Jr. was arrested for criminal domestic violence of a high and aggravated nature as a result of physically assaulting Jennifer Bowzard and fracturing her eye socket and breaking her nose which required stitches. She also suffered injuries to her foot. He also threatened to kill her and said "You are going to die." Mr. Sanders attempted to evade the arresting officers and he was placed in the Hill-Finklea Detention Center which is operated by and under the jurisdiction of the defendants. He was booked and a hold was placed on him for those charges and for a warrant which had been issued for Mr. Sanders for a criminal domestic violence assault by Mr. Sanders on Ms. Bowzard at her place of employment in North Charleston. This warrant was issued by the North Charleston Police Department.

4. On July 30, 2011, Mr. Sanders was released from the Hill-Finklea Detention Center under

a $40,000.00 surety bond. As one of the conditions of the bond, he was required to be on good behavior and wear an ankle bracelet and was on house arrest. After Mr. Sanders was released, he continued to threaten the plaintiff.

5. On August 2, 2011, the Family Court of Berkeley County issued an order restraining Mr. Sanders from having any contact with Ms. Bowzard. The Court found that Mr. Sanders presented a credible threat to Ms. Bowzard.

6. On August 19, 2011, James Sanders was arrested for violating the August 2, 2011 court order and again detained at the Hill-Finklea Detention Center.

7. Even though the Court ordered Mr. Sanders to not have any contact with Ms. Bowzard, Mr. Sanders continued to threaten her and he told her he was going to kill her. Ms. Bowzard reported these threats to the Berkeley County Sheriff's Office. She told the Berkeley County Sheriff's Office that she feared for her life.

8. After August 19, 2011, Mr. Sanders was allowed by the employees of Hill-Finklea to continue to contact Ms. Bowzard in violation of the court's order. Ms. Bowzard notified the Sheriff's Office of the continued harassment, but the harassment by Mr. Sanders from inside the jail continued.

9. On October 13, 2011, the bond on the charges against Mr. Sanders for criminal domestic violence of a high and aggravated nature was revoked.

10. On January 26, 2012, employees of the Hill-Finklea Detention Center in a grossly negligent manner released Mr. Sanders, even though there were pending charges which required his detention and even though the employees were notified he was not to be released.

11. Shortly after the employees released Mr. Sanders, they realized that they had released him in error. Ms. Bowzard was notified of his release and she was taken into protective custody because of the threats against her life.

12. After Mr. Sanders' release, Ms. Bowzard suffered extreme fear and mental anguish which resulted in her having medical care to cope with this fear and mental anguish caused by Mr. Sanders' being released.

13. Mr. Sanders was reported to have been seen several times in the Charleston area after his release and this added to Ms. Bowzard's fear and mental anguish.

14. On March 1, 2012, Mr. Sanders was captured in Myrtle Beach, South Carolina. While in Myrtle Beach, he had lived at the Grand Strand Hospital while posing as the brother of a comatose patient.

15. The employees of the Berkeley County Sheriff's Office were grossly negligent and proximately caused the plaintiff's injuries in the following ways:

a) In allowing James Sanders to contact Ms. Bowzard from jail in violation of the court's order;

b) In failing to prevent James Sanders from contacting Ms. Bowzard from jail after notice of the harassment;

c) In releasing James Sanders from confinement when the file on James Sanders clearly showed he was not eligible to be released;

d) In failing to follow the policies and established procedures for the release of detainees at the Detention Center;

e) In failing to read the file on James Sanders before releasing him;

f) In failing to timely act on the notification that he was not to be released;

g) In allowing Mr. Sanders to leave the detention center through the wrong door;

h) In violating § 23-15-50, South Carolina Code (1976); and

i) In violating § 23-17-70, South Carolina Code (1976).

16. By reason of the grossly negligent conduct of the defendants, plaintiff suffered serious and severe mental anguish, incurred medical expenses, and lost income from her employment.

WHEREFORE, plaintiff prays judgment against the defendants for actual damages and the cost of this action.

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

BY: _____

John E. Parker
101 Mulberry Street, East
P.O. Box 457
Hampton, SC 29924
Phone: 803-943-2111
Fax: 803-914-2014
jparker@pmped.com

ATTORNEYS FOR PLAINTIFF

April 26, 2012
Hampton, SC

STATE OF SOUTH CAROLINA COUNTY OF BERKELEY Jennifer D. Bowzard, Plaintiff, v. Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Defendants.	IN THE COURT OF COMMON PLEAS CASE NO.: 2012-CP-08-1283 **ANSWER** **(Jury Trial Demanded)**

Come now the defendants, above named, and hereby answer the plaintiff's complaint as follows:

FOR A FIRST DEFENSE
(Qualified General Denial)

All specially not admitted herein should be deemed denied.

1. Admit except that which calls for legal conclusions requiring no response.

2. Admit.

3. Admit that James Sanders was arrested for CDV as well as other charges after allegedly harming the plaintiff. Admit further that there was a hold placed on Sanders by the North Charleston Police Department. The remainder is not within the knowledge of the answering defendants.

4. Upon information and belief, admit.

5. Admit.

6. Admit.

7. Upon information and belief, admit.

8. Deny as stated.

9. Admit.

10. Deny as stated and strict proof is demanded thereof. Further, Sanders was no longer on hold by the family court order when he escaped custody, but rather he was being held on the CDV as well as other criminal charges, not civil charges.

11. Deny as stated. Mr. Sanders escaped custody. However, admit that Ms. Bowzard was notified that Mr. Sanders had escaped and she was immediately taken into protective custody.

12. Lack knowledge or information and it is therefore denied.

13. Lack knowledge or information as to Ms. Bowzard's fear, however, Ms. Bowzard was at all times protected by law enforcement and kept in a safe house so that Mr. Sanders could not harm her, even if he had attempted to harm her (which he did not).

14. Upon information and belief, admit.

15. Deny including subparts.

16. Deny.

FOR A SECOND DEFENSE
(Intervening and Superseding Negligence)
(Third-Party Defense)

17. That if the defendants were negligent, which is specifically denied, the injuries and damages sustained by the plaintiff, if any, were due to and caused by and were the direct and proximate result of the intervening and superseding and criminal acts or omissions by James Sanders for which these defendants are not liable.

FOR A THIRD DEFENSE
(Qualified Immunity/State Law)

18. The actions/inactions and conduct of the defendants, to the extent they actually occurred, were objectively reasonable under the circumstances of which they were aware. Their actions did

not violate any clearly established constitutional, federal or state statutory right of which a reasonable official should have known, and they are entitled to qualified immunity therefore.

FOR A FOURTH DEFENSE
(Sole Negligence/Comparative Negligence)

19. Defendants assert that the plaintiff is solely negligent for her suffering and injuries or in the alternative is comparatively negligent.

FOR A FIFTH DEFENSE
(Rules 8 and 12)

20. Plaintiff has failed to state a cause of action for which relief can be granted. Further, this Complaint should be dismissed for all applicable reasons in accordance with Rule 12 and Rule 8 of the South Carolina Rules of Civil Procedure.

FOR A SIXTH DEFENSE
(Sovereign Immunity - Tort Claims Act)

21 As to any violation of common law or state law, the defendants assert the provisions of the South Carolina Tort Claims Act, S.C. Code Ann. §15-78-60(3); §15-78-60(20); §15-78-60(21); §15-78-120(a)(1); §15-78-120(b) and §15-78-200.

FOR A SEVENTH DEFENSE
(Public Duty Doctrine)

22. There is no statute, nor any reason to subject the defendant(s) to liability as there was no duty of due care owed to the plaintiff as any duty was owed to the public at large and not to any individual.

FOR AN EIGHTH DEFENSE
(Intervening and Superseding Negligence)

23. That if the defendants were negligent, which is specifically denied, the injuries and damages sustained by the plaintiff, if any, were due to and caused by and were the direct and proximate result of the intervening and superseding acts or omissions for which these defendants are not liable.

Wherefore, having fully answered the Complaint, the Defendant hereby prays that the Complaint be dismissed with prejudice; that plaintiff be responsible for all costs and fees associated with defending this action; and for all such further relief as this court deems just and proper. In addition, the defendant reserves the right to amend to allege additional affirmative defenses or other defenses as they become known throughout the course of discovery.

SANDRA J. SENN
Senn Legal, LLC
P.O. Box 12279
Charleston, SC 29422
843-556-4045
Attorney for Defendants

September 21, 2012

Charleston, South Carolina

CERTIFICATE OF MAILING
I hereby certify that I have mailed a copy of the above and foregoing to counsel of record in said proceeding to his/her office address with sufficient postage affixed hereto, this 21 day of September, 2012.

Melissa B. Kinard
Melissa B. Kinard

STATE OF SOUTH CAROLINA	IN THE COURT OF COMMON PLEAS
COUNTY OF BERKELEY	CASE NO.: 2012-CP-08-1283
Jennifer D. Bowzard, Plaintiff, v. Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Defendants.	**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Come now the Defendants Berkeley County Sheriff's Office (hereafter Sheriff's Office) and Sheriff DeWitt, pursuant to South Carolina Rules of Civil Procedure, Rule 56 and notify you that on the 10th day or as soon thereafter as possible, the defendants will move this Honorable Court for an Order granting them summary judgment. The grounds for this motion are as follows:

1. Plaintiff has presented no evidence that the Sheriff's Office violated the standard of care, and no evidence has been presented these defendants were negligent, grossly negligent, willful or wanton;
2. Plaintiff has presented no evidence that the defendants failed to properly provide for the safety of the plaintiff;
3. Plaintiff has presented no evidence that the Sheriff's Office failed to act as a reasonable entity;
4. Defendants are immune from liability under the South Carolina Tort Claims Act, S.C. Code §§ 15-78-60(3), (5), (6), (20) and (21);

5. There is no liability to the plaintiff based on the Public Duty Rule;

6. S.C. Code § 23-17-70 is not applicable to this action; and

7. Sanders committed a criminal act, for which the Sheriff's Office is not responsible.

This motion will be more fully supported by the record, affidavits and depositions transcripts which may be submitted and a memorandum to be submitted.

Respectfully Submitted,

ROBIN L. JACKSON
Senn Legal, LLC
3 Wesley Drive
P.O. Box 12279
Charleston, SC 29422
843-556-4045
fax: 843-556-4046
Robin@SennLegal.com

Attorney for Sheriff DeWitt and the Berkeley County Sheriff's Office

February 20, 2013

STATE OF SOUTH CAROLINA COUNTY OF BERKELEY Jennifer D. Bowzard, Plaintiff, v. Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Defendants.	IN THE COURT OF COMMON PLEAS CASE NO.: 2012-CP-08-1283 **DEFENDANTS' AMENDED MOTION FOR SUMMARY JUDGMENT**

Come now the Defendants Berkeley County Sheriff's Office (hereafter Sheriff's Office) and Sheriff DeWitt, pursuant to South Carolina Rules of Civil Procedure, Rule 56 and notify you that on the 10th day or as soon thereafter as possible, the defendants will move this Honorable Court for an Order granting them summary judgment. The grounds for this motion are as follows:

1. Plaintiff has presented no evidence that the Sheriff's Office violated the standard of care, and no evidence has been presented these defendants were negligent, grossly negligent, willful or wanton;
2. Plaintiff has presented no evidence that the defendants failed to properly provide for the safety of the plaintiff;
3. Plaintiff has presented no evidence that the Sheriff's Office failed to act as a reasonable entity;
4. Defendants are immune from liability under the South Carolina Tort Claims Act, S.C. Code §§ 15-78-60(3), (4), (5), (6), (20) and (21);

5. There is no liability to the plaintiff based on the Public Duty Rule;

6. S.C. Code § 23-17-70 is not applicable to this action; and

7. Sanders committed a criminal act, for which the Sheriff's Office is not responsible.

This motion will be more fully supported by the record, affidavits and depositions transcripts which may be submitted and a memorandum to be submitted.

Respectfully Submitted,

ROBIN L. JACKSON
Senn Legal, LLC
3 Wesley Drive
P.O. Box 12279
Charleston, SC 29422
843-556-4045
fax: 843-556-4046
Robin@SennLegal.com

Attorney for Sheriff DeWitt and the Berkeley County Sheriff's Office

April 15, 2013

STATE OF SOUTH CAROLINA COUNTY OF BERKELEY Jennifer D. Bowzard, Plaintiff, v. Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Defendants.	IN THE COURT OF COMMON PLEAS CASE NO.: 2012-CP-08-1283 **DEFENDANTS' MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

OVERVIEW

On January 26, 2012, James A. Sanders, Jr., was in the booking area while staff double checked his documentation for release, when he slipped his hand out of the handcuff holding him to the bench, and followed an employee out the door. When the female employee tried to stop him, he pushed her to the ground and ran off. Ms. Bowzard was immediately notified of his escape and taken into protective custody. Having just escaped custody, Mr. Sanders fled, eventually making his way to Myrtle Beach, where he was captured on March 1, 2012. A Motion to Dismiss was filed and argued, but the plaintiff averred that her pleadings claimed that Mr. Sanders' detention was a civil detention and not criminal. However, despite the knowledge that indeed Sanders' civil charges were dismissed the morning of and prior to the plaintiff's escape, the plaintiff argued that the "pleadings" stated otherwise which then meant that the court would have to consider matters outside of the pleadings before an order could be issued dismissing the case.

This dispositive motion now follows supported by affidavits, and the defendants assert that this case is ready for adjudication at this time and without further discovery as discovery cannot change the law or the irrefutable fact that Mr. Sanders was held on criminal charges and that his acts

were criminal, not civil, in nature. Thus, the claim should properly end pursuant to the law *infra*.

STATEMENT OF THE FACTS

On July 26, 2011, James Sanders was arrested for criminal domestic violence of a high and aggravated nature as a result of assaulting Jennifer Bowzard (hereinafter "Plaintiff"). He was then placed in the Hill-Finklea Detention Center (hereinafter "Detention Center"), which is operated by and under the jurisdiction of the Defendants, Sheriff Wayne Dewitt and the Berkeley County Sheriff's Department.

On July 30, 2011, Mr. Sanders was released from the Detention Center under a $40,000.00 surety bond. The conditions of the bond included requirements for Mr. Sanders to be on good behavior, to wear an ankle bracelet, and to be on house arrest. However, after his release, he continued to have contact with the Plaintiff.

On August 2, 2011, the Family Court of Berkeley County issued a restraining order, proscribing Mr. Sanders from having any contact with Plaintiff. A week later, on August 19, 2011, Mr. Sanders was arrested for violating the August 2 court order, and returned to the Detention Center. There, he continued to violate the restraining order by contacting Plaintiff by telephone. Plaintiff did not seek to block her phone number or to restrict access to it by callers from the Detention Center. She did, however, report some of these contacts to the Berkeley County Sheriff's Office.

On October 13, 2011, the bond on Mr. Sanders was revoked. On January 26, 2012, Mr. Sanders went before the family court and the court sentenced him to time served for violating the family court order. If that had been his only reason for his imprisonment, he would have been released on January 26, 2012. However, because the criminal bond had been revoked, Sanders was

not eligible for release. Upon his return from court on the 26th, he was only being held on the criminal charges. The criminal charges were what was being checked when he managed to slip his hand out of the handcuff holding him to the bench in the booking area. He hid the hand until an employee opened a door to the outside. Then he jumped up, followed her outside, and escaped custody. Plaintiff was immediately notified of this and was promptly taken into protective custody. She was never contacted or harmed by Mr. Sanders during the time she was in protective custody, nor was she contacted or harmed by Mr. Sanders after she declined further protective custody.

Mr. Sanders was captured on March 1, 2012, in Myrtle Beach, South Carolina. On April 26, 2012, Plaintiff filed this suit.

LAW AND ARGUMENT

The Plaintiff's Complaint should be dismissed pursuant to Rules 56 and 12(b)(6), SCRCP, because it fails to state facts sufficient to constitute a cause of action.

Plaintiff alleges that Defendants were grossly negligent yet offers no facts in support of this claim. Far from gross negligence, Defendants' actions in placing Plaintiff in protective custody show their concern for her well-being and their desire to keep her from harm, as well as fully comply with their statutory duties owed to the public in general. Nor does Plaintiff offer any facts to show how any actions by Defendants that could have proximately caused her alleged injury. All Defendants' actions complained of were committed by state employees within the scope of their employment. Defendants are immune to liability under the South Carolina Tort Claims Act, S.C. Code §§ 15-78-60(3), (4), (5), (6), (20) and (21). Additionally, Defendants owe no statutorily created duty to Plaintiff separate from that owed to the general public. Thus, the Public Duty Rule also precludes Defendants' liability. Finally, no special circumstances exist that would serve to create a special duty

to Plaintiff.

Because Plaintiff has failed to show the existence of any affirmative duty owed to her individually by Defendants, she has failed to state facts sufficient to constitute a cause of action. Defendants respectfully request this Court to dismiss Plaintiff's claim with prejudice.

I. THE PLAINTIFF'S CLAIM MUST BE DISMISSED UNDER THE SOUTH CAROLINA TORT CLAIMS ACT.

The South Carolina Tort Claims Act providing specific, enumerated exceptions limiting the liability of the state and its political subdivisions in certain circumstances. *See* S.C. Code § 15-78-60 et seq. (2005); *Wells v. City of Lynchburg*, 331 S.C. 296, 302, 501 S.E. 2d 746 (Ct.App.1998). Plaintiff alleges several ways in which Defendants' actions both violated a duty owed to Plaintiff and proximately caused Plaintiff's damages. (Pl. Compl., p. 3, l. 15). However, Defendants owed no duty to Plaintiff, and raise the affirmative defense of immunity pursuant to the Tort Claims Act. As a result, Plaintiff has failed to state a claim for which relief can be granted, and thus this case must be dismissed pursuant to Rule 12(b)(6), SCRP.

a. Defendants are not liable for injury resulting from Mr. Sanders' phone calls from the Detention Center to Plaintiff

Plaintiff alleges that, by allowing Mr. Sanders to contact her from jail, in violation of a court order, Defendants are liable for her injuries. (Pl. Compl., p. 3, l. 15(a) - (c)). Under S.C. Code § 15-78-60(3), Defendants are not liable for any loss resulting from "execution, enforcement, or implementation of the orders of any court". Defendants are also immune from liability under § 15-78-60(6), as they are not required to provide police protection to Plaintiff. Further, Defendants are

not liable for the criminal acts of third persons. S.C. Code § 15-78-60(20). By violating the court order prohibiting his harassing phone calls, Mr. Sanders was engaging in a criminal act. It was this act that caused Plaintiff's injury.

Moreover, Plaintiff alleges in her complaint that she suffered her injuries after Mr. Sanders' escape. (Pl. Compl., p. 3, l. 12). Thus, Mr. Sanders' phone calls to her from the Detention Center, occurring before his escape, could not have been a proximate cause for this alleged injury. Further, these calls would have necessarily indicated that they were coming from an incarcerated person who therefore could not pose a physical threat. The Plaintiff also had the option to refuse or to block these calls. She did neither. To the contrary, she talked to him multiple times for the full 15 minutes that inmate calls were permitted and spoke with him every time he called her.

b. Defendants are not liable for injury resulting from the escape of Mr. Sanders from the Detention Center

Plaintiff alleges that, by failing to comply with certain policies and procedures regarding Detention Center operation, and by allowing the escape of Mr. Sanders, Defendants have caused her injury. However, Defendants are immune from liability flowing from these actions for several reasons. First, Plaintiff's alleged injuries were caused by Mr. Sanders' escape. S.C. Code § 24-3-50 specifies that "the wilful failure of a prisoner to remain within the extended limits of his confinement as authorized by § 24-3-20(b), or to return within the time prescribed to the designated place of confinement, including a local facility, is an escape and is punishable as provided in § 24-13-410." Thus, by failing to remain in the Detention Center as originally ordered, Mr. Sanders committed a criminal act. See § 15-78-60(20) (granting immunity from liability arising from criminal acts of third parties). Even if Mr. Sanders' escape were not a criminal act, Defendants would still have immunity

under § 15-78-60(21). This section holds that the Defendants are not liable for injury stemming from "the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity, including but not limited to a prisoner, inmate, juvenile, patient, or client or the escape of these persons" (emphasis added). While it was regrettable that Mr. Sanders was able to escape, Defendants do not owe Plaintiff any duty of care arising from these actions. Defendants did, however, notify Plaintiff immediately and take her into protective custody, thereby ensuring her safety. (Pl. Compl. p. 2, l. 11). Mr. Sanders never even attempted to contact her while he was out.

c. Defendants are not liable for Plaintiff's injuries allegedly arising out of violations of either § 23-15-50 or § 23-17-70

Defendants are not liable for injuries arising out of their duties under S.C. Code § 23-15-50[1] or S.C. Code § 23-17-70[2], and thus the Defendants are immune pursuant to § 15-78-60(4) and (5). In addition, the Supreme Court has held that S.C. Code § 23-17-70 does not create liability when the prisoner is being held on criminal charges. *See Washington v. Lexington County Jail*, 337 S.C. 400, 523 S.E.2d 204 (1999). "When read in conjunction with section 23-17-60, it is clear that recovery under section 23-17-70 is authorized for damages suffered when a prisoner escapes the sheriff's custody after the prisoner has been committed to custody of the sheriff in a civil action and not in

[1] "The sheriff or his deputy shall arrest all persons against whom process for that purpose shall issue from any competent authority commanding such person to be taken into custody or requiring him to give bond, with security. If the party so arrested, being entitled to bail, shall give it or shall give the bond with security required, such person shall be released; and if not, he shall be kept in custody until discharged from confinement according to law."

[2] "The sheriff shall be liable for the negligent escape of any prisoner on mesne or final process to such damages as the plaintiff may have sustained. The insolvency of the prisoner shall not mitigate the damages below the amount sufficient to carry costs."

a criminal action." *Id.* at 407, 523 S.E.2d at 207. As Mr. Sanders was in the Detention Center because of a criminal domestic violence charge, § 23-17-70 cannot apply to his escape.

2. THE PLAINTIFF'S CLAIMS MUST BE DISMISSED AS THE DEFENDANTS OWED NO DUTY TO HER INDIVIDUALLY

In order to establish liability in a negligence action, the plaintiff must show (1) a duty of care owed by the defendant to the plaintiff; (2) breach of that duty; and (3) damages resulting from the breach. *Arthurs v. Aiken*, 346 S.C. 97, 551 S.E.2d 579 (2001). The absence of any one of these three elements is fatal to the cause of action. *S.C. Ports Auth. v. Booz-Allen & Hamilton, Inc.*, 289 S.C. 373, 346 S.E.2d 324 (1986). There is no common law duty to control another's actions or to warn a third person or potential victim of danger. *See Faile v. S.C. Dep't of Juvenile Justice*, 350 S.C. 315, 334, 566 S.E.2d 536, 546 (2002). However, there are five exceptions to this rule: 1) where the defendant has a special relationship to the victim; 2) where the defendant has a special relationship to the injurer; 3) where the defendant voluntarily undertakes a duty; 4) where the defendant negligently or intentionally creates the risk; and 5) where a statute imposes a duty on the defendant. *Id.* Because Defendants owed Plaintiff no duty individually under a statute and because no "special circumstances" exist to create a special duty, Plaintiff has not stated a claim for which relief can be granted and this case must be dismissed pursuant to Rule 12(b)(6), SCRP.

a. Defendants owe no duty to Plaintiff individually because their statutory duties are owed to the public in general

The Defendants owed no duty to the Plaintiff individually. The negligence alleged in the Plaintiff's complaint all arises from Defendants' duties to the public in general, and thus cannot give rise to a private right of action. This lack of a duty owed to Plaintiff negates an essential element of

her cause of action, and thus her claim should be dismissed.

Under the public duty rule, a statutory duty that is owed by a governmental official to the general public does not create a private right of action. "The public duty rule is a rule of statutory construction which aids the court in determining whether the legislature intended to create a private right of action for a statute's breach." *Vaughan v. Town of Lyman*, 370 S.C. 436, 442, 635 S.E.2d 631, 634 (2006). This rule holds that public officials are generally not liable to individuals for their negligence in discharging public duties as the duty is owed to the public at large and not at anyone individually. *Id.* South Carolina originally adopted the Public Duty Rule in *Parker v. Brown*, 195 S.C. 35, 52, 10 S.E.2d 625, 632 (1940). The Supreme Court held that no right of action exists against a public officer for breach of a duty owed to the public only and that when the duty is owed to the public only, an officer is not liable to an individual who may have been incidentally injured by a failure to perform it. *Id.*

The Public Duty Rule is not absolute. An affirmative legal duty may be created by statute, contract relationship, status, property interest, or some other special circumstance. *Arthurs*, 346 S.C. at 103, 551 S.E.2d at 582. The Court of Appeals has articulated a six-part test for determining whether a statute creates a special duty to an individual member of the public:

> (1) an essential purpose of the statute is to protect against a particular kind of harm;
> (2) the statute, either directly or indirectly, imposes on a specific public officer a duty to guard against or not cause that harm;
> (3) the class of persons the statute intends to protect is identifiable before the fact;
> (4) the plaintiff is a person within the protected class;
> (5) the public officer knows or has reason to know of the likelihood of harm to members of the class if he fails to do his duty; and
> (6) the officer is given sufficient authority to act in the circumstances or he undertakes to act in the exercise of his office.

Rayfield v. S.C. Dep't of Corr., 297 S.C. 95, 106, 374 S.E.2d 910, 916 (Ct.App.1988). *See also Jensen v. Anderson County Dep't of Social Servs.*, 304 S.C. 195, 403 S.E.2d 615 (1991) (adopting the *Rayfield* six-step special duty analysis as an exception to the public duty rule).

Plaintiff alleges in her complaint that Defendant breached a duty owed to her individually. Plaintiff alleges no contract relationship, status, or property interest that could give rise to a duty. However, all of the actions cited as constituting this breach stem from official duties performed by State employees. Indeed, the operation of the Detention Center is closely regulated by statute, as are the methods by which Defendants are to contact victims of escaped prisoners. See § 24-1-10 et seq. (regulating Corrections, Jails, Probations, Paroles and Pardons), and §§ 16-3-1505 - 1565 (regulating Victim and Witness Services). These statutes are designed to provide administrative guidelines and duties, not to address any particular harm.

Defendants do owe a general duty to citizens in Plaintiff's position under the Victim Services section, yet Plaintiff's complaint does not mention a breach of duty arising from this section, nor could one plausibly be maintained. While this section does identify a particular class to be protected, the duty owed is still general. Defendants fully performed their protection and notification duties as specified by § 16-3-525(G)[3] and § 16-3-530(2)[4]. Moreover, the statute goes on to make clear that "[n]othing in this article creates a cause of action on behalf of a person against a public employee, public agency, the State, or an agency responsible for the enforcement of rights and provision of

---

[3] "[a] law enforcement agency must provide any measures necessary to protect the victims and witnesses, including transportation to and from court and physical protection in the courthouse."

[4] "a department or agency having custody or custodial supervision of a person accused of committing an offense involving one or more victims reasonably must attempt to notify each victim, upon request, of an escape by the person."

services set forth in this article." § 16-3-565(A). Thus, a plain reading of the language of this section cannot give rise to a private right of action against Defendants.

None of the statutes involving Defendants' duties in the operation of the Detention Center or in the Victim Services section create a "special duty" or a private right of action. Plaintiff's complaint alleges harm arising from Defendants' duties to the public in general, and are thus protected by the public duty rule. As Plaintiff has failed to allege any damage proximately caused by a breach of duty owed to her individually by Defendants, this case must be dismissed.

b. Defendants owed no common law duty to Plaintiff because there were no "special circumstances" sufficient to create a duty.

Absent a statutory duty, a common law duty can be created by "special circumstances." *Edwards v. Lexington Cty. Sheriff's Dept.*, 386 S.C. 285, 293-94, 688 S.E.2d 125, 130 (2010). In *Edwards*, the appellant was attacked by her ex-boyfriend at a magistrate court bond revocation hearing where no security was provided. *Id.* at 288, 688 S.E.2d at 127. Because the respondents well knew of the ex-boyfriend's violent tendencies towards the appellant, and because they required the appellant's presence and failed to provide adequate security, the Supreme Court held that special circumstances existed sufficient to impose a common law duty upon the respondents. *Id.* at 293, 688 S.E.2d at 130 (holding that the respondent's relationship to the attacker and their actions in creating the risk of harm were the special circumstances). The Supreme Court acknowledged that this exception was very limited and that it was based on the unique facts of the case. *See id. and Jones v. Lott*, 387 S.C. 339, 349, 692 S.E.2d 900, 905 (2010). In *Jones*, the Supreme Court held that law enforcement officers owed no special duty to a suspect in custody, and that the nature of that relationship was not sufficient to create a "special circumstance." *Id.* Further, the Supreme Court

held that, as the petitioner's injury arose from his attempted escape, the government entity was immune from suit pursuant to § 15-78-60(21). Id. (holding that the statute provides a governmental entity is not liable for a loss resulting from "the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity ... or the escape of these persons").

In this case, there were no "special circumstances" that would create a common law duty owed by Defendants to Plaintiff. The proximate cause of Plaintiff's alleged injuries was Mr. Sanders' criminal acts of escape and subsequent evasion of law enforcement. Distinguishable from *Edwards*, the Defendants had no indication of Mr. Sanders' propensity for escape. Further distinguishing from *Edwards*, Mr. Sanders never attacked Plaintiff after his escape. Once Mr. Sanders escaped from the Detention Center, Defendants took Plaintiff into protective custody and successfully kept her safe from any physical harm from Mr. Sanders until his recapture. As Defendants owed no common law duty to Plaintiff, and as Plaintiff's alleged harm was not proximately caused by any actions of Defendants, this case must be dismissed.

III. COUNTY NOT A PROPER DEFENDANT.

In this case, Berkeley County is not a proper defendant. The Sheriff is statutorily responsible for the jail, and although the jail may be funded in part by the county, control and custody of the jail lies with Sheriff Wayne DeWitt. For over 95 years, the general law regarding custody of South Carolina county jails has been:

> *The sheriff shall have custody of the jail in his county* and, if he appoint a jailer to keep it, the sheriff shall be liable for such jailer and the sheriff or jailer shall receive and safely keep in prison any person delivered or committed to either of them, according to law.

S.C. Code. Ann. § 24-5-10 (1976) (*emphasis added*). *Henry v. Horry County*, 334 S.C. 461, 514 S.E.2d 122

The Home Rule Act ("the Act"), codified at S.C.Code Ann. §§ 4-9-10, *et seq.* (1986 and Supp.1999) also provides that control of the jail lies with Sheriff Wayne DeWitt. Under one provision of the Act, county governments are empowered,

> (7) to develop personnel system policies and procedures for county employees by which all county employees are regulated *except those elected directly by the people*, and to be responsible for the employment and discharge of county personnel in those county departments in which the employment authority is vested in the county. *This employment and discharge authority does not extend to any personnel employed in departments or agencies under the direction of an elected official* or an official appointed by an authority outside county government....

S.C.Code Ann. § 4-9-30(7) (Supp.1999) (*emphasis added*); see also *Eargle v. Horry County*, 344 S.C. 449, 451, 545 S.E.2d 276, 277 (SC 2001).

The Act further provides "[w]ith the exception of organizational policies established by the governing body, the county administrator shall exercise no authority over any elected officials of the county whose offices were created either by the Constitution or by the general law of the State." S.C.Code Ann. § 4-9-650 (1986). *Eargle*, 344 S.C. at 453, 545 S.E.2d at 279. Based on S.C. Code. Ann. § 24-5-10, and §§ 4-9-10, *et seq.*, defendants assert that the County is not a proper defendant and should be dismissed.

IV. PLAINTIFF HAS NO DAMAGES, BECAUSE MR. SANDERS NEVER MADE ANY CONTACT WITH HER WHILE HE WAS ON THE LOOSE.

Immediately after being notified that Mr. Sanders had escaped from the jail, the plaintiff was taken into protective custody. She was kept under 24 hour guard at a hotel for three days before she

made the decision to decline protective services and return to her (or another person's) home. The Sheriff's Office paid for the hotel, her meals, and the guard. They also reimbursed her for the hours she reported as having missed from work while in protective custody. Additionally, while Mr. Sanders was on the loose, he never contacted the plaintiff. The plaintiff has no evidence to the contrary. Therefore, the plaintiff has no damages.

CONCLUSION

As Plaintiff's complaint has failed to show any statutory or common law duty owed to her by Defendants, and as Plaintiff has failed to show that any of Defendants' actions were the proximate cause of her alleged injuries, this case must be dismissed. Further, all of Defendants' actions were performed under statutory guidelines delineating general responsibilities. They are thus covered under the public duty rule, and do not give rise to an individual cause of action. Defendants are immune from liability pursuant to the S.C. Tort Claims Act, the County is not a proper defendant in this action, and finally, the Plaintiff has no damages. For these and the foregoing reasons, defendants request that this court issue an order granting summary judgment on all causes of action.

Respectfully moved,

ROBIN L. JACKSON
Senn Legal, LLC
3 Wesley Drive
P.O. Box 12279
Charleston, SC 29422
843-556-4045
fax: 843-556-4046
Robin@SennLegal.com

Attorney for Defendants

Charleston, South Carolina
April 15, 2013

CERTIFICATE OF MAILING

I hereby certify that I have e-mailed a copy of the above and foregoing to counsel of record in said proceeding to his e-mail address, this 15th day of April, 2013. A copy will be hand delivered at the hearing.

Amy Marie Hinty

Amy Marie Hinty

STATE OF SOUTH CAROLINA	)	
	)	COURT OF COMMON PLEAS
COUNTY OF BERKELEY	)	
Jennifer Bowzard,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 12-CP-08-1283
	)	
Berkeley County, Sheriff Wayne DeWitt, et al,	)	
	)	
	)	
Defendants.	)	

TRANSCRIPT OF HEARING

The within Hearing in the above-captioned case was heard on April 16, 2013, before The Honorable R. Markley Dennis, Jr., in Courtroom E of the Berkeley County Courthouse, 300 California Avenue, Moncks Corner, South Carolina; attended by counsel, as follows:

APPEARANCES:

John E. Parker, Esq.
PETERS MURDAUGH PARKER
P O Box 457
Hampton, SC 29924
Appearing for Plaintiff

Robin Jackson, Esq.
SENN LEGAL
P O Box 12279
Charleston, SC 29422
Appearing for Defendants

DEBORAH GARRISON
Circuit Court Reporter - 9th Judicial Circuit
Post Office Box 901
Johns Island, South Carolina 29457
dGarrison@sccourts.org

THE COURT: The next one is Bowzard versus Sheriff DeWitt. Motion for summary judgment. Ms. Jackson and Mr. Parker, good morning.

MS. JACKSON: Your Honor, may I approach?

THE COURT: Sure.

MS. JACKSON: Yesterday I provided this to Mr. Parker. It's an amended Motion. Just one subsection is the only change, (tendering).

THE COURT: All right. Thank you.

MS. JACKSON: Then I have a memorandum, as well, (tendering).

THE COURT: And this has been filed, has it not?

MS. JACKSON: Yes, sir.

THE COURT: Very well. All memoranda in conjunction or connection with this Motion are incorporated fully for the purposes of review. Each side may rely on your memos, as well. All right, your Motion?

MS. JACKSON: Yes, sir. Your Honor, this case was brought by Jennifer Bowzard, who was the criminal victim of James

Sanders. This case is about the escape of James Sanders from the Berkeley County jail and the claimed damages of Jennifer Bowzard as a result of that escape.

THE COURT: Is this the gentleman I sentenced, I think, not too long; didn't I?

MS. JACKSON: I believe so, Your Honor.

THE COURT: Any objection to my hearing this, having sentenced him?

MR. PARKER: None from the Plaintiff, Your Honor.

MS. JACKSON: No, Your Honor.

THE COURT: Okay.

MS. JACKSON: The factual background of this case, very briefly is that on January 26th of 2012, Mr. Sanders was brought from the jail over to the court ---

THE COURT: I'm familiar with it.

MS. JACKSON: --- to be sentenced on a Family Court violation. And at that time he was sentenced to time served.

THE COURT: Correct.

MS. JACKSON: He was taken back to the jail. If those had been the only charges,

he would have been released on that day. At that time he was handcuffed to the bench in the middle booking area while there was an issue of whether or not he should be released; because when the victim, Jennifer Bowzard, was contacted she advised her victim's advocate that no, there were still pending criminal charges and he should not be released.

THE COURT: Okay.

MS. JACKSON: While the officers were checking on this, at one point Mr. Sanders advised an officer that his handcuffs were too tight. The officer loosened the handcuff for him, he was still handcuffed to the bench. At some point after that he managed to squeeze his hand out of the handcuff, hide it from the officers and when Sergeant Rosemary Sanders was leaving the building, she waited for the secure door to be opened and once it was opened Mr. Sanders then got up from the bench and followed her out the door, thereby making an escape from the Berkeley County jail.

THE COURT: Correct.

MS. JACKSON: He was -- immediately after that the victim was notified,

she was taken into protective custody by the sheriff's office, she was placed at a hotel room for three days and given twenty-four hour guard, was provided with meals and was reimbursed for her lost time at work.

After three days, Your Honor, the plaintiff declined further protective custody services and went back to either her home or the home of a friend.

On March 1st, 2012, Mr. Sanders was captured in Myrtle Beach, South Carolina. In April is when this suit was filed.

THE COURT: Okay.

MS. JACKSON: The Sheriff's Office has filed a Motion for summary judgment asserting that there's no gross negligence, that there is no evidence that the defendants failed to provide for the safety of the plaintiff; that there is no evidence that they failed to act as a reasonable entity; and, having asserted their immunities under the South Carolina Tort Claims Act as well as the public duty rule, and further that South Carolina Code 23-17-70, which is referred to in the Complaint, is not applicable to this case.

THE COURT: Okay.

MS. JACKSON: Your Honor, the Complaint alleges that Mr. Sanders was mistakenly released. Those are not the facts in this case. He was dressed out in civilian clothes but at no time did anyone open a door and say, "you are now released." He was handcuffed to a bench, which was the policy and protocol of the detention center at that time. Though Lieutenant Riley had asserted to officers that he hd been released by the Family Court, they were in the process of reviewing his file to determine whether or not he actually was eligible to be released. He was at no time voluntarily allowed to go.

Additionally the Complaint has alleged 23-15-50 and 23-17-70, which are statutes that the sheriffs are responsible for the escape of a prisoner; but the subsections assert that he is responsible for the escape of a prisoner being held on civil charges, not on criminal charges. In this case we have submitted the affidavit of Lieutenant Chris Jackerman (phonetic) showing that he was being held at that time on CDVHAN, which is a criminal charge. Therefore, it is

our position that those subsections are not applicable.

Additionally, Your Honor, under the Tort Claims Act, the sheriff's office asserts that it has community, uh, under 15-78-60(3), (4), (5), (6), (20) and (21), uh -- subsection three talks about the execution of enforcement or implementation of any Orders of the court.

Subsection six refers to the method of proving of police protection.

And subsection five is the subsection for the discretion of an officer.

Subsection four also relates to the following or the failure to follow policies and procedures.

Subsection twenty and twenty-one establish the gross negligence -- or twenty is the fact that the sheriff's office is not liable for criminal acts of third parties. In this case, pursuant to Code 24-3-50, uh, the willful failure of a prisoner to remain within the extended limits of his confinement is an escape punishable by law. In this case Mr. Sanders did commit a criminal act. He was charged with escape and I believe that he was recently

sentenced for that escape, and therefore he did commit a criminal act and subsection twenty does come into play.

Subsection twenty-one related to the care and custody and control of an inmate and sets forth also the decision to or implementation of release, discharge, parole or furlough of any person, uh, and it also says of the escape of these persons.

So we would assert that we are entitled to immunity under those sections.

Additionally, Your Honor, the plaintiff is alleging that she suffered emotional damages. She is not alleging any physical injuries. There's no evidence that while he was loose any time between January 26th of 2012 and March 1st of 2012 that he ever even made any attempt to contact her, either personally or by telephone.

And, Your Honor, also subsections or South Carolina Code Sections 24-1-10 and 16-3-1505 through 1565 are the Victims Services Act and it is clear that the sheriff's office did perform all required actions under the Act.

Under 16-3-525(g) and 530(2), (reading): "*A law enforcement agency must*

provide any measures necessary to protect the victims or witnesses." And in this case they did, they immediately went and got Jennifer Bowzard and took her into protective custody until she made the decision to decline further services.

Additionally under 530(2), it says, (reading): "*A department or agency having custody or custodial supervision of a person accused of committing an offense involving one or more victims reasonably must attempt to notify each victim, on request, of the escape by the person.*" They certainly did that. She was notified immediately. She was actually already on alert before he escaped because of the Family Court hearing that had been held that day.

And, finally, Your Honor, also under that Victims Services Act, subsection 16-3-565(a), it says that, reading: "*Nothing in this Article creates the cause of action on behalf of a person against a public employee, public agency, the State or an agency responsible for the enforcement of rights and provisions and services set forth in this Article.*"

I think that sets forth that the plaintiff clearly does not have a cause of action against the sheriff's office with regard to the escape of Mr. Sanders.

And, finally, Your Honor, we would assert that the County is not a proper defendant in this case. Under the Home Rule Act, the sheriff has the control over the jail. I have set that forth, "*The sheriff has custody of the jail in his country and shall appoint the jailers to keep it...*", uh, and additionally under South Carolina Code 4-9-10, it provides that the control of the jail lies with the sheriff. Therefore, we would ask that the County also be dismissed, Your Honor.

THE COURT: Thank you. Mr. Parker?

MR. PARKER: Thank you, Your Honor. As Paul Harvey used to say, ---

THE COURT: "...now for the rest of the story."

MR. PARKER: (Affirmative nod). I want to introduce into evidence the exhibits that we have here.

THE COURT: Okay, sir.

MR. PARKER: (Tenders).

THE COURT: Do you want these filed then?

MR. PARKER: Yes, Your Honor.

THE COURT: Very well. You have copies of these exhibits?

MS. JACKSON: He provided me with a list, Your Honor. I believe that I have all of them.

THE COURT: Very well. This will be a filing which will be marked as plaintiff's collective exhibit in response to the Motion for summary judgment. It will be Plaintiff's Exhibit 1.

(SO ENTERED AS PLAINTIFF'S EXHIBIT 1)

MR. PARKER: Thank you, Your Honor. They are marked separately.

THE COURT: To be retained with all other pleadings in the Clerk's file. All right.

MR. PARKER: Your Honor, this tragic story has its beginning when Jennifer Bowzard met Mr. Sanders and started living with him, they encountered difficulties early on. By May 14th of '11, she had contacted the Berkeley County Sheriff's Office concerning criminal domestic violence against her. Deputies went to

her home at that time and she told them about being threatened by her boyfriend and ---

THE COURT: I don't think that there is any question about that. I heard the case and am familiar with the history that led up to all of this.

MR. PARKER: Right. And then on the next occasion, and I won't go into detail about each but there were a number of them, ---

THE COURT: Oh, I'm ---

MR. PARKER: On 6/25/11, it is documented where again there was a report.

The next, 7/2/11, deputies were again notified.

7/18/11, they were again notified.

She had been abused during those times.

And finally on 7/26 he did terribly beat her ---

THE COURT: Yeah. As I said, I don't think that's -- I don't think that there is any challenge in this case to any of what transpired between these people. I mean, that's not an issue.

MR. PARKER: I don't think that it is either but the importance of it is, is how this

special set of circumstances ---

THE COURT: Oh, I understand your argument. I just need to focus on how you get from that point to here, to talk about the mistake.

I mean, there is no question of the fear part. All that happened, I can -- there is no question that there are damage, a legitimate potential for damages.

MR. PARKER: Mr. James Allen Sanders was detained because of the criminal cases and civilly he was detained with an Order of Protection from the Family Court.

He was in the office there, he was in the jail, where he was supposed to be and the -- within the material that we've presented is this Family Court Order restraining Sanders that was signed 8/2/11. He was released sometime thereafter and then rearrested because of continued threats in violation of the court order. There is an incident report of 8/5/11 on that in the file.

THE COURT: Well, I understand that. But I guess -- focusing, I -- I just don't remember, I thought -- I thought that we

sentenced him on something else. We sentenced -- what was he ultimately sentenced on?

MR. PARKER: I am not aware of ---

THE COURT: Well, that's critical here because I don't remember. Obviously your position that he was released -- if he was charged with a criminal act for what he did, he wasn't released. I mean, that would be a defense to -- an absolute defense to that. I mean, you can't be convicted of escape if you were released.

MR. PARKER: Well, he was not released. The complaint is in error. We went by the documents that ---

THE COURT: I am just saying from the standpoint of an issue of fact. I don't -- I don't remember what I sentenced him for. I thought that it was another crime. It could have been escape. I don't know.

MR. PARKER: I'm sure that it was on escape among other things, probably.

MS. JACKSON: Your Honor, he ---

THE COURT: He was charged with escape.

MS. JACKSON: Escape, (affirmative

nod). He was being held at that point on criminal domestic violence of a high and aggravated nature.

THE COURT: Oh, I understand. We talked about -- obviously there was something pending or there wouldn't have been any reason to go check in the first place. So they were aware that there was something else other than the civil matter in existence, so that's not -- but the question is, when you're saying in your recitation that he was released, he wasn't released.

MR. PARKER: I agree, Your Honor.

THE COURT: Okay. All right.

MR. PARKER: And we have, Exhibit 29 is the videotape of his escape.

THE COURT: Yeah, I -- I'm familiar with it. I mean, I've seen it.

MR. PARKER: And therein -- and the reason why I wanted to get into all this is because they've raised the public duty rule and said that there was no duty owed to Ms. Bowzard under the circumstance.

There is a case that is relatively on point that comes out of Lexington County where

the -- it is *Edwards v. Lexington County Sheriff's Office.*

THE COURT: I think that I've read that one before.

MR. PARKER: And in that case, not really as aggravated circumstances but very similar circumstances, the man and woman who were, again, unmarried and they had problems and the man assaulted the woman. She called the sheriff's office, the Lexington County Sheriff's Office, they went out on a number of occasions and eventually he was incarcerated and was called to a hearing, a show cause hearing, I think he got out after thirty days and there was a show cause hearing. He went to the hearing where no security was provided and the defendant, the criminal defendant attacked her, seriously injured her. The same arguments were made in that case and there was no duty. The trial court granted summary judgment. They appealed and the Supreme Court reversed it, holding that the sheriff's office did owe a duty to the plaintiff. The duty arose out of the special circumstances of the case. They created a situation whereby they knew that injury could

occur to the plaintiff and failed to take appropriate steps, or that was the allegation. They held that because of the circumstances involved that there was a duty to exercise due care.

Here, that is the same thing. What we have is this ongoing set of events whereby ---

THE COURT: Yeah, but that's -- I knew that I'd read this case, but I wanted to check it. This case arises out of -- I don't have any problem with Judge Kittredge's decision here. I mean, Judge Johnson, I wish he was here too. But I understand what he's saying.

But the important distinction here for this case is they created the situation by setting up a hearing where everybody was going to be present. Because that's when it happened. That isn't what we have here. This isn't even close to that.

MR. PARKER: Your Honor, ---

THE COURT: So this case -- I understand the principle and I don't quarrel with that, that there is a special duty that arises, but we -- we're talking about somebody that did something against the law. He left.

MR. PARKER: That's not ---

THE COURT: So they didn't set up that. They didn't create that.

MR. PARKER: They did create it by their negligence.

THE COURT: Well, okay. That's -- I mean that is your ---

MR. PARKER: If you will watch the video, ---

THE COURT: Mr. Parker, I understand what you're saying. I just don't -- I don't -- this is not -- this is a criminal act that occurred, that somebody managed to get out of jail.

Taking your argument, if they ever let anybody out, that's gross -- if they ever -- if anybody ever escapes, that's gross negligence.

MR. PARKER: That's not -- we don't.

THE COURT: That is not your position.

MR. PARKER: That is not our position.

THE COURT: And I -- what is the gross negligence here?

MR. PARKER: We have submitted the affidavit of a former trooper and highway

patrolman about the proper method of handcuffing someone. I believe that's Exhibit 23.

THE COURT: And you say that it's gross negligence if the person is able to extricate themselves? That fact alone establishes -- is a scintilla of gross negligence?

MR. PARKER: No, I don't say that.

THE COURT: All right. Well, then, what is it that they didn't do that should have been done? Because what he did was, he managed to get out of the handcuff.

MR. PARKER: He didn't manage to get out. They didn't put them on him appropriately and that allowed him to.

THE COURT: Whoa, whoa, wait a minute. Based on what do I have -- where is the "allowing" him to?

MR. PARKER: Well, if you watch that video, ---

THE COURT: I understand that he got out of it.

MR. PARKER: No, it was -- it was the degree of ease with which he got out of it that makes the grossness of the negligence.

THE COURT: Okay.

MR. PARKER: And the affidavit of Mr. Dickson specifies that. Also the investigation of the sheriff's office, in great detail, documents the negligence of the department.

THE COURT: Well, I don't quarrel with the negligence. I mean, I don't quarrel with the fact that it may be negligence not to tighten down enough. I don't know whether it's gross negligence.

MR. PARKER: That would be a question for the jury.

THE COURT: Ah, that's where we get -- that's where we get in -- and this is one of the areas, I had it one time in a school situation where there was a decision and -- I am going to read all your memorandum. But where -- summary judgment was granted on the finding of no gross negligence. I understand what you're saying, that that is a jury issue. I hear you.

MR. PARKER: The question really is whether or not gross negligence is the failure to exercise slight care.

THE COURT: I understand that, and I don't see that here.

MR. PARKER: And the slight care that we say that they did not exercise was in the putting on of the handcuffs.

THE COURT: The putting on the handcuffs is slight care.

MR. PARKER: No.

THE COURT: Well, certainly it is. No handcuffs would be the failure to exercise slight care.

MR. PARKER: When he loosened the handcuff -- he had the handcuff on and he loosened it to the point where he could pull his hand out. The other failure to exercise slight care was when the sheriff's deputy outside the office, that knew he was handcuffed there, knew that he was not supposed to be released, saw him outside with an armband on, which he was not supposed to have on, and allowed him to escape and to go forward.

THE COURT: Okay.

MR. PARKER: That, again, is documented in Exhibit 23 in detail. Not from our investigation but the sheriff's office's investigation.

THE COURT: Oh, I understand.

Okay.

MR. PARKER: Based on the facts of this case, and I would like to address where the duty arises in this case. The duty arises not only by the special circumstances but also by statute. Section 20-4-100 provides that the duty of a law enforcement officer in responding to a domestica abuse incident is to enforce the laws allegedly violated and to protect the abused person.

THE COURT: If you're trying to say that transposes over to the jail, I disagree with you. But you can argue -- you may be right, I just don't agree with that.

MR. PARKER: And ---

THE COURT: I don't think that it goes beyond the moment. I agree with you that if something happens while he is there that may create that particular situation. But just because that appears in that statute, it doesn't apply to the jail situation.

MR. PARKER: It applies ---

THE COURT: He is not responding to a domestic call.

MR. PARKER: --- to the duty of the

sheriff's office to provide protection for the abused person.

THE COURT: That is creative lawyering, Mr. Parker. I don't agree with you, so you -- but you've raised the issue and it is preserved.

MR. PARKER: Section 20-40-60 provides for orders of protection. One was entered in this case and the Order provided -- and, again, was served on the sheriff ---

THE COURT: With all due respect, sir, those things don't apply to what we're talking about. Because this is created right at the jail. Either it exists or it doesn't exist. Those things don't apply, in my opinion. I appreciate it.

MR. PARKER: Section 24-1-130 provides that the provisions of this chapter are in addition to other civil and criminal remedies.

THE COURT: I don't quarrel with you. It just doesn't apply in this situation. I don't quarrel there it may be a situation where it does but that is just not here. That's just all that I am saying. I don't quarrel with the law, and it may create a duty but it -- it

doesn't apply to this specific situation.

MR. PARKER: We further think that Plaintiff's Exhibit 8, the victim notification information provided to Ms. Bowzard by the Berkeley County Sheriff's Office in which it states -- they say to her, "You have a right to protection from harassment from the subject or someone acting on the subject's behalf."

THE COURT: Mr. Parker, we are not talking about that. We're talking about -- let me just -- to me, if they don't do anything -- you don't quarrel with the fact of what was argued? They sent somebody and put her in protective custody until she no longer wanted it?

MR. PARKER: That's correct.

THE COURT: Okay. That's what they did. They complied with that. If they don't do anything, if they do nothing and this guy comes in and harasses her, no question about it. But it doesn't have a thing in the world to do with what's been -- what this lawsuit is about. I disagree with you. And I -- I respect you. My goodness, I've respected you for a long, long time. You and I just don't agree on that one.

So, thank you. But you've argued it and you've protected it.

MR. PARKER: Your Honor, the reason I am arguing this is because of the circumstances under which that day occurred. They didn't -- I totally agree with Your Honor that if this in fact was a guy who hadn't had all this history and hadn't ---

THE COURT: No, sir. He could be -- he could be Peewee Gaskins and it wouldn't change, at all, all of the duties there. This doesn't have anything to do with that. They were trying to keep him in jail. That's the problem.

Now, whether or not they were grossly negligence in allowing him to escape, maybe there is an issue there. I am going to have to look at that. But all of the things about how -- I sentenced the guy, he was despicable. His actions were despicable. She did everything that she could to protect herself. I don't have any problem with that. But law enforcement doesn't become suddenly liable or subject to damages because the guy gets out in violation of the law. I mean, I just don't think -- I just

don't think that our country allows that.

But you may be right. I just -- I just don't agree with you on that. So I hear you, but it doesn't have anything to do with my decision.

MR. PARKER: Your Honor, the other thing that we would argue is that under 23-17-70, because he was under an Order of Protection and under Family Court deals, Family Court Orders, that under 23-17-70, which provides that the sheriff shall be liable for negligence or escape of any prisoner and the damages to a plaintiff that may have been sustained.

THE COURT: Okay.

MR. PARKER: We believe that because there was an order of protection that the violation of that Order of Protection, and in allowing the escape by negligence, that 23-17-70 does apply even though it is held in Lexington, *Washington v Lexington County* that this only applies to civil orders.

In Exhibit 28 is the things that the Berkeley County Sheriff's Office is holding him for, as of June 25, '12, and one of those things is for the violation of the Court Order of

protection.

THE COURT: All right.

MR. PARKER: We believe that that provides -- that that alone provides the avenue for our case to proceed.

THE COURT: Okay.

MR. PARKER: We also, under *Stanke v the South Carolina Department of Labor, Licenses & Regulations,* which I think you are probably familiar with that case also, the court goes through the -- in that states that under the public duty rule what has to be done to get in a public duty even if -- special circumstances would be one, assumption of the duty would be another, ---

THE COURT: Correct.

MR. PARKER: Which they did in this case. Thirdly, as I argued, and the Court, I understand disagrees with under the domestic abuse protection statutes, but that is the -- the essential purpose of that statute is to protect from this kind of harm, which the court ---

THE COURT: When you say "this kind of harm", I agree that it is to protect from

harm of people that are harmed by somebody doing something when they didn't do anything. I agree with you. Provided that it meets the Tort Claims Act, obviously. Because, otherwise, you don't have a right -- you would agree with me on that, that it has to be through that channel?

MR. PARKER: I agree with that.

THE COURT: It is not just a *carte blanche* ---

MR. PARKER: We are only talking about the duty ---

THE COURT: Correct. So I -- I don't quarrel with that. But I just think that there is something here that creates the obstacle. I'm going to look at what you just said about allowing him to escape. If it is that broad, maybe there is a scintilla there. I don't quarrel with anything that you've argued about creating a special duty. I mean certainly the Lexington case clearly says that. It is just -- basically Judge Kittredge said in that decision that you're on notice, you've got problems and you've got to act accordingly. And I understand that. And Judge Johnson, I think, probably said 'nope, you don't have to because it's basically

under the Tort Claims Act.' I wasn't there and I haven't read his Order but it seems to me that that would be what they did. That they said, 'No, no, you created this situation' and therefore all the things that you have talked about, which are very significant for that decision -- that decision is definitely governed and controlled by that, affected dramatically by that. How? It puts everybody on notice of all these -- these responsibilities.

They let him sit out, go out and sun in the -- on a bench and he walks off the premises, yeah, you're right. I agree with you there that it has something to do.

The question here is, to me is -- they didn't do that. They tried to detain him. They tried to verify certain things, which I think was responsible. They didn't assume. They made a -- they said, 'wait a minute, this might not release him.' Maybe they ought to know everything but I don't think that they're held to that standard of knowing everything about every single person that is there.

But -- and I understand your argument that if they were grossly negligent in allowing

him to get out, maybe it's there. But from the standpoint of all of this other, this creating this duty and the public interest or public responsibility, I don't quarrel with that. I mean, it's clear. There has to be reason for that. It is significant understand domestic violence. There's no question about it. So I don't -- I'm not saying that it is not significant. I concur with you, but I just don't think that it deals with this particular factual situation. That's all that I am saying.

MR. PARKER: Your Honor, the Tort Claims Act, I would address it because none of the subsections that she relies on have anything to do with this case.

THE COURT: Okay.

MR. PARKER: And, three, the execution and enforcement or the implementation of Orders, we're not bringing any case based on that.

THE COURT: Okay.

MR. PARKER: The adoption, enforcement or compliance with any law or failure to adopt any law, we are not bringing a case on that.

And there's been no evidence of any exercise of discretion, which she relies on.

There is no evidence that they did exercise any discretion ---

THE COURT: Hummm, ---

MR. PARKER: --- other than, to me if they ---

THE COURT: ---- just playing the devil's advocate, I'd say releasing the pressure on the handcuffs is a discretionary -- is it not?

MR. PARKER: If you did it in a non-negligent way.

THE COURT: No, no. The discretion is how -- releasing it totally, I think, would be negligent, would be obvious negligence. The question is how much do I release it and whether a person can get out of it. Again, that's where the -- therein lies the crux of the argument.

MR. PARKER: According to that affidavit they violated the standards in, number one, handcuffing him to a fixed object, the bench; which would violate the standards of handcuffing somebody. So that's not a judgment, you're not supposed to do that.

THE COURT: Oh, that's why he was able to get out? Because it was to a fixed

object?

MR. PARKER: Well, that was one because he didn't have but one hand handcuffed.

THE COURT: I understand.

MR. PARKER: That aided in allowing him to escape.

THE COURT: Okay.

MR. PARKER: And there is no discretion in allowing somebody, in violation of rules, which the lady was disciplined for, to go out the wrong door.

THE COURT: Okay.

MR. PARKER: And, secondly, there is no discretion in no doing what you're supposed to be -- when he's got his armband on and he leaves, and she standing out there and ---

THE COURT: Okay. I mean, I understand.

MR. PARKER: All of this is in the disciplinary proceedings of the Sheriff's Office to these officers.

THE COURT: Okay.

MR. PARKER: We, again, don't think six applies because there's no civil disobedience, riot, insurrection.

And we're not suing on twenty, active admission of the criminal activity of a third person.

The only one that I would say would apply would be subsection twenty-five (25), which is the gross standard.

We think that we have sufficient evidence to go forward. Your Honor, I'll answer any questions that the court may have for me, but I think I've adequately covered what I ---

THE COURT: Thank you very much, Mr. Parker. I appreciate that and I appreciate allowing the court to ask you questions and interrupt you throughout your argument. Thank you for your indulgence as to that, sir. It's a pleasure, always. Response, Ms. Jackson?

MS. JACKSON: Very briefly, Your Honor. With regard to the Tort Claims Act, certainly we believe that subsection twenty, which is the criminal act provision of a third party provision, is applicable.

Subsection six, while it refers to riots and civil disobedience, it also refers to the methods for providing police protection.

Number five, we do believe that there

is a number of instances of discretion that are shown in this case.

Subsection four, that doesn't just pertain to laws but it also pertains to policies and I believe, repeatedly, Mr. Parker referred to violation that he believes that we had of our own policies.

Subsection three, with regards to the enforcement of court order, which would have been the bond revocation on the CDVHAN charge that he was still being held on.

Finally, Your Honor, Mr. Parker said that Sergeant Sanders knew that Mr. Sanders was not supposed to be released when she encountered him in the parking lot. Based on the documentation that he submitted, that is not the case. She never said that she knew that he wasn't supposed to be released. What she said in the investigation was that the armband is not always taken from inmates when they are released, even though it should be, and that did not cause her any alarm that he was escaping at that point. Additionally that ---

THE COURT: Well, I appreciate that. I am going to make my own call because,

obviously, the -- playing the devil's advocate here, 'okay, it may not' but it might be something that starts saying 'wait just a minute.' Don't you think?

MS. JACKSON: And, Your Honor, by the time -- she was merely walking to her car in the same parking lot, right there in the front, and before she pulled out of the parking lot they already were out looking for him.

THE COURT: Okay. All right.

MS. JACKSON: And one other thing that I wanted to point out.

THE COURT: Sure.

MS. JACKSON: In the affidavit of Richard Dickson, he is applying a law enforcement standard. He is a highway patrolman. He's applying a street law enforcement standard, not a detention standard. There is no violation of the South Carolina minimum jail standards or the policies and procedures of the Berkeley County Detention Center for them to handcuff an inmate to a bench.

THE COURT: Okay.

MR. PARKER: They have specially

designed benches for that.

THE COURT: I understand the argument that, obviously, if you have a fixed -- that it allows you to have some strength, when you're having to pull against yourself. I mean, that sort of -- I understand that. I hear you, you don't have to worry about that.

MS. JACKSON: Okay.

THE COURT: Thank you. The question is going to be whether or not -- the question is whether or not it was so loose that it allowed him to easily walk out of it, I think. That's the ultimate issue on that, on that particular issues on the gross negligence of it. Then we get into the issue of whether I can rule as a matter of law on gross negligence.

Anyway, that having been said, I am going to review all of the materials that y'all have been kind enough to provide me and we will let y'all know. Thank you so much.

MR. PARKER: Your Honor, I would note one other thing.

THE COURT: Yes, sir, Mr. Parker?

MR. PARKER: Something that I think I left out.

THE COURT: Sure.

MR. PARKER: And that is that also the Sheriff's Office disciplined the officers for not ---

THE COURT: Handling it.

MR. PARKER: --- handcuffing him. Also that -- also our claim is not just on this particular escape but it is also for allowing Mr. Sanders, on numerous occasions from the jail, and this is documented in a statement that is in evidence here, whereby he was continuously allowed to contact her from the jail.

THE COURT: Okay.

MR. PARKER: That is also part of our claim in this case, that they negligently allowed that to occur.

THE COURT: All right.

MR. PARKER: Over a long period of time.

MS. JACKSON: Your Honor, our response on that is two-fold. First, the plaintiff was blocked from Mr. Sanders call log. Based on the review of the actual telephone calls, he had other inmates to call and then he would get on the phone and talk to her. That

she accepted his phone calls and spoke to him for the full fifteen minutes that was allowed to inmates on these calls and had regular conversations with him on a regular basis.

THE COURT: I understand that and that's great once it gets by -- I'll have to decide whether that, in this strange world in which we all exist, scintilla, I'll have to decide whether that's a scintilla. So, I don't know. Clearly that is a separate component of this action that is -- that has nothing to do with the escape itself. Thank you for calling that to the court's attention.

MR. PARKER: Your Honor, I would call to the court's attention that he was allowed to send numerous letters ---

THE COURT: Mr. Parker, those are things that -- in a trial, that's a different ball game. I can rule. But right now, from this standpoint, I don't know whether it is or isn't, but I will let y'all know. Thank you.

MR. PARKER: Thank you.

THE COURT: Thank you so much.

(HEARING ADJOURNED)

CERTIFICATE OF REPORTER

I, the undersigned, Deborah Garrison, official court reporter for the 9th Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete transcript of the hearing held before The Honorable R. Markley Dennis, Jr., on April 16, 2013;

I further certify that I am neither kin nor counsel to any of the parties and have no interest in the outcome of this action.

Deborah Garrison
Circuit Court Reporter
9th Judicial Circuit

Charleston, South Carolina
July 8, 2013

AGENCY I.D.
SC0080000

INCIDENT REPORT

RECEIVED
MAY 16 2011

CASE NUMBER: 2011050200092

SCIC: INC. N / ENTD. N

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. CRIMINAL DOMESTIC VIOLENCE (13C)	☐ YES ☐ NO	☐ YES ☐ NO	Residence/Home (		☑ Individual
2.	☐ YES ☐ NO	☐ YES ☐ NO			☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Organ. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
3.	☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 1254 CYPRESS CAMPGROUND ROAD, RIDGEVILLE — ZIP CODE: 29472 — WEAPON TYPE:

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK: DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
05/14/2011	19:40		05/14/2011	19:50	05/14/11	21:17	21:56	22:15	3/192

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE): , , — RELATIONSHIP TO SUBJECT #1 #2 #3 — RESIDENT: JSOU — RACE — SEX — AGE — ETH. — DAYTIME PHONE H / B — EVENING PHONE H / B

ADDRESS — CITY — STATE — ZIP CODE — LOCATION NO.

VICTIM NO. 1

VICTIM'S NAME (LAST, FIRST, MIDDLE): ~~BOWZARD, JENNIFER, DENISE~~ — RELATIONSHIP TO SUBJECT #1: BG — RESIDENT: ☒ JSOU — RACE: W — SEX: F — AGE: 40 — ETH.: N — DAYTIME PHONE: (843) 395-3436 — EVENING PHONE H / B

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
504	147	BRO	BRO	

ADDRESS: 1254 CYPRESS CAMPGROUND R — CITY: RIDGEVILLE — STATE: SC — ZIP CODE: 29472 — LOCATION NO.: 3/192

VISIBLE INJURY (VICT. 1) ☐ YES NO ☒ EXPLAIN: — COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES NO ☒

VICTIM (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK. ☐ — DRUGS: ☐ YES NO ☒ UNK. ☐ TYPE:

TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/PLAINCL. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ — *J — This Jurisdiction. S — State. O — Out of State. U — Unknown

SUBJECT NO. 1

☒ SUSPECT ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES,	W	M	38	N		509	195	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS: (UNKNOWN) — CITY — STATE — ZIP CODE — LOCATION NO.

SUBJECT (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK. ☐ — DRUGS: ☐ YES NO ☒ UNK. ☐ TYPE: — ARRESTED NEAR OFFENSE SCENE ☐ YES NO ☒ — TOTAL # ARRESTED — DATE/TIME OF OFFENSE: 05/14/11 19:40 — DATE/TIME OF ARREST

NARRATIVE

AT THE ABOVE DATE AND TIME THIS DEPUTY MET WITH THE COMPLAINANT BOWZARD ON OAK GROVE CHURCH ROAD RIDGEVILLE, SC; IN REFERENCE TO AN INCIDENT THAT OCCURRED AT HER RESIDENCE 1254 CYPRESS CAMPGROUND ROAD RIDGEVILLE, SC. THE COMPLAINANT REPORTED THAT HER BOYFRIEND THE SUBJECT SANDERS MOVED INTO HER RESIDENCE IN JUNE OF 2010, AND VACATED HER RESIDENCE IN APRIL OF 2011. ON TODAYS DATE THE SUBJECT CAME TO HER RESIDENCE, AND UPON HIS ARRIVAL THE COMPLAINANT LOCKED THE RESIDENCES DOOR. THE SUBJECT BECAME IRATE, SCREAMED PROFANITIES AT THE COMPLAINANT, AND KICKED OUT A AIR-CONDITIONER WINDOW UNIT. THE SUBJECT THEN FLED, TAKING SAID AIR-CONDITIONER WINDOW UNIT WITH HIM. THE COMPLAINANT ADVISED THAT THE SUBJECT DID PURCHASE AN AIR-CONDITIONER WINDOW UNIT FOR THE RESIDENCE WHEN HE LIVED AT THE RESIDENCE, AND SAID AIR-CONDITIONER WINDOW UNIT MAY HAVE BEEN THE UNIT PURCHASED BY THE SUBJECT. THE COMPLAINANT ADVISED THAT SHE WISHED TO SEEK A

PROPERTY EST.

	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY	JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY	TOTAL VALUE
TYPE (GROUP)			
STOLEN			
DAMAGED			
BURNED			
RECOVERED			
SEIZED			

PLAINTIFF'S EXHIBIT 1

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO — SUBJECT LOCATED ☐ YES ☒ NO — ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED — ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER — ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH, 2. ☐ NO PROSECUTION, 3. ☐ EXTRADITION DENIED, 4. ☐ VICTIM DECLINES COOPERATION, 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
FENTON, BRENT	05/14/11	175	ONEILL, SEAN	05/14/11	68
			FOLLOW-UP OFFICER		
			INVESTIGATION ☐ YES NO ☒		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011050200092

NCIC: INC. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 2 of _____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE)	VICTIM RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT * J S O U	RACE	SEX	AGE	D.O.B.	ETH.

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE H / B	EVENING PHONE H / B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES — EXPLAIN: — COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES — VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. — DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. — ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASH ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES — USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE)	VICTIM RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT * J S O U	RACE	SEX	AGE	D.O.B.	ETH.

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE H / B	EVENING PHONE H / B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES — EXPLAIN: — COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES — VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. — DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. — ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASH ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES — USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

RESTRAINING ORDER. THIS DEPUTY PROVIDED THE COMPLAINANT WITH A CASE NUMBER, INSTRUCTIONS ON OBTAINING AN INCIDENT REPORT, AND DIRECTIONS TO THE MAGISTRATES OFFICE IN REGARDS TO OBTAINING A EVICTION NOTICE AND RESTRAINING ORDER. AT THE TIME OF THIS REPORT THE COMPLAINANT COULD NOT PROVIDE AN ADDRESS FOR THE SUBJECT.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY

JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM

TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.				
SERIAL AND/OR OWNER APPLIED NO.	STATE				
YEAR OF REGISTRATION	YEAR OF EXPIRATION	YEAR	MAKE	TYPE	
MODEL	STYLE	COLOR	BRAND NAME	CALIBER	
NIC NO.	DENOMINATION	ISSUER	SECURITIES DATE		
MISCELLANEOUS					

PROPERTY EST.

TYPE (GROUP)						TOTAL VALUE
STOLEN						
DAMAGED						
BURNED						
RECOVERED						
SEIZED						

ADMINISTRATIVE

SUBJECT IDENTIFIED: ☒ YES ☐ NO — SUBJECT LOCATED: ☐ YES ☒ NO — ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED — ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER — ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
FENTON, BRENT	05/14/11	175	ONEILL, SEAN	05/14/11	68
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO — OFFICER		

AGENCY I.D.
SC0080000

INCIDENT REPORT

CASE NUMBER: 2011070279 02

SCIC: NO. N ENTD. N

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. CRIMINAL DOMESTIC VIOLENCE (13B)	☒ YES ☐ NO	☐ YES ☐ NO	Residence/Home (		☐ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Organ. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
2.	☐ YES ☐ NO	☐ YES ☐ NO			
3.	☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 1254 CYPRESS CAMPGROUND ROAD, RIDGEVILLE | ZIP CODE: 29472 | WEAPON TYPE: 40, ,

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
06/25/2011	01:10		07/02/2011	02:00	07/02/11	03:23	03:41	04:243	/192

VICTIM NO. 1

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
BOWZARD, JENNIFER, D	BG			☒ S O U	W	F	40	N	(843) 688-5825 ☒ 5	H B

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND	RIDGEVILLE	SC	29472	3/192

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
BOWZARD, JENNIFER, D	BG			☒ S O U	W	F	40	N	(843) 688-5825 ☒ 5	H B

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
509	147	BRO	BRO	

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND	RIDGEVILLE	SC	29472	3/192

VISIBLE INJURY (VICT. 1) ☒ YES ☐ NO EXPLAIN — BRUISE UNDER LEFT EYE, RED MARKS AND BRUISING ON BOTH INNER ARMS ☒

VICTIM (NO. 1) USING: ALCOHOL ☐ YES ☒ NO ☐ UNK DRUGS: ☐ YES ☒ NO ☐ UNK TYPE:

TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/PLAINCLOTHES ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ *J — This Jurisdiction, S — State, O — Out of State, U — Unknown

SUBJECT NO. 1

☒ SUSPECT ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ ATL ☐ SUMMONS

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES, ALLEN JR	W	M	39	N		507	189	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CPYRESS CAMPGROUN	RIDGEVILLE	SC	29472	3/192

SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☒ NO ☐ UNK ☐ DRUGS: ☐ YES ☒ NO ☐ UNK ☐ TYPE:

ARRESTED NEAR OFFENSE SCENE ☐ YES ☒ NO TOTAL # ARRESTED

DATE/TIME OF OFFENSE

DATE/TIME OF ARREST

NARRATIVE

ON 07/02/2011, AT APPROXIMATELY 0323 HOURS, THIS DEPUTY RESPONDED TO 1640 CYPRESS CAMPGROUND ROAD IN REGARDS TO A DOMESTIC VIOLENCE INCIDENT THAT OCCURRED AT 1254 CYPRESS CAMPGROUND ROAD, WHICH IS LOCATED IN THE RIDGEVILLE AREA OF BERKELEY COUNTY. UPON ARRIVAL, MET WITH VICTIM, JENNIFER D. BOWZARD, WHO ADVISED HER EX-BOYFRIEND/SUBJECT, JAMES ALLEN SANDERS, JR., HAD BEEN ASSAULTING HER AND CONTROLLING HER FOR A WHILE. SHE ADVISED THAT THEY DID LIVE TO TOGETHER AT POINTS DURING THEIR RELATIONSHIP. THIS DEPUTY ASKED HER IF HE HAD BEEN ASSAULTING HER FOR A WHILE THEN WHY SHE DID NOT CALL FOR HELP THEN. SHE STATED SHE WAS IN FEAR FOR LIFE AND. TERRIFIED OF THE SUBJECT. THIS DEPUTY OBSERVED VICTIM AS BEING SKITTISH AND SHAKY. THIS DEPUTY ALSO OBSERVED BRUISING UNDER AND AROUND THE VICTIM'S LEFT EYE, RED MARKS ON BOTH ARMS IN THE AREA OF THE INNER PART OF BICEPS. THIS DEPUTY ALSO OBSERVED PHYSICAL MANIFESTATION AROUND THE VICTIM'S NECK,

PROPERTY EST.

	JURISDICATION OF THEFT LAW ENFORCEMENT AGENCY	JURISDICATION OF RECOVERY LAW ENFORCEMENT AGENCY	TOTAL VALUE
TYPE (GROUP)			
STOLEN			
DAMAGED			
BURNED			
RECOVERED			
SEIZED			

PLAINTIFF'S EXHIBIT 2

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ANTWINE, TEELA	07/02/11	C170	GEIGER, JAMES	07/04/11	C48
			FOLLOW-UP INVESTIGATION. ☐ YES ☒ NO OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011070279 02

NCIC: INO. N | ENTD. N

[X] ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 2 of _____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: JUVENILE | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: JUVENILE | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

APPEARED TO BE RED MARKS. VICTIM ADVISED THIS DEPUTY THAT THE BLACK EYE OCCURRED ABOUT A WEEK AGO DURING A VERBAL ARGUMENT. SHE STATED AROUND 0110 HOURS, ON TODAY'S DATE, THE SUBJECT STARTED AN ARGUMENT OVER STUPID THINGS, SUCH AS HER PHONE RINGING OR GOING OFF. SHE ADVISED SHE DID NOT NEED MEDICAL AID. SHE ADVISED SHE LEFT TO GO TO A FRIEND'S HOUSE DOWN THE ROAD AND SUBJECT BEGAN TO CHASE HER IN HIS VEHICLE. VICTIM ADVISED WHEN SHE ARRIVED AT FRIENDS, HE CAME TO HER VEHICLE AND GRABBED HER BY THE ARMS AND DRAGGED HER OUT OF THE VEHICLE IN ATTEMPT TO TAKE HER CELL PHONE. SHE STATED HE DID TAKE HER CELL PHONE AND THEN LEFT THE AREA. THIS DEPUTY DETERMINED THAT SUBJECT, SANDERS, WAS THE PRIMARY AGGRESSOR AND THAT A WARRANT WOULD BE

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
HIC NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED: [X] YES ☐ NO | SUBJECT LOCATED: [X] YES ☐ NO | [X] ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ANTWINE, TEELA	07/02/11	C170	GEIGER, JAMES	07/04/11	C48
			FOLLOW-UP INVESTIGATION ☐ YES [X] NO — OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011070279 02

NCIC: INC. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY PAGE 3 of _____ PAGES

☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM 3 ☐ SUBJECT 3 ☐ PURSUIT ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ _____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASHT. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM 2 ☐ SUBJECT 2 ☐ PURSUIT ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ _____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASHT. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

SOUGHT ON HIM. ALL PROPER VICTIM'S PAPERWORK WAS FILLED OUT ON SCENE. PHOTOGRAPHS WERE ALSO TAKEN OF THE VICTIM'S INJURIES VIA ISSUED COOLPIX DIGITAL NIKON CAMERA FOR EVIDENTIAL PURPOSES AND A CHAIN OF CUSTODY WAS COMPLETED AND TURNED IN. THIS DEPUTY IS IN THE PROCESS OF OBTAINING WARRANT FOR SUBJECT, JAMES ALLEN SANDERS, JR., IN REGARDS TO CRIMINAL DOMESTIC VIOLENCE.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH./GUN/ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM

TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.

SERIAL AND/OR OWNER APPLIED NO. | STATE

YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE

MODEL | STYLE | COLOR | BRAND NAME | CALIBER

HIC NO. | DENOMINATION | ISSUER | SECURITIES DATE

MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED: ☒ YES ☐ NO | SUBJECT LOCATED: ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ANTWINE, TEELA	07/02/11	C170	GEIGER, JAMES	07/04/11	C48
			FOLLOW-UP INVESTIGATION? ☐ YES ☒ NO OFFICER		

AGENCY I.D.
SC0080000

INCIDENT REPORT

CASE NUMBER: 2011070279 53

HCIC: IND. N EXTD. N

RECEIVED JUL 05 2011

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. CRIMINAL DOMESTIC VIOLENCE (13B)	☒ YES ☐ NO	☐ YES ☐ NO	Residence/Home (		☒ Individual
2.	☐ YES ☐ NO	☐ YES ☐ NO			☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Organ. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
3.	☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 1254 CYPRESS CAMPGROUND ROAD, RIDGEVILLE | ZIP CODE: 29472 | WEAPON TYPE: 99. .

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
07/02/2011	13:55		07/02/2011	14:13	07/02/11	14:01	14:13	14:50	3/192

VICTIM NO. 1

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
BOWZARD, JENNIFER, DENISE	CS			☒ S O U	W	F	40	N	(843) 305-0255 B	H B

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND R	RIDGEVILLE	SC	29472	3/192

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
BOWZARD, JENNIFER, DENISE	CS			☒ S O U	W	F	40	N	(843) 305-0255 B	H B

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
508	147	BRO	BRO	

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND R	RIDGEVILLE	SC	29472	3/192

VISIBLE INJURY (VICT. 1) ☐ YES NO ☒ EXPLAIN —

COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES NO ☒

VICTIM (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ DRUGS: ☐ YES NO ☒ UNK ☐ TYPE:

TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPLASH. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐

*J — This Jurisdiction. S — State. O — Out of State. U — Unknown

SUBJECT NO. 1

☒ SUSPECT ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☒ ARREST ☒ JAIL ☒ SUMMONS

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES, ALAN	W	M	39	N		507	180	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND ROAD	RIDGEVILLE	SC	29472	3/192

SUBJECT (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ DRUGS: ☐ YES NO ☒ UNK ☐ TYPE:

ARRESTED NEAR OFFENSE SCENE ☐ YES NO ☒ TOTAL # ARRESTED

DATE/TIME OF OFFENSE:

DATE/TIME OF ARREST:

NARRATIVE

THIS DEPUTY WAS DISPATCHED TO 1254 CYPRESS CAMPGROUND ROAD IN REFERENCE TO A CALL THAT CAME IN FROM DORCHESTER COUNTY. DISPATCH STATED THAT THEY COULD BARELY HEAR DORCHESTER DISPATCHERS DUE TO THE VICTIM SCREAMING SO LOUD. DISPATCH ADVISED THEY HEARD A LOUD NOISE AND THE PHONE DISCONNECTED. UPON CALL BACK THEY HEARD THE VICTIM SCREAMING AND THEY WERE AGAIN DISCONNECTED. WHILE ENROUTE DISPATCH ADVISED RESPONDING DEPUTIES THAT THE SHERIFF'S OFFICE RESPONDED TO THE SAME LOCATION THE NIGHT BEFORE FOR A CRIMINAL DOMESTIC VIOLENCE AND NIGHT SHIFT UNITS WERE OBTAINING A WARRANT FOR A JAMES SANDERS. WHEN THIS DEPUTY AND CPL FIELDS ARRIVED ON SCENE THE TRAILERS FRONT DOOR WAS WIDE OPEN AND BOTH THE VICTIM AND SUBJECT WERE CALMLY STANDING IN THE BACKYARD. VICTIM AND SUBJECT WERE SEPARATED. THE VICTIM STATED THAT THE SUBJECT CAME TO THE RESIDENCE, LET HIMSELF IN THROUGH THE FRONT DOOR AND BEGAN ARGUING WITH

PROPERTY EST.

	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY	JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY	TOTAL VALUE
TYPE (GROUP)			
STOLEN			
DAMAGED			
BURNED			
RECOVERED			
SEIZED			

PLAINTIFF'S EXHIBIT 3 tabbies

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☒ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH, 2. ☐ NO PROSECUTION, 3. ☐ EXTRADITION DENIED, 4. ☐ VICTIM DECLINES COOPERATION, 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
HARDING, TABATHA	07/02/11	121	GUNNELLS, PATRICK	07/02/11	77
			FOLLOW-UP INVESTIGATION ☐ YES NO ☒ OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011070279 5 3

MDD: NO. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY PAGE 2 of ____ PAGES
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ SUMMARY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ____ ☐ SUMMARY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

HER. HE THEN TRIED TO TAKE HER CELL PHONE AND SHE DIALED 911. SHE STATED THAT THE SUBJECT DID NOT HIT HER BUT ONLY BEAR HUGGED HER IN AN ATTEMPT TO TAKE HER CELL PHONE. VICTIM ADVISED THIS DEPUTY THAT SHE AND THE SUBJECT LIVED TOGETHER FOR A YEAR AND HE LEFT IN APRIL. SINCE THEN HE HAS COME AND GONE OFF AND ON AS HE PLEASED AND SHE HAS BEEN IN FEAR TO CONTACT THE SHERIFF'S OFFICE. SHE STATED HE HAS BEEN ABUSIVE THEIR ENTIRE RELATIONSHIP AND THAT SHE IS FEARFUL FOR HER LIFE. SHE BECAME VERY UPSET AND PLEADED THAT IF THE SUBJECT WAS ALLOWED TO STAY AT THE HOUSE HE WOULD KILL HER. CPL FIELDS VERIFIED THROUGH PFC. ANTWINE THAT SHE WOULD BE OBTAINING A WARRANT FOR THE CALL THE NIGHT BEFORE. THIS DEPUTY PLACED THE SUBJECT UNDER ARREST FOR CRIMINAL DOMESTIC

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
NIC NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED: ☒ YES ☐ NO | SUBJECT LOCATED: ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM REFUSES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
HARDING, TABATHA	07/02/11	121	GUNNELLS, PATRICK	07/02/11	77
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO — OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 201107027953

NCIC: INQ. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 3 of _____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT * J S O U | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASH ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT * J S O U | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASH ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

VIOLENCE. WHEN THIS DEPUTY ASKED THE SUBJECT FOR HIS NAME AND ADDRESS HE PROVIDED THE ABOVE ADDRESS. HE WAS HANDCUFFED, DOUBLE LOCKED, SEARCHED AND PLACED IN THE REAR OF THIS DEPUTIES VEHICLE. WHILE IN THE REAR OF THE VEHICLE THE SUBJECT CONTINUOUSLY ASKED THIS DEPUTY TO LOCK HIS TRUCK AND ALLOW HIM TO HAVE HIS KEYS. PFC WEISE LOCKED THE SUBJECTS TRUCK AND HANDED THE KEYS OVER TO THIS DEPUTY. WHILE ENROUTE TO THE HILL-FINKLEA DETENTION CENTER AND SUBJECT WAS EXTREMELY TALKATIVE. THIS DEPUTY ONLY ANSWERED QUESTIONS PERTAINING TO THE CHARGE AND BOND HEARING. IN THE SUBJECTS CONVERSATION WITH HIMSELF HE STATED, "I DON'T LIVE THERE SO AM TO DO IF SHE BREAKS INTO MY TRUCK AND TAKES MY STUFF?; CAN I HAVE A DRINK OF WATER?; CAN YOU TAKE ME BACK

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
MC NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
HARDING, TABATHA	07/02/11	121	GUNNELLS, PATRICK	07/02/11	77
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO — OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011070279 53

NCIC: INQ. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ ADDRESS CHANGE ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 4 of ____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ CITATIONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: FL OOS | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPECIAL ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ CITATIONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: FL OOS | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPECIAL ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

TO MY TRUCK SO I CAN GET A SHIRT?; YOU'RE JUST TAKING HER SIDE I SEE WHERE THIS IS GOING.; ANY JUDGE WILL SEE THAT I WAS JUST THERE TO GIVE HER BACK HER FLOATS AND THAT SHE IS CRAZY.; THOSE BRUISES ARE A WEEK OLD ON HER.; I LEFT LAST NIGHT BECAUSE I KNEW SHE CALLED THE POLICE.; THOSE BRUISES ARE OVER A MONTH OLD ON HER FACE AND I WASN'T EVEN PRESENT." THE SUBJECT WAS ISSUED CITATION 68817FC FOR CRIMINAL DOMESTIC VIOLENCE AND A HOLD CARD WAS PLACED FOR PFC ANTWINE. SUBJECT WAS ADVISED OF HIS COURT DATE AND TIME. VICTIM PROVIDED A STATEMENT AND WAS ADVISED OF THE CASE NUMBER, AVAILABILITY OF REPORT, BOND HEARING DATE AND TIME, AND VICTIM ADVOCATE INFORMATION. THIS DEPUTIES VEHICLE WAS SEARCHED PRIOR TO AND AFTER TRANSPORT WITHOUT INCIDENT. NOTHING FURTHER

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
MFG NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ EVIDENCE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
HARDING, TABATHA	07/02/11	121	GUNNELLS, PATRICK	07/02/11	77
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO → OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 201107027953

NCIC: INC. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY PAGE 5 of _____ PAGES
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ _____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: YES NO | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ _____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: YES NO | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

AT THIS TIME BY THIS DEPUTY.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
FIC NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED: ☒ YES ☐ NO | SUBJECT LOCATED: ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	DEPT NUMBER
HARDING, TABATHA	07/02/11	121	GUNNELLS, PATRICK	07/02/11	77
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO — OFFICER		

AGENCY I.D.
SC0080000

INCIDENT REPORT

CASE NUMBER: 20110703540

SCIC: INC. N, ENTD. N

RECEIVED JUL 19 2011

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. INTIMIDATION (13C)	☒ YES ☐ NO	☐ YES ☐ NO	Residence/Home (		☐ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Org. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
2.	☐ YES ☐ NO	☐ YES ☐ NO			
3.	☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 1254 CYPRESS CAMPGROUND ROAD, RIDGEVILLE | ZIP CODE: 29472 | WEAPON TYPE:

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK: DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
07/18/2011	23:30		07/18/2011	23:30	07/18/11	23:31	23:48	00:30	3/192

VICTIM NO. 1

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
BOWZARD, JENNIFER, DENISE	CS			☒ S O U	W	F	40	N	(843) 305-0255 ☒ B	H B

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
~~1254 CYPRESS CAMPGROUND R~~	~~RIDGEVILLE~~	~~SC~~	~~29472~~	~~3/192~~

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
~~BOWZARD, JENNIFER, DENISE~~	CS			☒ S O U	W	F	40	N	~~(843) 305-0255~~ ☒ B	H B

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
508	147	BRO	BRO	

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND R	RIDGEVILLE	SC	29472	3/192

VISIBLE INJURY (VICT. 1) ☐ YES NO ☒ EXPLAIN — COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES NO ☒

VICTIM (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ DRUGS: ☐ YES NO ☒ UNK ☐ TYPE:

TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPLASH. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ *J—This Jurisdiction, S—State, O—Out of State, U—Unknown

SUBJECT NO. 1

☒ SUSPECT ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES, ALAN	W	M	39	N		508	188	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.: TATTOO L SHOULDER

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND ROAD	RIDGEVILLE	SC	29472	3/192

SUBJECT (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ DRUGS: ☐ YES NO ☒ UNK ☐ TYPE:

ARRESTED NEAR OFFENSE SCENE ☐ YES NO ☒ TOTAL # ARRESTED

DATE/TIME OF OFFENSE: 07/18/11 23:30 | DATE/TIME OF ARREST:

NARRATIVE

ON 07/18/2011 I RESPONDED TO 1254 CYPRESS CAMPGROUND ROAD IN REFERENCE TO A DOMESTIC DISPUTE. I MET WITH THE VICTIM/COMPLAINANT, JENNIFER BOWZARD. BOWZARD STATED THAT HER COMMON LAW SPOUSE/SUSPECT, JAMES SANDERS JR., HAD RECENTLY BEEN ARRESTED AND CHARGED WITH TWO CRIMINAL DOMESTIC VIOLENCE CHARGES IN THE MONTH OF JULY 2011. BOWZARD STATED THAT SHE ALLOWED SANDERS TO RETURN TO THE RESIDENCE AFTER BOWZARD WAS GIVEN INSTRUCTIONS FROM THE BOND JUDGE OF BERKELEY COUNTY NOT TO HAVE ANY CONTACT WITH BOWZARD. BOWZARD STATED SHE WAS ATTEMPTING TO WORK THINGS OUT WITH SANDERS, HOWEVER, SANDERS AGAIN BEGAN TO BE CONTROLLING AND BECAME HIGHLY UPSET BECAUSE BOWZARD FAILED TO ANSWER HER CELL PHONE WHEN SANDERS CALLED. ON THIS DATE SANDERS BECAME ANGRY AND GOT IN HIS PICKUP TRUCK AND "CUT DONUTS AROUND THE RESIDENCE." SANDERS HAD LEFT THE SCENE PRIOR TO MY ARRIVAL. BOWZARD FURTHER STATED THAT SHE RECEIVED

PROPERTY EST.

	TYPE (GROUP)				JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY	JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY	TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

PLAINTIFF'S EXHIBIT 4

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES NO ☐ | SUBJECT LOCATED ☒ YES NO ☐ | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH, 2. ☐ NO PROSECUTION, 3. ☐ EXTRADITION DENIED, 4. ☐ VICTIM DECLINES COOPERATION, 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
DRENNON, FRANK	07/18/11	119	ONEILL, SEAN	07/18/11	68
			FOLLOW-UP OFFICER		
			INVESTIGATION. ☐ YES NO ☒		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011070305400

NCIC: INQ. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 2 of _____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE | EVENING PHONE

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES — EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASH ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE | EVENING PHONE

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES — EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASH ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

SEVERAL PHONE CALLS FROM SANDERS AFTER HE LEFT WHERE SANDERS STATED THAT SHE, BOWZARD, HAD RUINED HIS LIFE AND THAT HE WAS GOING TO KILL HER. BOWZARD COLLECTED HER BELONGINGS FROM THE RESIDENCE AND WENT TO STAY WITH A FRIEND DUE TO THE FEAR OF SANDERS RETURNING. I ADVISED BOWZARD TO CONTACT THE VICTIMS ADVOCATE CAROL GRUNSKY FOR ASSISTANCE IN MEETING WITH THE BOND JUDGE IN AN ATTEMPT TO REVOKE SANDERS TWO BONDS ON CHARGES THAT ARE STILL PENDING IN BERKELEY COUNTY. I ADVISED BOWZARD TO ALSO PURSUE OBTAINING AN ORDER OF PROTECTIONS AGAINST SANDERS. BOWZARD WAS PROVIDED WITH THE CASE NUMBER, THE PHONE NUMBER FOR THE BERKELEY COUNTY VICTIM'S ADVOCATE AND WAS ALSO ADVISED ON HOW TO OBTAIN A COPY OF THIS REPORT. I

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
NIC NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
DRENNON, FRANK	07/18/11	119	ONEILL, SEAN	07/18/11	68

FOLLOW-UP INVESTIGATION ☐ YES ☒ NO — OFFICER

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 201107030540

NOIC: INQ. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY PAGE 3 of ____ PAGES
☐ MODIFIES OFFENSE ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RELATIVE ☐ WANTED ☐ TRESPASS ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: P1 P2 P3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLANT ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RELATIVE ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: P1 P2 P3 | RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLANT ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK

NARRATIVE

CONDUCTED AND AREA SEARCH FOR SANDERS AND/OF HIS RED F150 PICKUP HE WAS DRIVING AND MET WITH NEGATIVE RESULTS.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
IBC NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY / EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
DRENNON, FRANK	07/18/11	119	ONEILL, SEAN	07/18/11	68
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO OFFICER		

AGENCY I.D.
SC0080000

INCIDENT REPORT

RECEIVED JUL 27 2011

CASE NUMBER: 2011070317 24 | NIC NO.: N | ENTD: N

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. CRIMINAL DOMESTIC VIOLENCE HIGH & AGGRAVATED (13A)	☒ YES ☐ NO	☐ YES ☐ NO	Residence/Home (		☒ Individual
2. FAIL STO FOR BLUE LIGHT (90Z) -Add:EVADING ARREST	☒ YES ☐ NO	☐ YES ☐ NO	Highway/Road/Alle		☐ Business ☐ Financial Inst. ☒ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
3.	☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 1254 CYPRESS CAMPGROUND RD, RIDGEVILLE | ZIP CODE: 29472 | WEAPON TYPE: 30, ,

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK: DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
07/26/2011	18:00		07/26/2011	18:30	07/26/11	19:22	19:38	21:30	3/192

VICTIM NO. 1

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
TRIDENT HOSPITAL, ,				* J S O 9					(843) 797-8860 H / B	H / B

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
9330 MEDICAL PLAZA DRIVE	NORTH CHARLESTON	SC	29405	

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
BOWZARD, JENNIFER, DENISE	BG			☒ S O U	W	F	40	N	(843) 460-4394 H / B	H / B

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
510	180	BRO	BRO	

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND R	RIDGEVILLE	SC	29472	3/192

VISIBLE INJURY (VICT. 1) ☒ YES ☐ NO EXPLAIN — SEE NARRATIVE | COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☒ NO

VICTIM (NO. 1) USING: ALCOHOL ☐ YES ☒ NO ☐ UNK | DRUGS: ☐ YES ☒ NO ☐ UNK | TYPE:

TWO-MAN VEH. ☐ | ONE-MAN VEH. ☐ | DETECTIVE/SPLASHT. ☐ | OTHER ☐ | ALONE ☐ | ASSISTED ☐

*J — This Jurisdiction. S — State. O — Out of State. U — Unknown

SUBJECT NO. 1

☒ SUSPECT ☐ RUNAWAY ☒ WANTED ☐ WARRANT ☒ ARREST ☐ JUV. ☒ SUMMONS

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES, ALAN	W	M	39	N		507	180	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.: TATTOO L SHOULDER

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND ROAD	RIDGEVILLE	SC	29472	

SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☒ NO ☐ UNK | DRUGS: ☐ YES ☒ NO ☐ UNK | TYPE:

ARRESTED NEAR OFFENSE SCENE ☐ YES ☒ NO | TOTAL # ARRESTED: 1

DATE/TIME OF OFFENSE: | DATE/TIME OF ARREST:

NARRATIVE

THIS DEPUTY RESPONDED TO TRIDENT MEDICAL HOSPITAL IN REFERENCE TO A DOMESTIC ASSAULT VICTIM THAT DORCHESTER COUNTY EMS BROUGHT IN AT APPROXIMATELY 1845. THIS DEPUTY MET WITH THE VICTIM, JENNIFER BOWZARD IN THE EMERGENCY ROOM AFTER SHE FINISHED GETTING A CT SCAN AND X-RAYS. THE VICTIM HAD A LARGE LACERATION TO HER NOSE AND FOOT AND HER NOSE AND EYES WERE SWOLLEN AND BRUISED. THE VICTIM STATED THAT HER BOYFRIEND, JAMES SANDERS JR, TRIED CALLING HER BUT SHE DID NOT ANSWER BECAUSE SHE WAS ON THE PHONE. SHE STATED HE ARRIVED HOME AND WAS IRATE AND STARTED PUNCHING HER. THE VICTIM STATED SHE RAN OUTSIDE AND THAT IS WHEN HE GRABBED A PAINT ROLLER EXTENSION POLE THAT SHE WAS USING AND BEGAN STRIKING HER WITH IT. SHE STATED THAT HER NEIGHBORS THAT LIVE BEHIND HER ARRIVED HOME AND WITNESSED THE ALTERCATION. SHE STATED THE NEIGHBORS YELLED AT HIM TO GET OFF OF HER AND THE SUSPECT RAN TO HIS TRUCK AND LEFT THE SCENE. SHE STATED

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY: | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY:

PROPERTY EST.

	TYPE (GROUP)				TOTAL VALUE
STOLEN					
DAMAGED					
BURNED					
RECOVERED					
SEIZED					

PLAINTIFF'S EXHIBIT 5 (Gibbes)

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ARRINGTON, COREY	07/27/11	113	GEIGER, JAMES	07/27/11	C48
			FOLLOW-UP INVESTIGATION. ☐ YES ☒ NO — OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011070317 2 4

NOID: INC. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ ADDENDA ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 2 of _____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☒ VICTIM # 2 ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS

NAME (LAST, FIRST, MIDDLE)	VICTIM RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	D.O.B.	ETH.
STATE OF SOUTH CAROLINA, ,									

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE
223 NORTH LIVE OAK DRIVE	MONCKS CORNER	SC	29461		(843) 719-4412 H / B	H / B

☒ VICTIM NO. 2 VISIBLE INJURY ☒ NO ☐ YES | EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☒ NO ☐ YES | VICTIM USING ALCOHOL: ☒ NO ☐ YES ☐ UNK. DRUGS: ☒ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASHT. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS

NAME (LAST, FIRST, MIDDLE)	VICTIM RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	D.O.B.	ETH.

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE
					H / B	H / B

☐ VICTIM NO. ____: VISIBLE INJURY ☐ NO ☐ YES | EXPLAIN: | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASHT. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

THEY DROVE HER TO THE DORCHESTER COUNTY EMS STATION LOCATED AT 105 SCHOOL STREET IN RIDGEFIELD AT WHICH TIME THEY TRANSPORTED HER TO TRIDENT MEDICAL CENTER FOR TREATMENT. DEPUTIES WALTOWER AND LITCHFIELD RESPONDED TO THE INCIDENT LOCATION IN ATTEMPT TO LOCATE THE SUSPECT IN HIS VEHICLE. WITNESS STATEMENTS WERE OBTAINED BY THE NEIGHBORS ON SCENE THAT HELPED HER. THE ATTENDING NURSE STATED THAT THE VICTIM SUFFERED A BROKEN EYE SOCKET AND NOSE AND NEEDED NUMEROUS STITCHES IN HER FOOT AND NOSE. THE VICTIM COULD NOT PROVIDE A WITNESS STATEMENT DUE TO NEEDING TREATMENT. A NOTIFICATION OF PROTECTIVE MEASURES FORM AND VICTIM NOTIFICATION FORM WAS COMPLETED. DIGITAL PICTURES WERE TAKEN OF THE VICTIMS INJURIES AND ALSO OF THE POLE USED IN

	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY	JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS	TYPE
☐ STOLEN	☐ VEHICLE
☐ RECOVERED	☐ GUN
☐ FOUND	☐ BOAT
☐ TOWED	☐ LICENSE PLATE
☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS
☐ VICTIM	☐ ARTICLE

VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.			
SERIAL AND/OR OWNER APPLIED NO.			STATE	
YEAR OF REGISTRATION	YEAR OF EXPIRATION	YEAR	MAKE	TYPE
MODEL	STYLE	COLOR	BRAND NAME	CALIBER
HIC NO.	DENOMINATION	ISSUER	SECURITIES DATE	
MISCELLANEOUS				

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ARRINGTON, COREY	07/27/11	113	GEIGER, JAMES	07/27/11	C48
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO — OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 201107031724

NCIC: NO. N | EMID N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY PAGE 3 OF ____ PAGES
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT J S O U | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3 | RESIDENT J S O U | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES EXPLAIN | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLAINCL. ☐ ALONE ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

THE ASSAULT. A SHORT TIME LATER, DEPUTIES LITCHFIELD AND WALTOWER LOCATED THE SUSPECT VEHICLE OFF HIGHWAY 78 AND A PURSUIT WAS INITIATED. THE PURSUIT TERMINATED AT POPLAR GROVE PLACE AND HIGHWAY 78 AT WHICH TIME THE SUSPECT WAS HANDCUFFED BEHIND HIS BACK, DOUBLE LOCKED. THE SUSPECT WAS READ HIS MIRANDA RIGHTS AND WAS SECURED IN THE REAR SEAT OF MY PATROL VEHICLE. THE SUSPECT AND REAR SEAT OF MY PATROL VEHICLE WAS SEARCHED PRIOR TO AND AFTER TRANSPORTING. THIS DEPUTY TRANSPORTED THE SUSPECT TO THE HILL FINKLEA DETENTION CENTER WHERE HE WAS BOOKED AND HOUSED. HOLD CARDS WERE PLACED ON THE SUSPECT FOR THIS INCIDENT AND A WARRANT WITH NORTH CHARLESTON P.D. THIS DEPUTY IS OBTAINING A WARRANT FOR THE CHARGE OF CRIMINAL DOMESTIC VIOLENCE

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED NO. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
NIC NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED: ☒ YES ☐ NO | SUBJECT LOCATED: ☒ YES ☐ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ARRINGTON, COREY	07/27/11	113	GEIGER, JAMES	07/27/11	C48
			FOLLOW-UP OFFICER: INVESTIGATION ☐ YES ☒ NO		

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER: 2011070317 24

NCIC: NO. N | ENTD. N

☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 4 of _____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ _____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: Y N O U | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VEHICLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASHT. ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ☐ SUBJECT # ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ _____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3 | RESIDENT: Y N O U | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE H B | EVENING PHONE H B

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VEHICLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASHT. ☐ ALONE
EXPLAIN: | DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES
USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

HIGH AND AGGRAVATED NATURE. AN OCA WAS GIVEN AND THE VICTIM WAS ADVISED OF THE TIME THE SUSPECT WILL HAVE BOND HEARING.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM
TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL I.D. AND/OR REG. NO.
SERIAL AND/OR OWNER APPLIED I.D. | STATE
YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE
MODEL | STYLE | COLOR | BRAND NAME | CALIBER
BID NO. | DENOMINATION | ISSUER | SECURITIES DATE
MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED: ☒ YES ☐ NO | SUBJECT LOCATED: ☒ YES ☐ NO | ☒ ACTIVE ☐ JDA CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ARRINGTON, COREY	07/27/11	113	GEIGER, JAMES	07/27/11	C48

FOLLOW-UP INVESTIGATION ☐ YES NO ☒ OFFICER


PLAINTIFF'S
EXHIBIT
6
tabbies

M-333997

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

THE STATE against

James Allen Sanders, Jr

2011-07031724

Address: 1254 Cypress Campground Rd
Ridgeville, SC 29472-7321

Phone: SSN: 251-21-3316

Sex: M Race: W Height: 5 7 Weight: 189

DL State: SC DL #: 008983101

DOB: 6/19/1972 Agency ORI #: SC0080000

Prosecuting Agency: Berkeley County Sheriff Office

Prosecuting Officer: C. L. Arrington - 0006

Offense: Domestic/ Criminal domestic violenceof a high and aggravated nature

Offense Code: 2988

Code/Ordinance Sec: 16-25-0065

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of . The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant James Allen Sanders Jr. on 7/27/11

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
300 B California Avenue
PO Box 219
Moncks Corner, SC 29461

0095

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

[X] County/ [ ] Municipality of

Berkeley

AFFIDAVIT

SCCA 518

Personally appeared before me the affiant C. L. Arrington who being duly sworn deposes and says that defendant James Allen Sanders, Jr did within this county and state on or about 06/26/2011 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) in the following particulars:

DESCRIPTION OF OFFENSE Domestic/ Criminal domestic violenceof a high and aggravated nature

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on or about 06-26-2011 at 1254 Cypress Campground Road, Ridgeville SC located within the County and State aforesaid the Defendant did commit the offense of Criminal Domestic Violence High and Aggravated Nature in violation of §16-25-65 of the South Carolina Code of Laws 1976, As Amended, in that the Defendant did willfully, maliciously and unlawfully assault his girlfriend. Facts to establish the aforesaid: 1) On 06-26-2011 the Berkeley County Sheriff's Office responded to Trident Hospital in reference to an assault that occurred on Cypress Campground Rd. 2) The victim had lacerations to her foot and nose and a broken nose and eye socket. 3) The victim stated the suspect hit her with a extension pole. 4) The suspect led deputies on a pursuit and admitted to striking the victim after he was arrested. This deputy is witness to prove the same. All against the peace and dignity of this State.

Signature of Affiant

PLAINTIFF'S EXHIBIT 7

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

Affiant's Address 223 North Live Oak Dri
Moncks Corner, SC 2946

Affiant's Telephone (843)719-4465

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 6/26/2011 defendant James Allen Sanders, Jr did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) as set forth below:

DESCRIPTION OF OFFENSE: Domestic/ Criminal domestic violenceof a high and aggravated nature

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me on 07/27/2011

(L.S.)

Signature of Issuing Judge

McGregor Tuttle Dennis

Judge Code: 5598

Judge's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-3748

Judge's Telephone (843)719-4050

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

FILED JUL 28 PM 12:07
BERKELEY COUNTY
CLERK OF COURT
BROWN

ORIGINAL ORIGINAL ORIGINAL

BAIL set by

Judge [illegible]

on 2?

Type and Amount: 40,000.00

Name of Surety:

PRELIMINARY HEARING held by

Judge

on

Defendant Attorney:

Decision:

DISPOSITION before

Judge

on

by

(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition:

Sentence:

JURORS

WITNESSES

Name:
Address:
Telephone:

Name:
Address:
Telephone:

Name:
Address:
Telephone:

Name:
Address:
Telephone:

Name:
Address:
Telephone:

Name:
Address:
Telephone:

Name:
Address:
Telephone:

Name:
Address:
Telephone:

CODEFENDANTS

9600

Victim Notification Information
BERKELEY COUNTY SHERIFF'S OFFICE

AGENCY I.D. SC0080000

Victim Information Case # 2011 CR 2172

PIN:

Name of Victim: [illegible]

Mailing Address: [illegible]

Telephone #: (H) [illegible] 365-[illegible]

Relative or Contact Person: [illegible]

Mailing Address: [illegible]

Telephone #: (H) [illegible]

Suspect Name: [illegible]

In order for Law Enforcement to make a reasonable attempt to contact you of the arrest or detention and of the appropriate bond or other pretrial release hearing or procedure, it is your responsibility to notify the appropriate agency of any change in your address or phone number.

The information given on this form will be provided to the jail, prison, detention or holding facility having physical custody of the defendant. It will also be made available to the prosecuting agency and the Department of Juvenile Justice System, if the defendant is a juvenile.

Court Date Information (if available at time of report)

State vs. [illegible] Warrant #/Ticket #

Date and Time: TBA Location: [illegible]

Bond hearings are held at the Hill Finklea Detention Facility Monday through Friday, 8:00 a.m. & 7:00 p.m., Saturday and Sunday, 9:00 a.m. & 7:00 p.m., and Holidays at 9:00 a.m. and 7:00 p.m.

I do [1] I do not [2] wish to be contacted when bond is set, anytime day or night.

I do [1] I do not [2] wish to be contacted when the defendant is released from jail, anytime day or night.

As a victim of crime I have received a copy of the Victim Notification Form provided to me by the Berkeley County Sheriff's Office and I agree that the victim information is correct.

[illegible] 7-26-11

Signature of Person Receiving Information — Date

[illegible] 7-26-11

Signature of Reporting Officer — Date

PLAINTIFF'S EXHIBIT 8

Notice of Bond Hearing: The victim was notified of the bond hearing on 7-27, 20 11 *at* 1900 *hours.*

[illegible] T. Powell

Signature of Notifying Person — *How Notified*

Notice of Defendant's Release: The victim was notified of the defendant's release on bond on _____, 20____ *at* _____

Signature of Notifying Person — How Notified

Victims Rights & Responsibilities

- You may contact the Berkeley County Sheriff's Victim Assistance Office at 719-4456 or 723-3800 ext. 4455.

- You are responsible for informing the Berkeley County Sheriff's Office, Central Summary Court, Berkeley County Solicitor's Office, and the S.C. Dept. of Probation, Parole and Pardon Services, of any change of address or telephone number.

- You have the right to be treated fairly and to be present at any hearing for which the defendant must be present.

- You have the right to be kept informed as to the status of your case and to the timely return of property.

- You have the right to protection from harassment from the suspect or from someone acting on the suspect's behalf.

- You have the right to compensation (if eligible) and/or restitution.

- You have the right to submit a written or verbal statement to the judge concerning bail or bond.

- You may pick up a copy of the incident report at the Berkeley County Sheriff's Office, free of charge. Please bring this form with you.

As a victim or witness of a criminal incident, you are protected by law from intimidation. If you fear any reprisal or should the defendant, or someone acting on the behalf of the defendant contact you, call 719-4424 or 723-3800 ext. 4424, or if there is an emergency call 911.

Important Numbers

Victim Assistance Office	719-4555
My Sister's House	1-800-273-4673/744-3242
People Against Rape	745-0144
Solicitor Victim Witness	719-4529
State Victim Assistance	1-800-220-5370
Mental Health	761-8282
Dept Of Social Services	761-8044
Central Summary Court	719-4220
Hill Finklea Detention Center	719-4390
Department of Juvenile Justice	761-8194
Berkeley County Family Court	719-4500

If you wish to fill out a Victim Impact Statement you may pick one up at the Magistrate's Office. Help in filling out the statement is available upon request.

Every reasonable effort will be made to notify you of the arrest, detention, bond hearing and/or release of a suspect. If you do not want to be notified of any or all of the above, you must inform the officer or court.

GENERAL INFORMATION

Reporting Officer: 3727
Incident No: 201107031724
Reference No. 3:

File Date: 07/27/2011
Reference No. 1:

Last Updated On: 07/27/2011
Reference No. 2:

NARRATIVE

DATE: 7/27/11
REF: CDVHAN (M-333997) STATUTE 16-25-65
SUBJ: JAMES ALLEN SANDERS JR.
AFF: CPL. ARRINGTON
VICT: JENNIFER BOWZARD

ON 7/27/11 I SERVED A WARRANT FOR CDVHAN (M-333997) STATUTE 16-25-65 ON JAMES ALLEN SANDERS JR. WHILE HE WAS INCARCERATED AT THE HILL-FINKLEA DETENTION CENTER. JAMES ALLEN SANDERS JR. WAS GIVEN A COPY OF THE WARRANT. THE VICTIM JENNIFER BOWZARD WAS ADVISED OF THE ARREST, BOND COURT DATE AND TIME. I MADE COPIES OF ALL DOCUMENTS AND PLACED THEM IN CPL. ARRINGTON'S BOX.

CPL. S. MUSGRAVE
C-123

LT. A. RAMSEY
C-27

Capt. U. Greene C-9 (0799)

RECD AUG 02 2011



COMMITMENT

☐ Original Commitment

☐ Additional Charge(s)

TO: Director Berkeley County Detention Center

Date: 7/27/2011

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr (Defendant's name) DOB: 06/19/1972 Race: W Sex:M

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321

(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
M333997	Domestic/ Criminal domestic violenceof a high and aggravated nature	General Sessions	Cash Bond Surety Bond	$40,000.0 $40,000.0

PLAINTIFF'S EXHIBIT 10

FILED
2011 JUL 28 PM 12:07
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

0100

TO BE USED IN BOND HEARINGS FOR CRIMINAL DOMESTIC VIOLENCE CASES WHERE DEFENDANT IS SUBJECT TO AN ORDER OF PROTECTION OR RESTRAINING ORDER

Pursuant to Section 16-25-125 of the South Carolina Code of Laws, it is unlawful for a person who has been charged with or convicted of criminal domestic violence or criminal domestic violence of a high and aggravated nature, who is subject to an order of protection, or who is subject to a restraining order, to enter or remain upon the grounds or structure of a domestic violence shelter in which the person's household member resides or the domestic violence shelter's administrative offices. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than three thousand dollars or imprisoned for not more than three years, or both. If the person is in possession of a dangerous weapon at the time of the violation, the person is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

Charging Document (s) M333997

Charge (s) CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE

James Allen Sander, Jr.

Defendant's Name

Defendant's Signature

July 27, 2011

Date

☐ Defendant was given the opportunity to review and sign this document, but refused to do so.

Witnessed: _____

☐ A copy of this document has been provided to the defendant.

PLAINTIFF'S EXHIBIT 11

FILED
2011 JUL 28 PM 12:
BARBARA BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

2011 JUL 29 PM 2:10

CLERK OF COURT
BERKELEY COUNTY, SC

Sheriff Wayne DeWitt

INFORMATION SHEET

Defendants Name James Allen Sanders Jr.

Defendants Address Hill Finkley Det. Center (Jail)

Defendants Telephone 803-971-1873

Defendants Height 5'8 Weight 188 Hair Brown
Eyes Brown Race White Sex male

Defendants Vehicle 2004 F-150 Color Red Tag ? Clemson tags
F x 4 Ford 4X4

Any dogs N.O

PLAINTIFF'S EXHIBIT 12

Is the defendant known to own Firearms N.O ?

Any other Danger signs Crazy in the head his brother has been in a mental Hospital for yea

Defendant second address he has moved

If you think the Defendant is in another County, you will need to file in that County.

GENERAL INFORMATION

Reporting Officer: 3499
Incident No: 201107031724
Reference No. 3:

File Date: 07/30/2011
Reference No. 1:

Last Updated On: 07/30/2011
Reference No. 2:

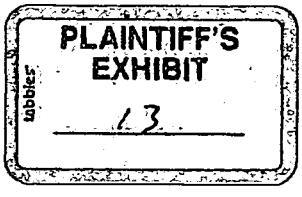
NARRATIVE

IN REFERENCE TO FAIL TO STOP FOR BLUE LIGHT

I ASSISTED PATROL ON A VEHICLE PURSUIT ON HWY 78 NEAR THE WESTVACO PLANT IN THE SUMMERVILLE AREA OF DORCHESTER COUNTY. I SAW THE SUSPECT TRUCK APPROACHING ME AT A HIGH RATE OF SPEED AND I DEPLOYED MY STOP STICKS ACROSS THE ROAD. THE TRUCK RAN OVER THE STOP STICKS WITH THE FRONT LEFT TIRE. I REMOVED MY STOP STICKS FROM THE ROAD. WHEN THE TRUCK STOPPED ITS FRONT LEFT TIRE WAS FLAT FROM THE SPIKES.

R/O SGT. O. PITTMAN C-66

REC'D AUG 03 2011



STATE OF SOUTH CAROLINA)
) IN THE FAMILY COURT
COUNTY OF BERKELEY) NINTH JUDICIAL CIRCUIT
2011 AUG -2 PM 12: 02
Jennifer Bowzard) **FAMILY COURT ORDER**
MARY E. BROWN CLERK OF COURT BERKELEY COUNTY, SC) **PROTECTION FROM DOMESTIC ABUSE ACT**
Petitioner,) (For Use By Family Court Judges)

vs.) Docket No. 2011-DR-08-1439
) Judge: M. Hale
James Sanders) Attorney for Petitioner:
Respondent.) Attorney for Respondent:
) Court Reporter:

PETITIONER IDENTIFIERS	RESPONDENT IDENTIFIERS
	SEX * / RACE * / DOB*
Date of Birth of Petitioner	
And/or on behalf of minor family member(s) or other Protected persons: (list name and DOB)	EYES / HAIR / SOCIAL SECURITY #
	HEIGHT / WEIGHT
	DRIVERS LICENSE # / STATE
	Relationship to Petitioner:
	Respondent's Address

CAUTION:
☑ Weapon Involved ☐ Weapon Present on Respondent's Property ☐ Access to weapons

*Indicates required information for entry into NCIC

PLAINTIFF'S EXHIBIT 14

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 this order shall be effective until 8/2/12

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:

Phone Number - Sheriff — CERTIFIED TRUE COPIES OF RECORD IN THIS COUNTY — Phone Number – Clerk of Court

Mary P Brown

SCCA 426 (12/2009)

8-2-11
DATE
CLERK OF COURT, FAMILY COURT
BERKELEY COUNTY, SOUTH CAROLINA

0104

A Petition for Order of Protection was filed on July 29, 2011. I held a hearing on 8/2/11. Respondent (☑ was / ☐ was not) given actual notice and an opportunity to participate. Respondent (☑ did / ☐ did not) appear. After hearing the evidence, and examining the affidavits and verified pleadings, I have determined that the petition should be GRANTED, based on these facts:

1. That the Respondent and the Petitioner (check one or more):

☐ are husband and wife	☐ have this child/children in common:	☐ are cohabiting
☐ were husband and wife	☐ are household or family members pursuant to S.C. Code § 20-4-20(a)(2)	☑ were cohabiting

2. Venue is properly in this county, since this is the county where
   - ☑ a. the act of abuse occurred; or
   - ☐ b. the Respondent resides; or
   - ☐ c. the parties last resided together.

3. Abuse occurred on (date) 7/26/11 at _____ o'clock (☐ a.m. / ☐ p.m) at _____ in this manner: Resp. hit and kicked Petitioner causing injury and putting Pet. in fear of her life.

4. Resp committed this abuse.

5. Pet (☑ was / ☐ were) the victim(s) of this abuse.

☐ Check here if the victim is less than 18 years old and name: _____.

6. ☑ The evidence establishes that (☑ Respondent / ☐ Petitioner) represents a credible threat to the physical safety of the victim. The (☐ Respondent / ☐ Petitioner) used, attempted to use, or threatened to use physical force against (☐ Respondent / ☑ Petitioner) that is reasonably expected to cause bodily injury.

☐ 7. The (☐ Petitioner / ☐ Respondent) is a fit and proper person to have custody of the minor child or children.

☐ 8. (☐ Respondent / ☐ Petitioner) is employed at _____ and earns approximately $ _____ gross per month and has reasonable monthly expenses of $_____.

☐ 9. (☐ Respondent / ☐ Petitioner) is employed and earns approximately $_____ gross per month, and has reasonable monthly expenses of $_____ for (☐ himself / ☐ herself) and the minor children.

☐ 10. (☐ Petitioner / ☐ Respondent) has shown a need for child support in the amount of $_____ per _____ and (☐ Petitioner / ☐ Respondent) has the ability to make these payments.

☐ 11. (☐ Petitioner / ☐ Respondent) has shown a need for temporary financial support in the amount of $_____ per _____ and (☐ Petitioner / ☐ Respondent) has the ability to make those payments.

☐ 12. (☐ Petitioner / ☐ Respondent) should have the use and possession of the home and furnishings located at _____ in _____, S.C., with (☐ Respondent / ☐ Petitioner) making the mortgage and/or rental payments plus any taxes and/or insurance on the property.

☐ 13. (☐ Petitioner / ☐ Respondent) retained an attorney, $_____ is a reasonable attorney's fee, and (☐ Respondent / ☐ Petitioner) should contribute to this expense.

☐ 14. Other: _____.

IT IS THEREFORE ORDERED THAT: and her children

☑ A. (☑ Respondent / ☐ Petitioner) is temporarily restrained, prohibited and forbidden to abuse, threaten to abuse, or molest, (☐ Petitioner / ☑ Respondent) or engage in any other conduct that would place (☑ Petitioner / ☐ Respondent) in reasonable fear of bodily injury. and her children

☐ B. (☑ Respondent / ☐ Petitioner) is temporarily restrained and prohibited from using, attempting to use, or threatening to use physical force against (☑ Petitioner / ☐ Respondent) that would reasonably be expected to cause bodily injury. and her children

☑ C. (☐ Respondent / ☑ Petitioner) is temporarily restrained, prohibited and forbidden to communicate or attempt to communicate with (☑ Petitioner / ☐ Respondent) in any way or to enter or attempt to enter (☑ Petitioner's / ☐ Respondent's) place of residence, employment, education or the following locations: and her children

☐ D. (☐ Petitioner / ☐ Respondent) is awarded temporary custody of the minor children named _____.

☐ E. (☐ Respondent / ☐ Petitioner) is awarded temporary visitation rights with the minor children as follows: _____.

☐ F. (☐ Respondent / ☐ Petitioner) shall pay the sum of $ _____ each _____ as temporary child support through the clerk of court, plus 5% court costs, making a total payment of $ _____, commencing on _____, and each and every _____ thereafter.

☐ G. (☐ Respondent / ☐ Petitioner) shall pay the sum of $ _____ each _____ as temporary financial support through the clerk of court, plus 5% court costs, making a total payment of $_____, thereafter commencing on _____, and each and every _____ thereafter.

☐ H. The sole, exclusive possession of the residence and furnishings located at the aforementioned address (appearing under number "12" of this order) is awarded to (☐ Petitioner / ☐ Respondent) with (☐ Respondent / Petitioner) making the mortgage and/or rental payments plus any taxes and/or Insurance on the property.

☐ I. (☐ Respondent / ☐ Petitioner) is temporarily restrained, prohibited, and forbidden to transfer, encumber, destroy, sell or otherwise dispose of, except in the ordinary course of business, real or personal property jointly owned or leased by the parties or in which (☐ Petitioner / ☐ Respondent) claims an equitable interest including, but not limited to, the following: _____.

☐ J. (Respondent / ☐ Petitioner) shall pay $_____ to the (☐ Petitioner / ☐ Respondent) by _____ (date) as a contribution toward (☐ Petitioner's / ☐ Respondent's) attorney fees.

☑ K. The following law enforcement agencies shall be served with a copy of this Order by the Clerk of Court: _____. and Berkeley County Sheriff's dept; North Charleston Police Dept

☑ L. The law enforcement agencies listed below are directed to assist (☐ Petitioner / ☐ Respondent) as follows:

☐ (1) Accompany (☐ Petitioner / ☐ Respondent) to remove (☐ his / ☐ her) personal property at _____;

☐ (2) Accompany (☐ Petitioner / ☐ Respondent) to assist in placing (☐ his / ☐ her) in possession of the residence, located at _____;

☐ (3) Other: _____.

RESPONSIBLE LAW ENFORCEMENT AGENCIES: _____.

☐ M. IT IS FURTHER ORDERED, pursuant to S.C. Code Ann. § 63-3-530, that _____.

☒ IV. Federal Firearms Prohibition, pursuant to 18 U.S.C § 922.

1. Does this Order protect an intimate partner, a child of an intimate partner, or a child of the Respondent? ☒ YES ☐ NO
2. Did the person restrained have actual notice and an opportunity to participate in the hearing? ☒ YES ☐ NO
3. Does the Order find the restrained person a credible threat or explicitly prohibit the use, attempted use, or use, or threatened use of physical force? ☒ YES ☐ NO

THE PROVISIONS OF THIS ORDER SHALL EXPIRE ON Aug 2 2012 (a date which is not less than 6 months and does not exceed 12 months from the date of this Order) UNLESS OTHERWISE PROVIDED BY S.C. CODE ANN. §20-4-70.

VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE PUNISHABLE BY NOT MORE THAN THIRTY DAYS IN JAIL AND A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS OR MAY CONSTITUTE CONTEMPT OF COURT PUNISHABLE BY UP TO ONE YEAR IN JAIL AND/OR A FINE NOT TO EXCEED FIFTEEN HUNDRED DOLLARS.

PURSUANT TO § 16-25-125 OF THE SOUTH CAROLINA CODE OF LAWS, IT IS UNLAWFUL FOR A PERSON WHO HAS BEEN CHARGED WITH OR CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, WHO IS SUBJECT TO AN ORDER OF PROTECTION, OR WHO IS SUBJECT TO A RESTRAINING ORDER, TO ENTER OR REMAIN UPON THE GROUNDS OR STRUCTURE OF A DOMESTIC VIOLENCE SHELTER IN WHICH THE PERSON'S HOUSEHOLD MEMBER RESIDES OR THE DOMESTIC VIOLENCE SHELTER'S ADMINISTRATIVE OFFICES. A PERSON WHO VIOLATES THIS PROVISION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN THREE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN THREE YEARS, OR BOTH. IF THE PERSON IS IN POSSESSION OF A DANGEROUS WEAPON AT THE TIME OF THE VIOLATION, THE PERSON IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN FIVE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN FIVE YEARS, OR BOTH.

AND IT IS SO ORDERED.

8/2/11 Date
MONCKS CORNER, SC

Judge L McMahon
FAMILY COURT JUDGE

COPY GIVEN TO PETITIONER BY _____ (initials) COPY GIVEN TO RESPONDENT BY _____ (initials)

RESPONDENT'S HOME ADDRESS: _____

RESPONDENT'S PLACE OF EMPLOYMENT: _____

Information which may be of assistance to law enforcement in identifying the respondent: _____

ATTACH PHOTOSTATIC COPY OF RESPONDENT'S DRIVERS LICENSE, IF AVAILABLE.

BERKELEY COUNTY SHERIFF

SHERIFF'S OFFICE
723-3800 567-3136
719-4424 719-4412
CRIME PREVENTION

NOTICE

H. Wayne DeWitt
Sheriff

YOU COULD HAVE BEEN THE VICTIM OF CRIME — PLEASE BE AWARE

While on patrol in your neighborhood, we noticed the following conditions: 20110803 3007

- ☐ GARAGE DOOR OPEN
- ☐ BICYCLE NOT SECURED
- ☐ WINDOWS OPEN/UNLOCKED
- ☐ KEYS LEFT IN AUTO (Violation of S.C. Law)
- ☐ VEHICLE LEFT OPEN DOOR/WINDOWS
- ☐ VALUABLES LEFT IN CAR IN PLAIN VIEW
- ☐ MAIL/NEWSPAPERS ACCUMULATED
- ☐ HOUSE ADDRESS NUMBERS NOT POSTED
- ☒ OTHER Jennifer Bawzard - James Sanders released from jail today 11 a.m. hrs.

DATE: 8-3-11

TIME: 1538 A.M. P.M.

LOCATION: 1254 Cypress Campground Road

Cpl. Harding
OFFICER

THIS IS A PUBLIC SERVICE ADVISORY NOTICE

Call the Berkeley County Crime Prevention Officer, at extension 4713 or 4465 to help you secure your home and property. Your comments will be appreciated.

"TO SERVE AND PROTECT"

PLAINTIFF'S EXHIBIT 15

AGENCY I.D.
SC0080000

RECD AUG 0 8 2011

INCIDENT REPORT

CASE NUMBER: 2011080334 42

UCR: NO. N | ENTD. N

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. VIOLATION OF COURT ORDER (90Z)	☐ YES ☐ NO	☐ YES ☐ NO	Residence/Home (		☒ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Orgs. ☐ Soc/Public ☐ Other ☐ Unknown ☐ Police Off.
2.	☐ YES ☐ NO	☐ YES ☐ NO			
3.	☐ YES ☐ NO	☐ YES ☐ NO			

CHGD APR 23 2011

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 1254 CYPRESS CAMPGROUND RD, RIDGEVILLE | ZIP CODE: 29472 | WEAPON TYPE:

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK: DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
08/05/2011	17:31		08/05/2011	17:36	08/05/11	19:42	19:43	19:44	3/192

VICTIM NO. 1

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
BOWZARD, JENNIFER, DENISE				☒ S O U	W	F	40	N	(843) 305-0255 ☒ B	H B

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
~~1254 CYPRESS CAMPGROUND R~~	RIDGEVILLE	SC	29472	3/192

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
~~BOWZARD, JENNIFER, DENISE~~				☒ S O U	W	F	40	N	(843) 305-0255 ☒ B	H B

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
510	180	BRO	BRO	

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND R	RIDGEVILLE	SC	29472	3/192

VISIBLE INJURY (VICT. 1) ☐ YES NO ☒ EXPLAIN — | COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES NO ☒

VICTIM (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ | DRUGS: ☐ YES NO ☒ UNK ☐ TYPE:

TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPLASH ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ | *J—This Jurisdiction. S—State. O—Out of State. U—Unknown

SUBJECT NO. 1

☒ SUSPECT ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES, ALAN JR	W	M	39	N		507	189	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND ROAD	RIDGEVILLE	SC	29472	

SUBJECT (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ | DRUGS: ☐ YES NO ☒ UNK ☐ TYPE: | ARRESTED NEAR OFFENSE SCENE ☐ YES NO ☒ | TOTAL # ARRESTED | DATE/TIME OF OFFENSE | DATE/TIME OF ARREST

NARRATIVE

MS. JENNIFER BOWZARD CALLED TO REPORT THAT SUBJECT, JAMES SANDERS JR, CONTACTED HER BY TELEPHONE AFTER JUDGE ORDERED HIM TO HAVE NO CONTACT WITH HER FOLLOWING A CDV INCIDENT.

SUBJECT CALLED VICTIM SIX TIMES BETWEEN 1731 HOURS AND 1736 HOURS ON AUGUST 5, 2011. ADVISED OCA AND REPORT AVAILABILITY.

PLAINTIFF'S EXHIBIT 16 tabbies

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

PROPERTY EST.

TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES NO ☐ | SUBJECT LOCATED ☒ YES NO ☐ | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
BROWN, PAM	08/05/11	L5	BLANCHARD, MELISSA	08/08/11	C8
			FOLLOW-UP OFFICER		
			INVESTIGATION ☐ YES NO ☒		

VOLUNTARY STATEMENT
(NOT UNDER ARREST)

I, _____, am not under arrest for, nor am I being detained for any criminal offenses concerning the events I am about to make known to _____
Without being accused of or questioned about any criminal offenses regarding the facts I am about to state, I volunteer the following information of my own free will, for whatever purposes it may serve.

I am 40 years of age, and I live at _____

PLAINTIFF'S EXHIBIT 17

I have read each page of this statement consisting of _____ pages, each of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Dated at _____, this _____ day of _____ 20 _____.

WITNESS: _____

WITNESS: _____

Signature of person giving voluntary statement

BERKELEY COUNTY CENTRAL SUMMARY COURT
223 North Live Oak Drive, Post Office Box 6122
Moncks Corner, SC 29461
(843) 719-4050 or (843) 723-3800 Ext: 4050
Fax: (843) 719-4534

October 10, 2011

Jennifer D. Bowzard
1254 Cypress Campground Road
Ridgeville, SC 29472

Defendant Name: *James Allen Sanders, Jr.*
Ticket #(s): *M-334082*
Charge(s): ***Violation of court order protection***

RE: ***NOTIFICATION OF PUBLIC DEFENDER HEARING:***

PLAINTIFF'S EXHIBIT 18

To all involved parties:

The afore-mentioned case has been scheduled for:

Trial Date: January 26, 2012 @ 10:00 a.m.

If you are the defendant and you fail to appear in court, the case may proceed in your absence, and additional charges may be brought against you. If you are a party in this case, you are responsible for presenting your case in court, unless you have retained an attorney. The presiding judge that will hear your case will not be known until the time of court.

Please do not hesitate to contact this office if you have any questions and thank you for your cooperation in this matter.

Thank you,

C. Downs
Summary Court Clerk

cc: *Defendant: J. Sanders, Jr.* *Victim: J. Bowzard*
Officer: R. Ramsey
Public Defender: P. Beauford

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

BOWZARD, JENNIFER)
PLAINTIFF)

VS.)

SANDERS, JAMES A, JR)
DEFENDANT)

IN THE FAMILY COURT OF THE
NINTH JUDICIAL CIRCUIT

FILED
2011 NOV -2 AM 8:48
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY S.C.

CASE NO.: 2011DR0801439

N O T I C E
FOR RULE TO SHOW CAUSE

11/02/2011

TO: BOWZARD, JENNIFER
PRO SE
1254 CYPRESS CAMPGROUND RD.
RIDGEVILLE, SC 29472

FAX:
PHONE: 843-305-0255

THE ABOVE REQUESTED HEARING HAS BEEN SET FOR:

09:00 A.M. THRU 09:00 A.M.

ON THE 29 DAY OF NOVEMBER, 2011 IN COURTROOM NO. D.

YOU ARE HEREBY NOTIFIED TO BE PRESENT IN THE FAMILY COURT OF THE NINTH JUDICIAL CIRCUIT LOCATED AT THE COURTHOUSE, 300-B CALIFORNIA AVENUE IN MONCKS CORNER, SOUTH CAROLINA AT THE AFORESAID TIME.

FAMILY COURT COORDINATOR

MARY P. BROWN, CLERK OF COURT

** THE ATTORNEY OF RECORD IS RESPONSIBLE TO NOTIFY ALL PARTIES INVOLVED OF THIS HEARING DATE.

(RTSC)

PLAINTIFF'S EXHIBIT 19

STATE OF SOUTH CAROLINA) IN THE FAMILY COURT
) 9 TH JUDICIAL CIRCUIT
COUNTY OF BERKELEY)

FILED
2011 OCT 31 PM 4:40
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY S.C

Jennifer Bowzard)
Petitioner.)

vs.)

James A. Sanders Jr.)
Respondent.)

PETITION FOR CITATION FOR CONTEMPT
Protection From Domestic Abuse Act
(For Use in Family Court Only)

Docket No. 2011-DR-08-1439

1. The Petitioner currently resides at 1254 Cypress Campground Rd

2. To the Petitioner's best knowledge and belief, the Respondent currently resides at Jail (I Know Hill Finklea Det. Center Moncks Corne-

3. By Order and Protection of the Family Court of the 9 th Judicial Circuit, South Carolina, dated 8-_____, a copy of which is attached and incorporated by reference, the Petitioner was accorded certain protective relief.

4. Without just cause or excuse, the Respondent has failed to comply with the terms of said Order of Protection by committing the following acts:
He has not stopped sending me letters to my address over the
He had been cutting my wife's phones in the about 2 1/2 weeks ago

5. The Petitioner believes the Respondent to be in contempt of court for failing to abide by the visitation provisions of said Order and asks that this court issue its Rule to Show Cause requiring the Respondent to show cause, if any (s)he can, why (s)he should not be held in contempt and why the prior Order should not be strictly adhered to.

PLAINTIFF'S EXHIBIT 20

WHEREFORE, your Petitioner prays that this court issue its Rule to Show Cause requiring the Respondent to show cause, if any (s)he can, why (s)he should not be held in contempt for failure to abide by the provisions of said Order of Protection and why such Order should not be strictly adhered to, together with such other and further relief as the court may deem just and proper.

Date: 10-31-, 2011
MONCKS CORNER, S.C.

Petitioner

THIS PETITION MUST BE VERIFIED

ATTACH COMPLETED FORMS SCCA 403 AND SCCA 428

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

IN THE FAMILY COURT
9 TH JUDICIAL CIRCUIT

FILED
2011 OCT 31 PM 4:40
MARY E. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

Jennifer Bowzard
Plaintiff,

vs.

James A. Sanders Jr
Defendant.

VERIFICATION

Docket No. 2011-DR-08-1439

I, Jennifer Bowzard, appearing first before the Notary Public, state that I am the (☒ Plaintiff/☐ Defendant) in this matter. I have read the attached (☐ Complaint) and know or believe the contents and allegations are true to the best of my knowledge, except for those matters stated which are alleged on information and belief.

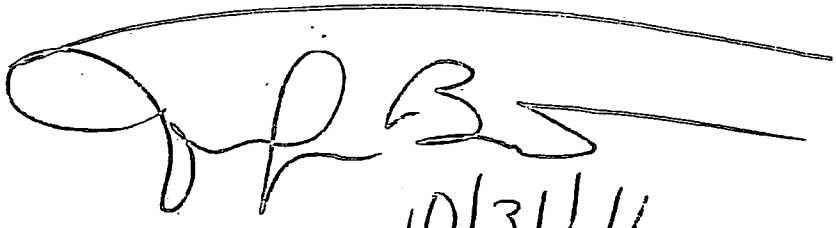
Sworn to before me this
31 day of Oct, 2011
Amy L Spires
Notary Public of South Carolina

(☒ Plaintiff/☐ Defendant)

My Commission expires: October 22, 2020

James Sanders has called my work from the jail over & over and also still writing me letters over & over. I have called many times & talked w/ Jenny to have this stopped we were ab to block all the extentions at my work from the calls & he is still sending the letters. the last several letters came in the mail 10/28/11 he has gave many people my cell phone # for them to call me also. he has also been allowed to wear

2 times in court the last 2 court ~~~
Dates N Charleston & Berk. It 
Said I Love Jen! and also other
stuff How is that allowed?
I called the Captain at the jail
on 10/31/11 and talked with him about
all of this I am sick of It and
It needs to come to a stop. I have
not done a thing to him in anyway it
fear my life and he will murder me!!!


10/31/11

STATE OF SOUTH CAROLINA)
) IN THE FAMILY COURT
COUNTY OF BERKELEY) 9TH JUDICIAL CIRCUIT

FILED
2011 NOV -1 PM 5:04
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C

Jennifer Bouzard)
Petitioner,) RULE TO SHOW CAUSE
) CITATION FOR CONTEMPT OF COURT
vs.) (Protection from Domestic Abuse Act)
James Allen Sanders Jr.)
Respondent.) Docket No. 2011 - DR-08-1439

TO THE PETITIONER/RESPONDENT ABOVE-NAMED: James Allen Sanders, Jr.

~~Upon reading and considering the verified Petition of the Petitioner/Respondent herein dated~~ _____ and attached hereto:

IT IS SO ORDERED that you, the Petitioner/Respondent, appear before the Family Court of the 9TH Judicial Circuit, at 9:00 (☒a.m/☐p.m.) on November 29, 2011 (date) or as soon thereafter as the matter can be heard at 300-B California Avenue, Moncks Corner, South Carolina, there and then to show cause, if any you can, why you should not be held in contempt of court for failure to abide by the provisions of the Order of Protection of the Family Court dated 8/2/11 and why such provisions of said Order should not be strictly adhered to.

AND IT IS SO ORDERED

Date October 31st, 2011
MONCKS CORNER, S.C.

FAMILY COURT JUDGE/CLERK OF COURT

PLAINTIFF'S EXHIBIT 21

CERTIFIED TRUE COPIES OF RECORD IN THIS COUNTY

Mary P Brown

11-2-11
DATE

0116
CLERK OF COURT, FAMILY COURT
BERKELEY COUNTY, SOUTH CAROLINA

SCCA 428 (12/2009)

M-325990

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

THE STATE 201201003740

against

James Allen Sanders, Jr

Address: 1254 Cypress Campground Rd

Ridgeville, SC 29472-7321

Phone: SSN: [redacted]

Sex: M Race: W Height: 5 7 Weight: 189

DL State: SC DL #: 00898101 BR/GR

DOB: [redacted] Agency ORI #: SC0080000

Prosecuting Agency: Berkeley County Sheriff Office

Prosecuting Officer: K A Jacumin - 0125

Offense: Escape / Escape, recapture in state

Offense Code: 1252

Code/Ordinance Sec: 24-13-0410

This warrant is CERTIFIED FOR SERVICE in the

[ ] County/ [ ] Municipality of

. The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant James Allen Sanders Jr. on 3/2/12

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
300 B California Avenue
PO Box 219
Moncks Corner, SC 29461

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

0000574

[X] County/ [ ] Municipality of

Berkeley

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 510

Personally appeared before me the affiant K A Jacumin who being duly sworn deposes and says that defendant James Allen Sanders, Jr did within this county and state on or about 01/26/2012 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) in the following particulars:

DESCRIPTION OF OFFENSE Escape / Escape, recapture in state

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on or about 01/26/12 at 300 California Ave., Hill-Finklea Detention Center, Moncks Corner, S. C. located in the County and State aforesaid the Defendant did willfully and unlawfully commit the offense of ESCAPE in violation of section 24-13-410 of the South Carolina Code of Laws 1976, as amended. Facts to establish the same are as follows: 1) That the Defendant was incarcerated at the Hill-Finklea Detention Center for pending charges which he had not been released from. 2) That the Defendant was able to leave the secure portion of the Detention Center and flee from the area. All against the peace and dignity of this state.

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

Affiant's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-

Affiant's Telephone (843)719-4465

PLAINTIFF'S EXHIBIT 22

MAR 0 5 2012

ARREST WARRANT

TO ANY CONSTABLE OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

from the above affidavit that there are reasonable grounds to believe that on or about 1/26/2012 defendant James Allen Sanders, Jr did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) as set forth

DESCRIPTION OF OFFENSE: Escape / Escape, recapture in state

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me on 01/26/2012

(L.S.)

Signature of Issuing Judge

James A Polk

Judge Code: 7031

Judge's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-1481

Judge's Telephone (843)719-4050

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

CLERK OF COURT BERKELEY COUNTY S.C. 12 MAR -5 PM 3:37

ORIGINAL ORIGINAL ORIGINAL

1-17-12

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF BERKELEY	)	CIVIL ACTION NO.: 2012-CP-08-1283
JENNIFER D. BOWZARD, Plaintiff,	)	
v.	)	***AFFIDAVIT OF RICHARD THOMAS DIXON***
SHERIFF WAYNE DEWITT AND BERKELEY COUNTY SHERIFF'S OFFICE, Defendants.	)	

Personally appeared before me, ***Richard Thomas Dixon***, the undersigned who upon being duly sworn states:

1) He is a resident of Barnwell County, SC.

2) He was in the U.S. Army Military Police from 1982-1985 and as such was trained in the proper use and procedures to handcuff a prisoner and to maintain custody of prisoners.

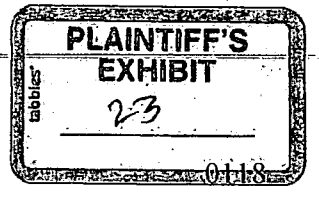
3) He was employed by the South Carolina Highway Patrol from 1985-2011. He began his career as a trooper and when he retired in 2011, he was a Lieutenant. While employed by the Patrol, he had further training in the use and proper procedures to handcuff and maintain custody of prisoners.

4) He has read the affidavit of Lt. Kris Jacumin, a lieutenant with the Berkeley County Sheriff's Office, dated April 12, 2013. He has watched the videotape of the handcuffing of James Sanders and his detention at the Berkeley County Jail, middle booking area. He has also read the records of the Berkeley County Sheriff's Office concerning Mr. Sanders' escape.

5) The officer of the Berkeley County Sheriff's Office who handcuffed Mr. Sanders to a bench failed to follow established handcuffing procedures for handcuffing a prisoner and in handcuffing Mr. Sanders to a bench.

6) Law enforcement officers are trained to not handcuff a prisoner to a fixed object such as a bench. In doing so the officers who originally handcuffed Mr. Sanders failed to follow established procedures.

7) The officer who loosened the handcuffs in the video also failed to follow established and recognized procedures in loosening the handcuffs so that Sanders could easily and without difficulty slip his hand out of the handcuff. This officer should have



checked the handcuff and made sure Sanders could not slip his hand from the handcuff.

8) From the video it also appears that the officers allowed Sanders to be alone in the middle booking area. Under proper procedures the handcuffed prisoner should always be under observation by an officer.

9) He has also read the results of the Sheriff's investigations of the escape of James Sanders, and the Sheriff acknowledges in the termination letter of Sgt. Patricia Collins that she left Mr. Sanders unsupervised in the middle booking, and that she had personally been counseled numerous times concerning policy non-compliance. In the Sheriff's investigation he also disciplines Sgt. Rosemary Sanders for allowing Sanders to exit through the employee parking door. PFC Tyler McWethy was disciplined for failing to properly secure Sanders. The investigation also finds that a number of officers saw Sanders leave and were aware that prisoners were supposed to exit through a different door than where Sanders was observed exiting the building. They also saw him leaving while wearing the prisoners' armband which was supposed to be removed. The Berkeley County Sheriff's Office Investigation is attached as Exhibit # 1.

10) The internal investigation by the Sheriff's Office found that: 1) Lt. Riley ordered the release of Sanders without sufficiently checking the file; 2) Sgt. Collins took Lt. Riley at face value without checking the file thoroughly; 3) Sgt. Sanders didn't question Sanders about being released out of the wrong door, and let him leave without further checking; and 4) PFC McWethy failed to handcuff Sanders properly.

I the undersigned acknowledged that after being placed under oath I make the above declaration of my own knowledge and belief and the statements herein are true to the best of my knowledge and belief. I further recognize, declare and verify that I am making the above declarations under the penalty of perjury that the foregoing is true and correct.

Richard Thomas Dixon
Printed Name

Sworn to before me this
15th day of April, 2013.

Notary Public for South Carolina
My Commission Expires: 7-28-2014

MEMORANDUM

To: Sgt. Patricia Diane Collins

From: Sheriff H. Wayne DeWitt

Date: February 1, 2012

Subject: Letter of Termination

On January 26, 2012 you failed to follow proper procedures regarding the release of prisoners that ultimately resulted in a chain of events that led to Mr. James Sanders' escape from the Hill-Finklea Detention Facility. As a supervisor, you should have read James Sanders' complete file prior to his release. Mr. Sanders was not placed in a holding cell and he was left unsupervised in Middle Booking. You have been counseled, numerous times, verbally and in writing regarding policy noncompliance.

Given the findings, along with the seriousness of the violations committed surrounding James Sanders' escape, it is determined to be in the best interest of the Hill-Finklea Detention Facility that your employment be terminated, effective immediately.

I HAVE RECEIVED THIS LETTER OF TERMINATION AND UNDERSTAND ITS CONTENTS.

Patricia Diane Collins — 2-1-12

Patricia Diane Collins (Signature) — Date

Major Rocky Driver — 2-1-12

Witness (Signature) — Date

EXHIBIT

0120

Sheriff Wayne DeWitt

February 1, 2012

Lt. Tony Riley
Hill-Finklea Detention Facility
300 California Avenue
Moncks Corner, SC 29461

Ref: Notice of disciplinary action

Lt. Riley:

On January 26, 2012 you made the decision to release James Sanders from the Hill-Finklea Detention Facility and had him dressed out of his orange jail suit and into his civilian clothing. He was being held on numerous charges, one of which, he had not met the requirements to be released. Your failure to read the complete file resulted in a chain of events that led to Mr. Sanders' escape. The escape could have been avoided had you read the entire file.

For your actions regarding this case, you are being demoted to the rank of Sergeant.

H. Wayne DeWitt

BERKELEY COUNTY SHERIFF'S OFFICE

NOTICE OF SUSPENSION FORM

1. Employee Name/Rank: Sgt. Rosemary Sanders Pay #: 2708 Date / Time: 01-26-12/3:30 PM

2. Division: HFDC Unit: Squad One Supervisor: Lt. Tony Riley

3. Issuing Supervisor: Major Ricky Driggers Pay #: 1039

4. Suspension: ☐With Pay ☒Without Pay ☐Other:

5. Suspension For: ☐IA Investigation ☐Firearms Discharge ☐Vehicle Accident ☒Policy Violation

☐Civil Proceeding ☐Criminal Proceeding ☐Other:

6. Issuing Supervisor Signature: Major Ricky Driggers

Effective immediately, you will be placed on suspension as specified above pending official investigation and resolution of the incident. You are ordered to surrender your agency issued firearm(s), vehicle, citation book and official credentials to Staff Services as required.

One week without pay for allowing inmate sander to exit through the employee parking door.

EMPLOYEE ACKNOWLEDGMENT

Printed Employee Name: Rosemary Sanders

Signature: Rosemary Sanders

Witness: Lt. C. McGee

SOP 303

A COPY OF THIS FORM MUST BE FILED WITH THE OFFICE OF PROFESSIONAL STANDARDS

BERKELEY COUNTY SHERIFF'S OFFICE

NOTICE OF SUSPENSION FORM

1. Employee Name/Rank: PFC. Tyler McWethy Pay #: 4549 Date / Time: 01-26-12/3:30 PM

2. Division: HFDC Unit: Squad One Supervisor: Lt. Tony Riley

3. Issuing Supervisor: Major Ricky Driggers Pay #: 1039

4. Suspension: ☐With Pay ☒Without Pay ☐Other:

5. Suspension For: ☐IA Investigation ☐Firearms Discharge ☐Vehicle Accident ☒Policy Violation

☐Civil Proceeding ☐Criminal Proceeding ☐Other:

6. Issuing Supervisor Signature: Major Ricky Driggers

Effective immediately, you will be placed on suspension as specified above pending official investigation and resolution of the incident. You are ordered to surrender your agency issued firearm(s), vehicle, citation book and official credentials to Staff Services as required.

One week without pay for failure to properly secure inmate Sanders

EMPLOYEE ACKNOWLEDGMENT

Printed Employee Name: Tyler McWethy

Signature: Tyler McWethy

Witness: R. Y. C. P. Elgin

SOP 303

A COPY OF THIS FORM MUST BE FILED WITH THE OFFICE OF PROFESSIONAL STANDARDS

BERKELEY COUNTY SHERIFF'S OFFICE
INTERNAL AFFAIRS ADMINISTRATIVE INVESTIGATION REPORT

INCIDENT #:	INTERNAL AFFAIRS #:	PROSECUTORS #:	☒ INITIAL ☐ SUPPLEMENTARY
2012-01003748	2012-IA-001	N/A	

ALLEGED INCIDENT:	DATE OF INCIDENT:	TIME OF INCIDENT:	LOCATION OF INCIDENT:
Escape	01-26-2012	1536 Hours	HFDC

SUBJECT EMPLOYEE:	SUBJECT EMPLOYEE:	SUBJECT EMPLOYEE:
See Narrative		

COMPLAINANT:	ADDRESS:	PHONE NUMBER:
Major Driggers	223 N. Live Oak Dr., Moncks Corner, SC 29461	719-4412

On 01-27-2012 R/D's (Lt. Mason/Sgt. Alteri) were advised by Major Driggers to conduct the investigation into the escape of inmate James Sanders. R/D's met with the C/O's who were on shift on 01-26-2012 when this incident occurred.

Sgt. Collins (synopsis of statement): Was shift Sgt. in charge of 8 C/O's during the shift. Was brought the file on Sanders and told to "kick the man out of jail". Sanders was on bench approx. 30 minutes when a possible problem with paperwork was noticed (Victim Advocate had called victim to let her know, victim advised there was still a pending charge). Lt. Riley came up to ask what the problem was, he contacted Clerk of Court office and went there to check paperwork. It was her and one other person (McWethy) working middle booking at the time, they were also dealing with booking people in and a DSS worker was interviewing inmates on a meth lab case. States there is oversight done on inmate release, one person not solely responsible, releasing officer checks file and it is then reviewed by Cpl. or Sgt. States 8 C/O's on duty responsible for approx. 325-350 inmates.

Pfc. McWethy (synopsis of statement): He and Sgt. Collins working middle booking. Lt. Riley gave him Sanders' file, told him Sanders had just come back from court and is ready to get out. Gave Sgt. Collins the file, told her that Lt. Riley had reviewed it and dropped it off. Sanders asked about his cuffs, he saw they were tight, so he readjusted the cuffs. During this time he was also booking in 3 females and working on getting people for DSS to see. While

I.A. INVESTIGATOR:	BADGE #:	PAGE:	DATE OF REPORT:	STATUS:
[signature]	21 / 52	1 OF 6	01-31-2012	Closed

INTERNAL AFFAIRS CONTINUATION/SUPPLEMENTAL PAGE

INCIDENT NUMBER: 2012-01003748	I.A. NUMBER: 2012-IA-001	☒ INITIAL ☐ SUPPLEMENTAL

escorting a female to the DSS worker he saw inmate Sanders walking out the door behind Sgt. R. Sanders, and he advised Sgt. Collins who at the time was at the bench outside the Data Master room taking control of the female inmate for DSS. Believes there was 7 C/O's on duty at the time and approx. 250-300 inmates.

Sgt. Sanders (synopsis of statement): Was going to pick up car wash crew, went through the first door (inside visitation door), states it was propped open with a door stopper at the time, states that door is almost always propped open. Front desk had to open the next door that leads outside electronically. Went to the lock box to get her firearm and license and inmate J. Sanders came out the same door with a piece of paper in his hand. Asked inmate Sanders about his arm band, he came back and gave it to her and then kept walking. States that the armband is not always taken from inmates when they're released, it should be, but it's not always done. States inmates are supposed to be released through the front door (Salley port), but sometimes they go through the visitation door. States she was already in her vehicle when McWethy came out asking about inmate Sanders, they went and checked the area gas stations and restrooms. Believes there was 7 C/O's working that day and approx. 300 inmates.

Paul Jones (synopsis of statement): Initially had been the PODS Officer, getting inmates ready for court/visitation/release, etc... Heard the call for inmates Sanders, got him and took him to change out, took him to the booking area and handcuffed Sanders to bench. Next duty assignment was working

I.A. INVESTIGATOR:	BADGE #:	PAGE:	DATE OF REPORT:	STATUS:
[signature]	21 / 52	2 OF 6	01-31-2012	Closed

INTERNAL AFFAIRS CONTINUATION/SUPPLEMENTAL PAGE

INCIDENT NUMBER: 2012-01003748	I.A. NUMBER: 2012-IA-001	☒ INITIAL ☐ SUPPLEMENTAL

front desk. Heard alert for outside visitation door, checked outside camera and nobody was there, checked inside camera and saw Sgt. Sanders was there so he cycled the door to let her out. A few seconds later saw inmate J. Sanders exit the door, he clicked on the outside camera and saw inmate Sanders walking back towards Sgt. Sanders. Got another call/alert from another area of the jail, checked on it and a short while later heard people asking where inmate Sanders was. Called Sgt. Sanders to the front desk and explained to her what he saw. States arm bands are supposed to be removed and exit Salley Port on release. Believes there was 8 C/O's working that day and approx. 350 inmates.

Lt. Riley (synopsis of interview): Went through inmate Sanders' file, looked like all charges had been taken care of. Gave file to Sgt. Collins to look over, have NCIC run and get with Victim Advocate. Short while later Victim Advocate (J. Smith) advised that she thought there was still a charge pending, he looked at file again and saw some dates that didn't match up. Checked with and with to Clerk of Court office, got paperwork and saw CDVHAN still pending because of bond revocation, got with Sgt. Collins to let her know and put a copy of paperwork into Sanders' file. Arm bands supposed to be removed from inmates upon their release and exit out the Salley Port gate. Nine C/O's working that day and responsible for approx. 300-325 inmates.

The following C/O's were on duty, but were in other areas of the Detention Center and had no knowledge of what had occurred at the time: Officer Mitchum and Mizzell were in the tower, Officer

I.A. INVESTIGATOR/	BADGE #:	PAGE:	DATE OF REPORT:	STATUS:
[signature]	21/52	3 OF 6	01-31-2012	Closed

INTERNAL AFFAIRS CONTINUATION/SUPPLEMENTAL PAGE

INCIDENT NUMBER: 2012-01003748	I.A. NUMBER: 2012-IA-001	☒ INITIAL ☐ SUPPLEMENTAL

Morrison was in B-Pod, Officer Fitzgerald was transporting prisoners and Officer Green was in C-Pod & taking trays.

On 01-27-2012, at 1610 hours, we met with Capt. McElvogue who provided the following information: Capt. McElvogue saw inmate Sanders handcuffed to the bench and inmate Sanders briefly spoke to him (told Capt. McElvogue his charges had been dropped, wanted to show Capt. McElvogue pictures of his child, etc...). A short while later the victim (Bowzard) called Capt. McElvogue wanting to know what was going on, she had received a call from the Victim Advocate telling her that inmate Sanders was going to be released. Capt. McElvogue advised her he would have it checked out, he contacted Sgt. Moore and she reported to Capt. McElvogue that Lt. Riley was already looking into the matter.

On 01-27-2012, at 1628 hours, spoke with Jenny Smith who is the Victim Advocate at the Detention Center. J. Smith stated that she had been given the folder and called the victim (Bowzard) to let her know what was going on and she was checking into it. The victim advised J. Smith that he better not be released or she'd call the news, she'd sue, etc... J. Smith advised the victim again that she was looking into it, she told Lt. Riley to see what was going on while she and Sgt. Collins kept looking through the file.

On 01-27-2012, at 1640 hours, met with Victim Advocate Carole Grunsky who stated that approx. 2:38 p.m. on 01-26-2012 she got a call from victim (Bowzard) saying they were getting ready to release

I.A. INVESTIGATOR:	BADGE #:	PAGE:	DATE OF REPORT:	STATUS:
[signature]	21 / 52	4 OF 6	01-31-2012	Closed

INTERNAL AFFAIRS CONTINUATION/SUPPLEMENTAL PAGE

INCIDENT NUMBER: 2012-01003748	I.A. NUMBER: 2012-IA-001	☒ INITIAL ☐ SUPPLEMENTAL

inmate Sanders. C. Grunsky told her to stay where she was (work) and she would look into it. C. Grunsky called the Detention Center asking for Lt. Riley or J. Smith and a few minutes later J. Smith gets on the line. C. Grunsky is advised by J. Smith that Lt. Riley is looking at the paperwork and telling her that inmate Sanders' bond had been met. C. Grunsky tells J. Smith that is not accurate and they better not let Sanders out. J. Smith agrees and tells C. Grunsky she is trying to get it worked out. C. Grunsky calls the victim back and tells her to stay where she is, that they're working on it. Approximately 30 minutes later C. Grunsky gets a call from J. Smith advising her of the escape. C. Grunsky calls the victim to let her know, tells victim that the Sheriff's Office can come get her but victim drives herself to the Sheriff's Office. C. Grunsky takes victim to her office where they meet with Major Driggers. C. Grunsky stated that when she was on the phone earlier with J. Smith that J. Smith told her that she had to argue with Lt. Riley not to let inmate Sanders out, that there was a mistake in the paperwork that needed to be checked. After speaking with C. Grunsky contact was made with J. Smith and she was asked if there had been any arguing going on when the file was being checked. J. Smith stated that she had to use "persuasion" with Sgt. Collins to look into what was going on, that Sgt. Collins initially told her "We have the discharge paper, we can't keep him here forever, it is what it is".

A full copy of inmate Sanders' file was retrieved, and it was put into another file in the exact same order as it had been at the Detention Center. The third page on the left hand side of the file is a discharge paper dated October 11th, 2011 showing that inmate Sanders could be released on the

I.A. INVESTIGATOR:	BADGE #:	PAGE:	DATE OF REPORT:	STATUS:
[signature]	21 / 52	5 OF 6	01-31-2012	Closed

INTERNAL AFFAIRS CONTINUATION/SUPPLEMENTAL PAGE

INCIDENT NUMBER: 2012-01003748	I.A. NUMBER: 2012-IA-001	☒ INITIAL ☐ SUPPLEMENTAL

CDVHAN charge (bond had been met). The fourth page is a copy of the bond revocation that Lt. Riley got from the Clerk of Court office on 01-26-2012 and that paper is stamped showing that the 26th is the day it was received. The eleventh page is a copy of the same bond revocation paperwork that had already been in the file and available on 01-26-2012. The paperwork shows that bond was posted for the CDVHAN charge on 10-11-2011 through Mitch Yawn (International Bond Company), they filed a motion to be relieved from bond on 10-13-2011, a hearing was held on 10-20-2011 and the motion was granted for Mitch Yawn/International Bond Company to be relieved from bond on inmate Sanders and that inmate Sanders was to be kept detained on his CDVHAN charge.

The video's from the Detention Center were reviewed during this investigation and are included in this file. Upon receipt to this investigation there were no specific allegations made against any particular employee(s), R/D's were tasked with investigating the circumstances that occurred during this incident, so no Subject Deputy/CO was listed. After review of this incident, the following is noted: Lt. Riley ordered the release of inmate Sanders without sufficiently checking the file, there was paper-work already in the file showing inmate Sanders was not eligible for release. Sgt. Collins at first took it at face value that inmate Sanders was to be released without checking the file thoroughly, and put up some resistance with the Victims Advocate when she was trying to point out a problem. Sgt. Sanders didn't question inmate Sanders about being released out the wrong door and let him leave without further checking. Pfc. McWethy failed to handcuff inmate Sanders properly. This report will be forwarded up the Chain of Command for review and further action if needed.

I.A. INVESTIGATOR:	BADGE #:	PAGE:	DATE OF REPORT:	STATUS:
[signature]	171 52	6 OF 6	01-31-2012	Closed

STATE OF SOUTH CAROLINA)
) SEARCH WARRANT
COUNTY OF BERKELEY)

Form Approved by
S. C. Attorney General
Section 17-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR THE MUNICIPALITY OF :

It appearing from the attached affidavit that here are reasonable grounds to believe that certain property subject to seizure under provision of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing Magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Moncks Corner, SC
30th, 2012.

(L.S.)
Signature of Judge

SCCA/513
(3-78)

PLAINTIFF'S EXHIBIT
24

STATE OF SOUTH CAROLINA)
) AFFIDAVIT
COUNTY OF BERKELEY)

Personally appeared before me, DETECTIVE CORPORAL K. P. MURPHY, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

SUBSCRIBER INFORMATION FOR THE SPRINT/NEXTEL ACCOUNT ASSIGNED THE CELLULAR PHONE NUMBER 843-305-0255. INCOMING/OUTGOING CALL LOGS AND TEXT MESSAGE DETAIL AND CONTENT (IF AVAILABLE) FOR THE PERIOD 1600 (EDT); 01-26-12 THROUGH 1000 (EDT), 01-30-12.

PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

-VIA FACSIMILE-
SPRINT/NEXTEL
6480 SPRINT PARKWAY
OVERLAND PARK, KS 66251
FAX: 816-600-3111

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON 01-26-12, JAMES A. SANDERS FLED FROM THE CUSTODY OF THE HILL-FINKLEA DETENTION CENTER IN MONCKS CORNER, SC. SANDERS HAS A VIOLENT CRIMINAL HISTORY, INCLUDING CRIMINAL DOMESTIC VIOLENCE, AND WAS INCARCERATED FOR A VIOLENT ASSAULT ON HIS GIRLFRIEND, JENNIFER BOWZARD. BOWZARD IS CURRENTLY IN PROTECTIVE CUSTODY PENDING SANDERS RECAPTURE. YOUR AFFIANT HAS PROBABLE CAUSE TO BELIEVE THAT SANDERS MAY HAVE CALLED BOWZARD'S CELLULAR PHONE FROM A BLOCKED PHONE NUMBER. YOUR AFFIANT IS ASKING FOR PHONE RECORDS FROM BOWZARD'S SPRINT/NEXTEL CELLULAR PHONE ACCOUNT AND BELIEVES THIS INFORMATION WILL ASSIST IN LOCATING AND APPREHENDING SANDERS AND RETURNING HIM TO JUSTICE.

Sworn to and Subscribed before me
this 30 day of JAN, 2012.

Paula McDonald (L.S.)
Signature of Judge

11:04am

AFFIANT: DETECTIVE K. P. MURPHY
223 North Live Oak Drive
Moncks Corner, SC 29461
719-4863 or 723-3800

Reference: 03EG0000G8
Msg Key : XLIC
Date/Time: 20120126193404
Source : DMV

03EG0000G8.DMV.XLIC.20120126193404.
TO: BRKSO001-01400486 20120126 19:34:04 001EEB6198
FROM: DMV 20120126 19:34:04
TXLIC SC00800000920079EE4
XLIC
ID NO [redacted]
SANDERS,JAMES ALLEN JR
1254 CYPRESS CAMPGROUND RD
RIDGEVILLE SC 294727321 BERK CNTY
SEX M HGT 5 07 WGT 189 BIRTH [redacted]
SSN [redacted] RACE WHITE
STATUS-DL:SUSPENDED CDL:DISQUALIFIED
DRIVER LICENSE CLASS D ISSUED 06/23/2011
**** IDENTIFICATION ONLY **** ISSUED 04/05/2001
** MORE **

****

PLAINTIFF'S EXHIBIT 25

Reference: UNKNOWN
Msg Key : QH
Date/Time: 20120126193814
Source : III

UNKNOWN.III.QH.20120126193814.
TO: BRKSO001-01400496 20120126 19:38:14 00350B267D
FROM: III 20120126 19:38:14
7L010920079EE72QH
SC0080000
THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/SANDERS,JAMES ALLEN SEX/M RAC/W DOB/[redacted]
SOC/[redacted] PUR/C

NAME	FBI NO.	INQUIRY DATE
SANDERS,JAMES ALLEN JR	406764MA9	2012/01/26

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M	W	[redacted]	507	150	BRO	BRO	N

BIRTH PLACE
SOUTH CAROLINA

FINGERPRINT CLASS	PATTERN CLASS
PO 16 13 22 20	UC UC UC UC UC UC UC UC UC UC
DI 15 17 17 17	UC UC UC UC UC UC UC UC UC UC
	UC UC UC UC UC UC UC UC UC UC

ALIAS NAMES

SANDERS,JAMES A	SANDERS,JAMES ALAM
SANDERS,JAMES ALAN	SANDERS,JAMES ALLEN
SANDERS,JAMES ALLEN-JR	SANDERS,JIMMY

OTHER
BIRTH DATES SOCIAL SECURITY
[redacted] [redacted]

IDENTIFICATION DATA UPDATED 2011/08/19

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
SOUTH CAROLINA - STATE ID/[redacted]

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

****

Reference: 03EG0000HF
Msg Key : QWA
Date/Time: 20120126195809
Source : NC2K

03EG0000HF.NC2K.QWA.20120126195809.
TO: BRKSC001-01400513 20120126 19:58:09 0006D9000D
FROM: NC2K 20120126 19:58:09
1L010920079EEE2QWA
SC0080000

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
MKE/WANTED PERSON - CAUTION
CMC/05 - VIOLENT TENDENCIES
EXL/1 - FULL EXTRADITION UNLESS OTHERWISE NOTED IN THE MIS FIELD
ORI/SC0080000 NAM/SANDERS, JAMES ALLEN JR SEX/M RAC/W POB/SC
DOB/[redacted] HGT/507 WGT/188 EYE/BRO HAI/BRO FBI/406764MA9
SOC/[redacted]
OLN/0008983101 OLS/SC OLY/2012
OFF/ESCAPE SEE MIS
OOC/AGGRAV ASSLT - FAMILY-STGARM
DOW/20120126 OCA/201201003748
WNO/M325990
NOA/N
MIS/EXTRADITION NATIONWIDE ESCAPED FROM LOCAL JAIL ON CHARGE OF VIOLATION OF
MIS/PROTECTION ORDER FOR THE CHARGE OF CRIMINAL DOMESTIC VIOLENCE HIGH AND
MIS/AGGRAVATED NATURE ----------CAUTION DUE TO HISTORY OF ASSAULT AND BATTERY
MIS/ WITH INTENT TO KILL KIDNAPPING CRIMINAL SEXUAL CONDUCT RESISTING ARREST
MIS/ FAILURE TO STOP FOR BLUE LIGHT UNLAWFUL CARRYING OF WEAPON-----
DNA/N
ORI IS BERKELEY CO SO MONCKS CORNER 843 719-4424
DOB/[redacted]
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/[redacted]
SOC/[redacted]
NIC/W794313484 DTE/20120126 1950 EST DLU/20120126 1955 EST

****

AGENCY I.D.	DATE/TIME OF ARREST	CASE NUMBER
SCO @ 80000	2 Mar 12 @ 1245	2012910037148

BOOKING REPORT

DEFENDANT NAME (LAST, FIRST, MIDDLE)	RACE	SEX	DATE OF BIRTH	DOCKET NUMBER
Sanders, Jr., James Allen	W	M	[redacted]	

AGE	ETH.	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	NCIC	I.D. NUMBER
39	N	5'7	189	Bro	Bro	[redacted]	N/A		

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT	PHONE NUMBER
1254 Cypress Campground Rd	Ridgeville	SC	29472	[redacted]	N/A

ALIAS	PLACE OF BIRTH	DRIVERS LICENSE NUMBER	STATE
N/A	SC	[redacted]	SC

EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (CITY AND STATE)
N/A	Joyce Thomason	165 Dewitt Rd. Bonneau, SC 29431

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER
Lt. Jacumin	36	Lt. Jacumin	BCSO	36

ARRESTEE ARMED ☐ YES ☒ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☒ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY

JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY | J-This Jurisdiction. S-State. O-Out of State. U-Unknown.

ADDITIONAL CASE NUMBERS | MORE IN REMARKS ☐

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A,B,C

CHARGE I.D.	A	B	C
CHARGE	Escape		
STATURE	24-13-0410		
BOND AMOUNT			
BOND TYPE			
BOND DATE		RECEIVED MAR 05 2012	
DISPOSITION			

	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
FINE						
RECEIPT NUMBER						

RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X Cpl. Snowden LIST ANY REMARKS BELOW

REMARKS:

M-325190 - 2012-01603748

PLAINTIFF'S EXHIBIT 26

DEFENDANT'S PERSONAL PROPERTY RECEIPT | TOTAL CASH AT TIME OF ARREST

QUANTITY	ITEM	QUANTITY	ITEM
	INCAR.		INCAR.

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ DEFENDANT'S SIGNATURE AT TIME OF ARREST _____ OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X

FORM N-141

14-03-CHU-002 18

BEST COPY AVAILABLE

AGENCY I.D.
SC0080000

INCIDENT REPORT

CRIS NUMBER: 20120100374 8

NCIC: REQ. N | ENTD. N

RECEIVED
FEB 0 1 2012

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	WEAPON ENTERED	TYPE VICTIM
1. ESCAPE (90Z)	YES NO	YES NO	Jail/Prison/Penit		Individual, Business, Financial Inst., Government, Religious Org., Society/Public, Other, Unknown, Police Officer
2.	YES NO	YES NO			
3.	YES NO	YES NO			

INCIDENT LOCATION (BUSINESS, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 300 CALIFORNIA AVENUE, MONCKS CORNER

ZIP CODE: 29461 | WEAPON TYPE:

INCIDENT DATE	BEGIN CLOCK	TO	DATE	END CLOCK	DISPATCH DATE/TIME: ARRIVED DATE	ARRIVED TIME	CLEARED TIME	CLEARANCE TIME	LOCATION NO.
01/26/2012	15:15		01/26/2012	15:45	01/26/12	15:45	15:45	23:15	1/142

VICTIM NO. 1

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	VICTIM'S RELATIONSHIP TO SUSPECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
JACUMIN, KRIS,				RESIDENT	W	M	37	N	(843) 719-4792	

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
300 CALIFORNIA AVENUE	MONCKS CORNER	SC	29461	1/142

VICTIM'S NAME (LAST, FIRST, MIDDLE)	VICTIM'S RELATIONSHIP TO SUSPECT #1	#2	#3	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
HILL-FINKLEA DETENTION CENTER, .				RESIDENT					(843) 719-4361	

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
300 CALIFORNIA AVENUE, UNIT A	MONCKS CORNER	SC	29461	1/142

VEHICLE DAMAGE (FACE 1): YES NO EXPLAIN: | COMPLAINT OF ANY NON-VISIBLE INJURIES: YES NO

VICTIM (NO. 1) USING: ALCOHOL YES NO UNK | DRUGS YES NO UNK | TYPE:

TWO-MAN VEH. | ONE-MAN VEH. | DETECTIVE/PLAINCLOTHES | OTHER | ALONE | ARRESTED | J—This Jurisdiction, S—State, O—Out of State, U—Unknown

SUBJECT NO. 1

SUSPECT / RUNAWAY / WANTED / WARRANT / ARREST / JAIL / CUSTODY

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES, ALAN JR	W	M	39	N	[redacted]	507	189	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.: SS# [redacted]

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
1254 CYPRESS CAMPGROUND ROAD	RIDGEVILLE	SC	29472	

SUSPECT USING: ALCOHOL YES NO UNK | DRUGS YES NO UNK TYPE: | ARRESTED FROM OFFENSE SCENE YES NO | TOTAL # ARRESTED | DATE/TIME OF OFFENSE | DATE/TIME OF ARREST

NARRATIVE

ON THE ABOVE DATE, THE SUBJECT WAS HOUSED IN THE HILL-FINKLEA DETENTION CENTER. IT WAS BELIEVED THAT THE SUBJECT WAS READY TO BE RELEASED, BUT UPON FURTHER INVESTIGATION ANOTHER PENDING CHARGE WAS LOCATED AND THE SUBJECT COULD NOT BE RELEASED. THE SUBJECT WAS WAITING TO BE PLACED BACK INTO GENERAL POPULATION IN THE MIDDLE BOOKING AREA, AND THE SUBJECT WAS ABLE TO LOOSEN HIS HANDCUFF. THE SUBJECT WAS THEN ABLE TO LEAVE THE SECURE PORTION OF THE FACILITY THROUGH THE VISITATION DOOR, AND HE FLED THE AREA ON FOOT. A PERIMETER WAS ESTABLISHED AND A SEARCH WAS BEGAN TO ATTEMPT TO LOCATE THE SUBJECT. AFTER A LONG PERIMETER SEARCH, INFORMATION WAS GATHERED THAT THE SUBJECT WAS ABLE TO MAKE HIS WAY TO THE MUSC AREA OF DOWNTOWN CHARLESTON. SURROUNDING AGENCIES WERE ADVISED OF THE INCIDENT, AND WARRANT #M-325990 FOR ESCAPE WAS OBTAINED FOR THE SUBJECT. THE WARRANT WAS ENTERED INTO NCIC AND THE SUBJECT'S

	SUBJECT ENTERED LAW ENFORCEMENT AGENCY	SUBJECT CANCELED LAW ENFORCEMENT AGENCY	TOTAL VALUE
PROPERTY EST. TYPE (GROUP)			
STOLEN			
DAMAGED			
BURNED			
RECOVERED			
SEIZED			

ADMINISTRATIVE

SUBJECT IDENTIFIED: YES NO | SUBJECT LOCATED: YES NO | ACTIVE | ADM. CLOSED | UNFOUNDED | ARRESTED UNDER 18 | ARRESTED 18 AND OVER | EX-CLEAR UNDER 18 | EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH, 2. NO PROSECUTION, 3. EXTRADITION DENIED, 4. VICTIM DECLINES COOPERATION, 5. JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
JACUMIN, KRIS	01/27/12	63	RILEY, TONY	01/27/12	34
			FOLLOW-UP INVESTIGATION? YES NO	OFFICER	

APR 2 4 2012

AGENCY I.D.
SC0060000

SUPPLEMENTAL INCIDENT REPORT

DR/I NUMBER: 2012010037 4 6

RPTD: NO. N | SUPP. N

☒ GENERAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL OFFENSE / PROPERTY ☐ ARREST(S) ☐ ADDITIONAL RECOVERED PROPERTY

PAGE 2 OF ____ PAGES

VICT./SUBJ. I.D. / OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ WITNESS ☐ SUSPECT ☐ ARREST ☐ JUV. ☐ ____

NAME (LAST, FIRST, MIDDLE) | RACE | SEX | AGE | D.O.B. | ETHN.

RESIDENT | HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, MARKS, CLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE | EVENING PHONE

☐ VICTIM OF ☐ VEHICLE BURGLARY ☐ NO ☐ YES | COMPLAINT OF MOTOR VEHICLE BURGLARY ☐ NO ☐ YES | VICTIM USED ALCOHOL ☐ NO ☐ YES ☐ UNK | ☐ TOW-AWAY VEHICLE ☐ DETECTIVE REQUEST ☐ ALERTS

DRUGS ☐ NO ☐ YES TYPE ☐ UNK | ☐ CRIME VEHICLE ☐ OTHER ☐ ARRESTED

☐ CURRENT I.D. ____ | VICTIM ALCOHOL ☐ NO ☐ YES

USED DRUGS ☐ NO ☐ YES → TYPE ☐ UNK

VICT./SUBJ. I.D. / OVERFLOW

☐ COMPLAINANT ☐ VICTIM # ____ ☐ SUBJECT # ____ ☐ WITNESS ☐ SUSPECT ☐ ARREST ☐ JUV. ☐ ____

NAME (LAST, FIRST, MIDDLE) | VICTIM RELATIONSHIP TO SUBJECT | RACE | SEX | AGE | D.O.B. | ETHN.

RESIDENT | HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, MARKS, CLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE | EVENING PHONE

☐ VICTIM OF ☐ VEHICLE BURGLARY ☐ NO ☐ YES | COMPLAINT OF MOTOR VEHICLE BURGLARY ☐ NO ☐ YES | VICTIM USED ALCOHOL ☐ NO ☐ YES ☐ UNK | ☐ TOW-AWAY VEHICLE ☐ DETECTIVE REQUEST ☐ ALERTS

DRUGS ☐ NO ☐ YES TYPE ☐ UNK | ☐ CRIME VEHICLE ☐ OTHER ☐ ARRESTED

☐ CURRENT I.D. ____ | VICTIM ALCOHOL ☐ NO ☐ YES

USED DRUGS ☐ NO ☐ YES → TYPE ☐ UNK

NARRATIVE

INFORMATION WAS PROVIDED TO LOCAL AGENCIES.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY | JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM

TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | EXACT VIN NO. AND/OR REG. NO.

SERIAL AND/OR OWNER APPLIED NO. | STATE

YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE

MODEL | STYLE | COLOR | CRATED PRICE | CAUSED

VIN NO. | DESCRIPTION | ISSUED | RECOVERED DATE

MISCELLANEOUS

PROPERTY EST.

TYPE (CURRENCY)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							

ADMINISTRATIVE

SUSPECT IDENTIFIED ☒ YES ☐ NO | SUSPECT LOCATED ☐ YES ☒ NO | ☒ ACTIVE ☐ ADW CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EXCLEAR UNDER 18 ☐ EXCLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINED COOPERATION 5. ☐ ARRESTED - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
JACUMIN, KRIS	01/27/12	63	RILEY, TONY	01/27/12	34

FOLLOW-UP INVESTIGATION ☐ YES ☒ NO | OFFICER

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 2012010037 48

NCIC: RCD. N | ENTD. N

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIM(S) ☐ ADDITIONAL STOLEN PROPERTY ☐ ADDITIONAL RECOVERED PROPERTY

☐ MODIFIED ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDER(S)

PAGE 1 of _____ PAGES

NARRATIVE

DETECTIVE: J. PETERS

REFERENCE: ESCAPE

VICTIM: STATE OF SOUTH CAROLINA

INCIDENT LOCATION: 195 FARMINGTON ROAD, SUMMERVILLE

ON 2/01/2012 DETECTIVES RESPONDED TO THE GREYHOUND BUS TERMINAL LOCATED AT 195 FARMINGTON ROAD, SUMMERVILLE COUNTY OF BERKELEY IN REFERENCE TO INFORMATION ON JAMES SANDERS WHO IS WANTED BY THIS AGENCY IN REFERENCE TO AN ACTIVE ARREST WARRANT FOR ESCAPE. UPON ARRIVAL AT THE GREYHOUND BUS TERMINAL CONTACT WAS MADE WITH THE TERMINAL MANAGER STAN ADAMS AND A PASSENGER ON THE GREYHOUND BUS FREDERICK CLARK. WRITTEN VOLUNTARY STATEMENTS WERE OBTAINED FROM ADAMS AND CLARK SEE SAID STATEMENTS FOR FURTHER INFORMATION. UPON SPEAKING WITH ADAMS CONCERNING THE ABOVE INCIDENT ADAMS ADVISED DETECTIVES THAT THE PERSON HE SPOKE WITH AT THE BUS TERMINAL WAS JAMES SANDERS AND THAT SANDERS DID FLEE FROM THE BUS TERMINAL ON FOOT IN AN UNKNOWN DIRECTION. ADAMS FURTHER ADVISED THAT SANDERS WAS WEARING BAGGY STYLE BLUE JEANS, RED T SHIRT AND FLIP FLOP STYLE SHOES WHEN HE WAS LAST SEEN AT THE BUS TERMINAL.

SUSPECT: SANDERS - JAMES 39 Y.O. WM

CASE STATUS: ACTIVE

ADMINISTRATIVE

SUBJECT IDENTIFIED	SUBJECT LOCATED			
☒ YES ☐ NO	☐ YES ☒ NO	☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
PETERS, JOHN	02/02/12		MASON, MARK		21
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 2012010093748

RPT: NO. N | SUPP. N

☐ ORIGINAL REPORT ☑ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY PAGE 2

☐ LOCATED VEHICLE ☐ CASE CLOSED ARREST ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

NARRATIVE

DETECTIVE: MURPHY

REFERENCE: ESCAPE (90Z)

RECEIVED FEB 02 2012

VICTIM: STATE OF SOUTH CAROLINA

LOCATION: 300 CALIFORNIA AVENUE, MONCKS CORNER, SC

ON 01-30-12, SPRINT/NEXTEL RETURNED PROCESS REGARDING THE ACCOUNT BELONGING TO CELLULAR PHONE NUMBER 843-305-0255. THIS PHONE NUMBER BELONGS TO JENNIFER BOWZARD, J. SANDERS' GIRLFRIEND FOR WHOM HE HAD BEEN ARRESTED FOR CRIMINAL DOMESTIC VIOLENCE. BOWZARD HAD RECEIVED A CALL FROM A BLOCKED NUMBER DURING THE EARLY MORNING HOURS OF 01-30-12 AND THE PURPOSE OF THE SEARCH WARRANT WAS TO OBTAIN THE PHONE NUMBER ASSOCIATED WITH THE BLOCKED PHONE NUMBER WHICH ATTEMPTED TO CONTACT BOWARD. THE DOCUMENTS REVEALED THAT ORIGINATING PHONE NUMBER WAS 803-671-5148. IT APPEARED TO HAVE BEEN AN OLD ALLTEL CELLULAR PHONE ACCOUNT. ALL OF THE DOCUMENTS RECEIVED BY SPRINT/NEXTEL WERE COPIED TO A CD-ROM AND TRANSFERRED TO THE CUSTODY OF THE BCSO FORENSICS UNIT FOR SAFEKEEPING AS EVIDENCE.

ON 01-31-12, VERIZON WIRELESS RETURNED PROCESS. THE SUSPECT PHONE NUMBER, 803-671-5148, WAS NOT TRANSFERRED TO VERIZON WIRELESS WHEN A PORTION OF ALLTEL WAS PURCHASED BY VERIZON WIRELESS. THE DOCUMENTS INDICATED THAT PROCESS SHOULD BE SERVED ON ALLTEL (ALLIED TELEPHONE). VERIZON RETURNED NO DOCUMENTS OF EVIDENTIARY VALUE.

ON 02-02-12, ALLTEL RETURNED PROCESS INDICATING THE PHONE NUMBER 803-671-5148 BELONGED TO AN ACCOUNT UNDER THE NAME FRANK MORRIS, 200 CACTUS HILL, BARWELL, SC 29812. ALL OF THE DOCUMENTS RECEIVED FROM ALLTEL WERE COPIED TO A CD-ROM AND TRANSFERRED TO THE CUSTODY OF THE BCSO FORENSICS UNIT FOR SAFEKEEPING AS EVIDENCE.

SUSPECT:

SANDERS JR, JAMES ALAN / SUSPECT

ADMINISTRATIVE

SUBJECT IDENTIFIED	SUBJECT LOCATED	☑ ACTIVE ☐ ADM CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 17 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER
☑ YES ☐ NO	☐ YES ☑ NO			

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER(S)	APPROVING OFFICER	DATE	UNIT NUMBER
MURPHY, KEVIN	02/02/12		PETERS, JOHN	02/02/12	74
			FOLLOW-UP INVESTIGATION? ☐ YES ☑ NO OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 20120109748

INC | ENTD
N | N

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIM(S) ☐ ADDITIONAL STOLEN PROPERTY

☐ RECOVERED PROPERTY ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDER(S) ☐ ADDITIONAL RECOVERED PROPERTY

PAGE 2 of _____ PAGES

NARRATIVE

REFERENCE: ESCAPE

VICTIM: HILL FINKLEA DETENTION CENTER

INCIDENT LOCATION: 300 CALIFORNIA AVE, MONCKS CORNER

ON 01/26/12 I WAS INFORMED THAT THEIR HAS BEEN AN ESCAPE AT OUR DETENTION CENTER MYSELF AND DET B. FENTON PATROLLED THE AREA OF WHITESVILLE ROAD, AND AIRPORT ROAD. WE PASSED OUT FLYERS WITH PHOTOGRAPHS OF THE WANTED SUBJECT TO OFFICERS ON THE PERIMETER. CENTRAL DISPATCH ADVISED THAT A FEMALE WAS STANDING BY AT THE FOOD LION OFF HWY 52, MONCKS CORNER WHO ADVISED THAT SHE PROVIDED SANDERS WITH A RIDE, TO PRESIDENT STREET DOWNTOWN CHARLESTON. MYSELF AND SEVERAL ADDITIONAL DEPUTIES MET WITH MURRAY AT THE FOOD LION, SHE PROVIDED A VOLUNTARY STATEMENT. SUMMATION: MURRAY ADVISED THAT SHE WAS TRAVELLING ON WHITESVILLE ROAD WHEN SHE WAS FLAGGED DOWN BY SANDERS (BRAD GILLESPIE) WHO ADVISED THAT HIS VEHICLE HAD BROKEN DOWN, AND HIS WIFE WAS IN LABOR AT THE MEDICAL UNIVERSITY OF SOUTH CAROLINA. MURRAY ADVISED THAT SUSPECT SANDERS WAS NOT WEARING SHOES SO SHE STOPPED TO GET HIM A PAIR FROM THE FAMILY DOLLAR OFF HWY 52, GOOSE CREEK. MURRAY ADVISED SHE THEN TRAVELLED AND DROPPED SANDERS OFF AT PRESIDENT STREET DOWNTOWN CHARLESTON NEAR MUSC. MURRAY PROVIDED ME WITH THE RECEIPT FOR THE PURCHASE SHE MADE AT THE FAMILY DOLLAR.

MYSELF AND DET B. FENTON THEN TRAVELLED DOWNTOWN CHARLESTON AND MET WITH DETECTIVE YORK WITH CITY OF CHARLESTON, WE PATROLLED PARKS, COLLEGE CAMPUSES, AND LOCAL HOSPITALS FOR SANDERS TO NO AVAIL. WE PROVIDED SECURITY OFFICERS FLYERS WITH SANDERS PHOTOGRAPH TO BE ON THE LOOK FOR HIM. I OBTAINED SURVEILLANCE VIDEO FROM MUSC PUBLIC SAFETY OF THE INTERSECTION OF BEE STREET AND COURTNEY STREET. TO DATE MYSELF AND FELLOW OFFICERS HAVE CHECKED ON NUMEROUS LEADS, BUT HAVE NOT BEEN ABLE TO LOCATE SANDERS. THIS CASE IS ACTIVE

CASE STATUS: ACTIVE

SUSPECT: SANDERS, JAMES W/M 06/19/72 507/189 BRO/BRO

1254 CYPRESS CAMPGROUND ROAD, RIDGEVILLE, SC

ADMINISTRATIVE

SUBJECT IDENTIFIED	SUBJECT LOCATED	☒ ACTIVE ☐ ADM CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER
☒ YES ☐ NO	☐ YES ☒ NO			

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT ASSIGNED	APPROVING OFFICER	DATE	UNIT ASSIGNED
RAMSEY, RENEE	02/02/12		ALTERI, GENO	02/02/12	52
			FOLLOW-UP INVESTIGATION? ☐ YES ☒ NO OFFICER		

GENERAL INFORMATION

Reporting Officer: 3727
Incident No: 201201003748
Reference No. 3:
File Date: 03/02/2012
Reference No. 1:
Last Updated On: 03/02/2012
Reference No. 2:

NARRATIVE

DATE: 3/2/12
REF: ESCAPE/ESCAPE, RECAPTURE IN STATE (M-325990) STATUTE 24-13-0410
OCA: 2012-01003748
SUBJ: JAMES ALLEN SANDERS JR.
ADDRESS: N/A
SS#: [redacted]
SCDL [redacted]
D.O.B: [redacted] - W/M 507 189
AFF: DET. JACUMIN

ON 3/2/12 I SERVED A WARRANT FOR ESCAPE/ESCAPE, RECAPTURE IN STATE (M-325990) STATUTE 24-13-0410 ON JAMES ALLEN SANDERS JR. WHILE HE WAS INCARCERATED AT THE HILL-FINKLEA DETENTION CENTER. JAMES ALLEN SANDERS JR. WAS GIVEN A COPY OF THE WARRANT. I MADE COPIES OF ALL DOCUMENTS AND PLACED THEM ON DET. JACUMINS DESK.

CPL. S. MUSGRAVE
C-123

LT. A. RAMSEY
C-27

RECEIVED MAR 05 2012

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 2012019003748

NOW: NO. N | ENTD. N

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY PAGE 5 OF _____ PAGES

☐ LOCATION OF ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

NARRATIVE

DETECTIVE: MURPHY

REFERENCE: ESCAPE (90Z)

VICTIM: STATE OF SOUTH CAROLINA

LOCATION: 300 CALIFORNIA AVENUE, MONCKS CORNER, SC

ON 03-07-12, ALLTEL RETURNED PROCESS. ALL OF THE DOCUMENTS RECEIVED FROM ALLTEL WERE COPIED TO A CD-ROM AND TRANSFERRED TO THE CUSTODY OF THE BCSO FORENSICS UNIT FOR SAFEKEEPING AS EVIDENCE.

SUSPECT:

SANDERS JR, JAMES ALAN / SUSPECT

RECEIVED MAR 08 2012

ADMINISTRATIVE

SUBJECT IDENTIFIED	SUBJECT LOCATED	☒ ACTIVE ☐ ADW CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER	☐ EXCEPTIONAL UNDER 18 ☐ EXCEPTIONAL 18 AND OVER
☒ YES ☐ NO	☒ YES ☐ NO			

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
MURPHY, KEVIN	03/07/12		PETERS, JOHN	03/07/12	74

FOLLOW-UP INVESTIGATION ☐ YES ☒ NO OFFICER

MUSC

ED / Referral Report

04/13/2012 08:46:12
000070832

Referral Coordinator: Maurice Vanhennegyn

Call Date: 04/13/2012
Call Time: 20:30:33

First Name: JENNIFER D. Last Name: BOWZARD DOB: 04/08/1971 MRN: 001148746 Race: CAUCASIAN
Address: 1254 CYPRESS CAMPGROUND Sex: F City: RIDGEVILLE State: SC Zip: 29472
Phone (H): 843-366-0435 SSN: 248-71-4648 Age: 41 M/S: MARRIED

Diagnosis:

POSTTRAMATIC STRESS DISORDER (PTSD). DEPRESSION. ANXIETY DISORDER NOS.

Special Care Instructions:

MEDICAL HISTORY: HYPERTENSION

Presenting Clinical:

PER CALLER, THE PATIENT, PRESENTS TO MUSC ED FOR WORSENING DEPRESSION AND THE INABILITY TO CARE FOR HERSELF. THE PATIENT DID NOT GO TO WORK FOR THE PAST FOUR (4) DAYS AND STAYING IN BED.

ED Treatment Instructions:

[4/13/2012 8:48:09 PM]
ACCEPTED @ 8:47 P.M. AND I SPOKE WITH GORDON MUTTER, RN, WHO IS THE NURSE WHO CARING FOR THE PATIENT IN THE ED.-- MAURICE VANHANNEGEYN

FTOUST Shaw Rm 311 R

Referral Information

Caller Name: DR. GREG SAHLEM, M.D. Unit: 3 NORTH Rapid Access? : N
Caller Phone: PGER # 15685 Charleston Center? N
Referring Agency: MUSC Type: 1 WEST ER
Referrer's First Name: Admit Status: ACCEPTED Planned Admit D/T: 04/13/2012 21:30:33
Referrer's Last Name: , EDD Not Admit Reason: Admit Disposition: VOLUNTARY

Emergency Contact Information

Name: NORMA BLACKWELL-CRUS Relationship: UNKNOWN Phone (W): NOT PROVIDED Phone (H): NOT PROVIDED
Address: NOT PROVIDED Guardianship / Other: NOT PROVIDED

Primary Insurance

Type: SELF PAY Name: JENNIFER D. BOWZARD Relationship: SELF Policy #:
Employer: SSN: 248-71-4648 Benefits/Phone:
Group #: Notes:

Secondary Insurance

Type: Name: Relationship: Policy #:
Employer: SSN: - - Benefits/Phone:
Group #: Notes:

PLAINTIFF'S EXHIBIT 27 tabbies

MUSC Medical Center
INSTITUTE OF PSYCHIATRY DISCHARGE SUMMARY

PATIENT NAME: BOWZARD, JENNIFER D
MRN: 001148746
PATCOM: 104551163
ADMITTED: 04/13/2012
DISCHARGED: 04/18/2012
SERVICE: General Psychiatry 3-North.
ATTENDING: Milton J Foust Jr, MD

REFERRING: SELF REFERRAL

PRIMARY CARE PHYSICIAN: PATIENT, NONE PER

CHIEF COMPLAINT: "I had just haven't been able to do anything."

HISTORY OF PRESENT ILLNESS: This is a 41-year-old woman with past medical history of PTSD, MDD versus mood disorder NOS and hypertension. She presented to the ER accompanied by her mother. She reports she had symptoms of PTSD, depression for the past 9 months after being nearly beaten to death by her ex-boyfriend. She states it has gradually worsened since then. She reports that for the past week, she has had significant worsening of both PTSD, depression and panic attacks. Over the past 4 days, she has been unable to sleep but has not been able to leave her bed. She says that these symptoms have gotten to the level that she has been unable to do basic care, go to work, pay bills. She describes prominent re-experiencing, intrusive thoughts, avoidance of reminders, hyperarousal. She said that she constantly fears that he will be released from prison because he has been released before and has escaped on another occasion. She has attempted to go see the psychiatrist as an outpatient but she has not been able to get an appointment.

She also reports pain. Positive neurovegetative symptoms of depression as well as multiple panic attacks daily which consist of chest tightness, palpitations, feeling of impending doom. She does not report current suicidal ideation but does have multiple risk factors as well as access to a firearm. She has some history consistent of mania including periods of sleeplessness, impulsivity, mood lability, hypersexuality in the past. These were also described previously when seen as an outpatient appointment with the IOP. She reports no recent symptoms or episodes. She has no homicidal ideation or any hallucinations or other psychotic symptoms.

She reports that she has been taking up to 5 Klonopin a day lately to control her above symptoms with little benefit. She has no other use of substances or alcohol.

PSYCHIATRIC HISTORY: Previous diagnoses include PTSD and major depressive disorder.

PREVIOUS MEDICATION TRIALS: Include Prozac, Paxil, Zoloft; all made her significantly worse with increased agitation. Abilify made her agitated and caused her to cry.

SUBSTANCE USE HISTORY: Denies alcohol use. Denies other illicit use.

PAST MEDICAL HISTORY: Hypertension.

FAMILY HISTORY: Includes coronary artery disease and diabetes mellitus. No family psych history.

SOCIAL HISTORY: She has 2 children, one is 12, one is 17, neither of whom live at home. She currently lives alone. She works in the service department of a car dealership.

ALLERGIES: AZITHROMYCIN AND PENICILLIN.

CURRENT MEDICATIONS: Include Adderall XR 30 mg daily, Klonopin 1 mg p.r.n. takes up to 5 per day, and lisinopril 10 mg daily.

REVIEW OF SYSTEMS:
Normal except for some chest tightness and palpitations during panic attacks.

PHYSICAL EXAM: VITALS: Temperature 36.7, pulse 96, respirations 18, blood pressure 122/84, O2 saturation 98% on room air.
GENERAL: Alert and oriented, tearful.
SKIN: No lesions.
HEENT: Pupils are equal, round, and react to light and accommodation. Extraocular movements intact. Visual fields full. Tongue midline. Mucous membranes are moist.
PULMONARY: Clear to auscultation bilaterally.
CARDIOVASCULAR: S1, S2 present. Regular rate and rhythm. No murmurs, rubs or gallops.
GI: Nontender, nondistended. Positive bowel sounds.
EXTREMITIES: No edema.
NEUROLOGIC: Cranial nerves II-XII intact. Strength 5/5 x4. Sensation is intact to light touch.

MENTAL STATUS EXAM: Appearance, she is lying in bed, tearful, disheveled in hospital attire. Behavior, cooperative with fair eye contact. Attitude cooperative. Motor is normal. Speech, tearful, soft. Mood is "scared." Affect blunted. Thought process linear. Thought content, no SI HI or AVH. Perception normal. Level of consciousness, alert and oriented. Orientation, patient is oriented. Insight fair. Judgment fair. Impulse control fair.

STUDIES DURING HOSPITALIZATION: BAL was negative on admission. CBC was normal except for white blood cell count of 11.2. Hemoglobin was 13.4, hematocrit is 41.1. Sodium was 135, potassium was 3.3, bicarbonate was 27. A CK was also checked which was 54.

BRIEF HOSPITAL COURSE: This is a 41-year-old woman with a history of PTSD, mood disorder NOS, ADHD and panic disorder with agoraphobia who was admitted voluntarily to 3-North with symptoms of PTSD and depression over the past 9 months after almost being beaten to death by her ex-boyfriend. Her symptoms have gotten severe enough today, and the week prior to admission, she could not to basic activities to care for herself. She was placed on all appropriate precautions at the time of admission.

After meeting with the treatment team, the patient endorsed reliving her trauma as well as an inability to sleep. We felt the most appropriate diagnosis is PTSD. Because of this, she was started on prazosin 1 mg q.h.s. which was increased to 2 mg q.h.s. with some improvement in sleep and decrease in nightmares. She tried numerous SSRIs in the past which caused her to "just lay around all day." We

instead started her on Remeron. She had numerous complaints of side effects from other medications, so we started this at a very low dose of 7.5 mg q.h.s. and planed to continue her at this dose until she follows up with her outpatient psychiatrist. She had previously been taking Adderall XR 30 mg daily prior to her hospitalization. We strongly encouraged her to stop taking this medication as we felt that it could make her anxiety and PTSD symptoms worse although she is unwilling to do this. While we did not give this to her in the hospital, she plans on resuming at discharge. She was also taking Klonopin outside the hospital on a p.r.n. basis usually at night. However, she had begun abusing this medication prior to admission. We encouraged her to reduce her use of this medication.

She required only a brief hospital stay for crisis stabilization. She felt she had processed some of her trauma during the hospitalization and was better prepared to deal with outside the hospital. She plans to have her mother come stay with her for a few days immediately after discharge.

DISCHARGE DIAGNOSIS:
Principal Discharge Diagnosis: Posttraumatic stress disorder.
Axis I:
1. Posttraumatic stress disorder.
2. Attention deficit hyperactivity disorder by history.
3. Panic disorder with agoraphobia.
Axis II: Deferred.
Axis III: Hypertension.
Axis IV: Primary and social support services.
Axis V: GAF 55.

DISCHARGE MEDICATIONS: Prazosin 2 mg p.o. q.h.s., Remeron 7.5 mg p.o. q.h.s., Klonopin 1 mg p.o. b.i.d. as needed for anxiety, Adderall XR 30 mg daily, lisinopril 10 mg p.o. daily. Of note, the patient was encouraged to stop taking the Adderall XR but plans to continue it.

DISPOSITION: Patient was discharged with followup scheduled to see a therapist on April 23, 2012, and follow up with Dr. Rosen himself on May 22, 2012.
The patient was discharged back to her house where she plans to have her mother come stay with her.

DISCHARGE INSTRUCTIONS: The patient was instructed not to drink or use any illicit drugs. She was encouraged to stop taking her Adderall and reduce her dose of Klonopin which were not prescribed by us here at the hospital. She was also encouraged to follow up with all of her appointments as scheduled. She should continue taking her medications as prescribed with the exception of Adderall and Klonopin. If she has thoughts of harming herself or others, she should contact 911 or go to the nearest emergency room.

Dictated by: James Matthew Haug, MD

_____
James Matthew Haug, MD

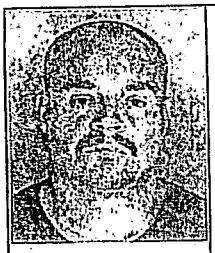
_____
Milton J Foust Jr, MD

Attending

510540831/medq/
JOB: 1049277
DD: 04/19/2012 18:23:03
DT: 04/20/2012 09:03:12

cc: Dr. Rosen - Fax: 843-402-1961
Authenticated by MILTON J FOUST, MD On 04/25/2012 03:22:38 PM





SANDERS, JAMES A

Race: W Sex: M

Booked in: 8/19/2011 12:05 PM

Arresting Agency: Berkeley County Sheriffs Office

	Bond
VIOLATION OF COURT ORDER OF PROTECTION	$1,092.50
CONTEMPT OF COURT	Not set
BOND REVOCATION	Not set
HOLD FOR (CHARLESTON COUNTY CHARGES)	Not set
BOND REVOCATION	Not set
CDV	Not set
CDV	Not set
EVADING ARREST	Not set
BOND REVOCATION	Not set
ESCAPE	

PLAINTIFF'S EXHIBIT 528

Plaintiff's Exhibit 29

CD – Videotape of Escape

(Retained by the Trial Court)

STATE OF SOUTH CAROLINA	IN THE COURT OF COMMON PLEAS
COUNTY OF BERKELEY	CASE NO.: 2012-CP-08-1283
Jennifer D. Bowzard,	
Plaintiff,	AFFIDAVIT OF LT. KRIS JACUMIN
v.	
Sheriff Wayne Dewitt and Berkeley County Sheriff's Office,	
Defendants.	

NOW COMES, Kris Jacumin, affiant, and after being duly sworn, states and affirms as follows:

1. I am a lieutenant with the Berkeley County Sheriff's Office and work within the Hill-Finldea Detention Center.

2. On August 19, 2011, James Sanders was arrested for violating the Family Court's August 2, 2011 no contact order.

3. On the morning of January 26, 2012, Sanders went to court for a hearing on the charge that he violated the family court order.

4. At that hearing, Sanders was sentenced to time served.

5. When he returned to the jail after that hearing, he was no longer being held on the family court charge.

6. If Sanders did not have criminal charges pending against him, he would have been released that day.

7. Sanders was to remain in the jail on pending criminal charges.

8. Sanders was handcuffed to a bench in the booking area of the jail, while officials determined whether there were still active criminal charges on which he should be held.

9. During this time, Sanders managed to squeeze his hand out of the cuff. Then, he followed an employee out the door and escaped.

10. At no time on January 26, 2012, was James Sanders "released" by the jail.

11. When Sanders escaped from the Hill-Finkley Detention Center, the only charge he was still being held on was Criminal Domestic Violence of a High and Aggravated Nature. This is a criminal charge.

FURTHER, AFFIANT SAYETH NAUGHT!

Kris Jacumin

SWORN TO AND SUBSCRIBED before me this 12 day of APRIL, 2013.

NOTARY PUBLIC FOR SOUTH CAROLINA
My commission expires: 03/17/2021

Berkeley County Sheriff's Office
Sheriff H. Wayne DeWitt

Hill-Finklea Detention Center
Captain Cliff McElvogue

Hill-Finklea Detention Center
Administrative / Disciplinary Review Board

Identification / Background Information

The Hill-Finklea Detention Center Disciplinary Review Board met on 4-12-12 (Date) to review the file of James Sanders (Inmate Name). After reviewing your file and all documentation surrounding your placement into administrative / disciplinary segregation our findings are as follws:

1. X Protective Custody
2. X Administrative Segregation for _____ days
3. _____ Medical Segregation until cleared by Medical Staff
4. _____ Loss of Good Time
5. _____ Extra Work Assignment
6. _____ Loss of Canteen Privileges for _____ days
7. _____ Loss of Visitation Privileges for _____ days
8. _____ Loss of Phone Privileges for _____ days
9. _____ No changes to previous decision
10. _____ Other (See Additional Comments)

Additional Comments: Inmate will remain in Alpha Pod due to being a flight risk & security concern.

Review Board Officer Signature: Cpl. Thornley Date: 4-12-12

Investigations Officer Signature: [signature] Date: 4-12-12

Deputy Director: [signature] Date: 04/12/12

HILL-FINKLEA DETENTION CENTER INCIDENT / DISCIPLINE REPORT

Incident Type	Refused Shower
Date/ Time	3-15-12 1505 Hrs
Incident Location	A-7
Weapon Type	NONE
Victim	NONE
Visible Injury	NONE
Suspect(s)	Sanders, James

Description of Incident:

ON the above date and time I Sgt Biering went to Cell A-7 and asked Inmate Sanders, James if he would like to take a shower. The inmate said he just wanted to use the phone. I called 1st Sgt Moore and she said she had not recieved anything cleaning him to use the phone. I informed him of this, and asked if he wanted a shower he threw his hand up and shook his head NO. After Letting the Next room out he began Kicking and beating on the cell door

REPORTING OFFICER: Biering Date: 3-15-12

Approved By: [signature] Date: 3-15-12

Reviewed By: _____ Date: _____

Page ___ of _____

Berkeley County Sheriff's Office
Sheriff H. Wayne DeWitt

Hill-Finklea Detention Center
Captain Cliff McElvogue

Hill-Finklea Detention Center
Administrative / Disciplinary Review Board

Identification / Background Information

The Hill-Finklea Detention Center Disciplinary Review Board met on 3·13·12 (Date) to review the file of James Sanders (Inmate Name). After reviewing your file and all documentation surrounding your placement into administrative / disciplinary segregation our findings are as follws:

1. X Protective Custody
2. _____ Administrative Segregation for _____ days
3. _____ Medical Segregation until cleared by Medical Staff
4. _____ Loss of Good Time
5. _____ Extra Work Assignment
6. _____ Loss of Canteen Privileges for _____ days
7. _____ Loss of Visitation Privileges for _____ days
8. _____ Loss of Phone Privileges for _____ days
9. _____ No changes to previous decision
10. _____ Other (See Additional Comments)

Additional Comments:
Inmate will remain in Alpha Pod due to security concerns & flight risk.

Review Board Officer Signature: M Sworndays Date: 3·13·12

Investigations Officer Signature: _____ Date: _____

Deputy Director: _____ Date: 03/13/12

Berkeley County Detention Center
300 California Ave Unit-A
Moncks Corner, SC. 29461
843-719-4557

3/2/2012 12:52
TRANSACTION #00127271
Inmate: JAMES SANDERS
Inmate ID: 2011004253
Amount Deposited: $47.04

Cash transaction.
Amount credited to account: $47.04

McDaniel Supply Company

11-004253

BERKELEY COUNTY DETENTION CENTER
INCOMING INMATE MONEY

Name Sanders, James
Last First MI

SSAN

$ 47.04 Date 3/2/12

ARRESTING OFFICER Ham | Vaughn

BOOKING C.O. Cpl. Thornley

SHIFT SUPERVISOR Sgt. Senft

DATE RETURNED ___/___/___

REC'D BY

Former Inmate Signature

RETURNED BY

Berkeley County Sheriff's Office
Sheriff Wayne DeWitt

Hill-Finklea Detention Center
Captain Cliff McElvogue

Money Accounting Sheet

Inmate Name: James Sanders Date: 2 March 12

Social Security Number: _____ Pin #: _____

Arresting Officer's Printed Name: Hamm / Vaughn

Booking Officer's Printed Name: Thornley

Shift Supervisor Printed Name: Sgt. Schitt

Inmate Signature: _____

DENOMINATION	COUNT	CURRENCY
PENNIES	9	$.09
NICKELS		
DIMES	2	$.20
QUARTERS	3	$.75
HALF DOLLARS		
$1.00 BILLS	16	$16.00
$2.00 BILLS		
$5.00 BILLS	6	$30.00
$10.00 BILLS		
$20.00 BILLS		
$50.00 BILLS		
$100.00 BILLS		
OTHER BILLS		

TOTAL AMOUNT RECEIVED: $47.04

Hill Finklea Detention Center
Temporary Custody Receipt for HFDC Inmates

B-1

Name James Sanders

Date 01/26/12

Time 1010

The above names inmate(s) has/have been received by Det. R. Ramsey
Receiving Official

of BCSO
Receiving County/Agency. I clearly understand that security, custody, and well

being of this inmate is the responsibility of BCSO
Receiving County/Agency

and is being temporarily removed from the custody of the Hill Finklea Detention Center for purpose of:

X Appearance in Court
____ Illness in Family
____ Death in Family
____ Investigation
____ Bond Hearing
____ Post Conviction Hearing
____ Other (specify) ____

I further understand that I may call Captain C. McElvogue at 719-4544 Hill Finklea Detention Center at 719-4[illegible] any time for assistance.

Signature of Receiving Official — Renee Ramsey/Detective
Name and Title (Print)

Signature of Releasing HFDC Official — Mizzell
Name and Title (Print)

++

Return of Inmate to Hill Finklea Detention Center

Date: 01/26/12 Time: 1135

Signature of Returning Official — Renee Ramsey/Detective
Name and Title (Print)

Signature of Receiving HFDC Official — Mizzell
Name and Title (Print)

++

Victim Notification

_____ take full responsibility to notify the victim (s) in reference to the above inmate. If the officer does not or will not call the victim the inmate MUST be returned to Hill Finklea Detention Center.

Signature of Receiving Official

HILL-FINKLEA DETENTION CENTER INCIDENT / DISCIPLINE REPORT

Incident Type	Escaped Inmate
Date/ Time	01-26-2012
Incident Location	Lobby Door / Middle Booking
Weapon Type	none
Victim	none
Visible Injury	none
Suspect(s)	Sanders, James

Description of Incident:

On the above date and approximate time I PFC. McNeeley was in the process of booking inmates while in the process of doing so inmate Sanders was cuffed to the bench near the admin hall, and was complaining about the cuffs being to tight as I observed the cuffs you could visibly they were to tight at that time I PFC. McNeeley adjusted the cuffs and replaced them back on Inmate Sanders.

While walking back through middle booking I Witnessed Inmate Sanders walking behind SGT. Sanders out the lobby door, at that time I asked SGT. Collins, why Inmate Sanders was walking out with SGT. Sanders.

At that time the search for inmate Sanders began.

E.O.R

REPORTING OFFICER: Tyler McNeeley Date: 01-26-2012

Approved By: Sgt P. Collins Date: 1-26-12

Reviewed By: _____ Date: _____

Page ____ of _____

HILL-FINKLEA D ...TION CENTER INCIDENT / DISC ...NE REPORT

Incident Type	Escape
Date/ Time	1-26-12 approx 3:35 pm.
Incident Location	middle booking
Weapon Type	—
Victim	—
Visible Injury	—
Suspect(s)	Sanders, James

Description of Incident:

On above date and approx time inmate Sanders James was brought up front from B-20 to be released per Lt Riley. Inmate Sanders was placed on a bench in middle booking - cuffed by Pfc Jones.

Victim advocate Jenny Smith called the victim reference the release of inmate Sanders. During her conversation with the victim, the victim stated the Judge said "he still has a pending charge of C.DVHAN." After she (ms smith) hung up - I began reviewing the folder again with ms Smith. During this process we discovered a bond revocation dated 10-13-11 and a release dated 10-11-11. Lt Riley walked up to both Ms. Smith and I and asked what the problem was. I showed him the folder and he called next door for a clarification. Then Lt departed to the courthouse.

While waiting on the clarification inmate Sanders remained cuffed to the bench in middle booking.

Pfc McWethy was booking inmates in to the facility while I assisted DSS in the interviewing of inmates and their movement.

Pfc McWethy asked me why did inmate Sanders go out the door with Sgt Sanders. I then radioed Sgt Sanders and asked if inmate Sanders was with her. Sgt Sanders responded

REPORTING OFFICER: Sgt D Collins Sgt D Collins Date: 1-26-12

Approved By: _____ Date: _____

Reviewed By: _____ Date: _____

HILL-FINKLEA [illegible]NTION CENTER INCIDENT / DISC[illegible]LINE REPORT

Incident Type	Escape
Date/ Time	1-26-12 approx 3:35 pm
Incident Location	middle housing
Weapon Type	-
Victim	-
Visible Injury	-
Suspect(s)	Sanders, James

Description of Incident:

Said "NO" I am going to get the Carwash. I then notified Sgt Moore and called dispatch. Notified 2 R.leg and Cpl McElvaine.

Facility placed on Lock down at this time.

REPORTING OFFICER: Sgt P. Collins Sgt P Collins Date: 1-26-12

Approved By: _____ Date: _____

Reviewed By: _____ Date: _____

HILL-FINKLEA D... ENTION CENTER INCIDENT / DISC...LINE REPORT

Incident Type	INMATE ESCAPE
Date/ Time	JAN. 26, 2012
Incident Location	HFDC
Weapon Type	NONE
Victim	NONE
Visible Injury	NONE
Suspect(s)	SANDERS, JAMES

Description of Incident:

I (OFC. PAUL G. JONES) WAS AT MY ASSIGNED POST (FRONT DESK) WHEN THE DOOR BUZZER FOR THE VISITATION DOOR SOUNDED. WHEN I CLICKING ON THE OUTSIDE LOCATOR I DID NOT SEE ANYONE SO I CLICKED ON THE INSIDE LOCATOR. I THEN SAW SGT. SANDERS WAITING TO EXIT HFDC. I ACTIVATED THE DOOR LOCKS TO OPEN THE DOOR AND SGT. SANDERS THEN EXITED THE BUILDING. AS SOON AS SHE WAS LEAVING IM JAMES SANDERS WAS RIGHT BEHIND HER. AS THEY BOTH WERE OUTSIDE, IM SANDERS TURNED AROUND BACK TOWARDS SGT. SANDERS. HE THEN STICK HIS ARM OUT TOWARDS SGT. SANDERS. I THEN HAD ANOTHER CALL/ALARM AND DIRECTED MY ATTENTION TO THIS. IT WAS ONLY A MATTER OF MOMENTS WHEN PERSONNEL ON THE WALKIE TALKIES STARTED QUESTIONING WHERE IS IM SANDERS. I THEN CALLED SGT. COLLINS BY RADIO AND AFTER MEETING ME AT THE FRONT DESK I EXPLAINED WHAT I SAW THROUGH THE CAMERA SYSTEM — HFDC WAS THEN PLACED ON LOCK DOWN DUE TO THE SITUATION.

REPORTING OFFICER: _____ Date: 1-26-12

Approved By: Sgt. P. Collins Sgt. P. Collins Date: 1-26-12

Reviewed By: _____ Date: _____

Page ___ of ___

Stephen
Wilson A1 → B21

John
Brown A1 → B9

James Sanders A5 → B19 14

Squad #1 moved inmates

per Sgt Jacumin.

11-22-11
Sgt Cobb

0163

Berkeley County Sheriff's Office
Sheriff H. Wayne DeWitt

Hill-Finklea Detention Center
Captain Cliff McElvogue

Hill-Finklea Detention Center
Classification, Custody and Security Review Checklist

Inmate Name: Sanders, James

Current Offense(s): vidlation of court order

Date assigned to the facility: 8-18-11

Custody/Security Level at time of assignment: M

Current Custody/Security Level: B-large cell

____ Initial Classification

____ Re-Classification

__/__ Disciplinary/Security Review Board

Recommendations:

____ Remain in Current Custody

__/__ Advance to Level B

____ Eligible for Inmate Worker Status

Additional Comments: per capt. McElvogue

Officer Signature: M Moorday Date: 11-21-11

Berkeley County Sheriff's Office
Sheriff H. Wayne DeWitt

Hill-Finklea Detention Center
Captain Cliff McElvogue

Hill-Finklea Detention Center
Administrative / Disciplinary Review Board

Identification / Background Information

The Hill-Finklea Detention Center Disciplinary Review Board met on 11·2·11 (Date) to review the file of James Sanders (Inmate Name). After reviewing your file and all documentation surrounding your placement into administrative / disciplinary segregation our findings are as follws:

1. _____ Protective Custody
2. _____ Administrative Segregation for _____ days
3. _____ Medical Segregation until cleared by Medical Staff
4. _____ Loss of Good Time
5. _____ Extra Work Assignment
6. _____ Loss of Canteen Privileges for _____ days
7. _____ Loss of Visitation Privileges for _____ days
8. _____ Loss of Phone Privileges for _____ days
9. _____ No changes to previous decision
10. X Other (See Additional Comments)

Additional Comments:
Inmate placed in Alpha Pod per Capt. McElvogue
Inmate harrassing victim.

Review Board Officer Signature: Cpl. M Shuler Date: 11·2·11

Investigations Officer Signature: _____ Date: _____

Deputy Director: _____ Date: _____

HILL-FINKLEA DETENTION CENTER

INMATE GRIEVANCE/REQUEST FORM

NAME (LAST, FIRST): Sharp, James #: 20110025 3

HOUSING UNIT: B ROOM #: 9 DATE: 10-24-11

1. ☐ DISCIPLINARY HEARING REVIEW
2. ☐ CLASSIFICTION INFORMATION
3. ☐ INDIGENT STATUS
4. ☐ INMATE WORKER / DETAIL PROGRAM
5. ☐ RECORDS
6. ☐ PUBLIC DEFENDER / BOND MODIFICATION
7. ☐ TELEPHONE ACCOUNT
8. ☒ PROPERTY CLERK
9. ☐ OTHER: _____

INMATE REQUEST: I was told of two pictures sent to me on 10-16-11 and I was told today I haven't got them yet! Please explain.

James S.

T. Wilds
STAFF OFFICER'S NAME

10/25/11
DATE RECEIVED

STAFF OFFICER'S RESPONSE: It was returned on today because it contained glued paper.

T Wi

Sheriff Wayne DeWitt

County of Berkeley

State of South Carolina

REQUEST FOR RELEASE FROM PROTECTIVE CUSTODY

I am an inmate of the Hill Finklea Detention Center. The following is my statement regarding my request for release from protective custody.

As of 27 day of September month, 2011, I am of the belief that I am no longer in any immediate danger of harm from anyone in the general population. Therefore, I am requesting that I be released from protective custody. I make this request with full knowledge that the Hill Finklea Detention Center cannot provide me with the same degree of protection in general population that can be afforded me while in protective custody status.

I have this day been provided a copy and hereby acknowledge receipt.

Signature

9/27
Date

PVT. Kmitch
Witness

Witness

Hill Finklea Detention Center

Temporary Custody Receipt for HFDC Inmate

Name JAMES SANDERS

Date 09/23/11

Time 09:15

The above names inmate(s) has/have been received by Johnston
Receiving Official

of _____. I clearly understand that security, custody, and well
Receiving County/Agency

being of this inmate is the responsibility of _____
Receiving County/Agency

and is being temporarily removed from the custody of the Hill Finklea Detention Center for purpose of:

_____ Appearance in Court

_____ Illness in Family

_____ Death in Family

_____ Investigation

_____ Bond Hearing

_____ Post Conviction Hearing

✓ Other (specify) SUMMARY COURT

I further understand that I may call Captain C. McElvogue at 719-4544 Hill Finklea Detention Center at 719-4341 any time for assistance.

Signature of Receiving Official

CPL Johnston
Name and Title (Print)

Signature of Releasing HFDC Official

Name and Title (Print)

++

Return of Inmate to Hill Finklea Detention Center

Date: 09/23/11

Time: 10:00

Signature of Returning Official

CPL Johnston
Name and Title (Print)

Signature of Receiving HFDC Official

R.O. Jacob Nettles
Name and Title (Print)

++

Victim Notification

I _____, take full responsibility to notify the victim (s) in reference to the above inmate. If the officer does not or will not call the victim the inmate **MUST** be returned to Hill Finklea Detention Center

Signature of Receiving Official

HILL-FINKLEA DETENTION CENTER INCIDENT/DISCIPLINE REPORT

Incident Type	Fight in Bpod during feedoff/use of force
Date/Time	9/26/11 @ approx 0320
Incident Location	Bpod dayroom
Weapon Type	N/A
Victim	N/A
Visible Injury	affects of OC spray
Suspect(s)	James Sanders, Damontrai Glover

Description of Incident:

On the above date and approx time I put Jourdan was on the top tier of Bpod locking down inmates that were finished eating breakfast. I noticed the two above listed inmates in a verbal confrontion over a food tray. I began to walk down the stairs to investigate and avoid an escalation of the incident. The two above listed inmates continued to argue over the food tray as I proceeded down the stairs. I/m Glover then threw the food tray onto I/m Sanders as I began giving verbal commands to break up and not fight. As I made it to the bottom of the stairs and continued to issue verbal commands I saw both inmates raise there fist in an effort to begin fighting. At that time both Inmates were still ignoring my verbal commands to break up. I/m Glover began to throw punches at I/m Sanders as the acting aggressor of the fight. I then drew my issued OC spray while still giving the commands to stop fighting. After several commands I attempted to deploy OC spray at

REPORTING OFFICER: T. Jourdan Date: 9/26/11

Approved By: Sgt S Clark Date: 9/26/11

Reviewed By: _____ Date: _____

HILL-FINKLEA DETENTION CENTER INCIDENT/DISCIPLINE REPORT

Incident Type	
Date/Time	
Incident Location	
Weapon Type	
Victim	
Visible Injury	
Suspect(s)	

Description of Incident:

the aggressor, I/m Glover which turned slightly after a 2 second burst of spray was administered. Both Inmates were affected slightly by the OC spray due to the movement of the fight. After the Inmates were seperated by officers I took each inmate upfront for decontamination. I gave both inmates soap and towel to use to remove the spray. After decontamination was complete both inmates stated they were fine from the affects of the OC Spray. Both inmates were given a uniform to change into I/m Glover was placed into Apod and I/m Sanders was placed into B-26 until administration conducted further investigation.

REPORTING OFFICER: J. Jourdan Date: 9/26/11

Approved By: Sgt Schuck Date: 9/26/11

Reviewed By: _____ Date: _____

BERKELEY COUNTY SHERIFF'S OFFICE SUPERVISOR'S USE OF FORCE REPORT

DATE/TIME: 9/25/11 0525 hours OCA# PERSONNEL NAME: J. Fowler

ASSIGNMENT: ON SCENE SUPERVISOR: Sgt. Schertz

ADDITIONAL PERSONNEL INVOLVED: ☐YES ☒NO (COMPLETE SEPARATE SHEET ON EACH)

AGENCY PERSONNEL INJURED: ☐YES ☒NO (SPECIFY)

DISCRIPTION OF INJURY: (ATTACH ADDITIONAL SHEETS AS REQUIRED)

INCIDENT TYPE: ☐CIVIL PROCESS ☐DOMESTIC ☐VIOLENT SUSPECT ☐BARRICADE INCIDENT

☐WARRANT ☐JUVENILE ☐INTOXICATED SUBJECT ☐TRAFFIC STOP ☒OTHER

LOCATION OF INCIDENT: ☐INDOOR ☐OUTDOOR ☒DETENTION CENTER ☐ HOSPITAL ☐

☐SCHOOL ☐RESIDENCE ☐GOVERNMENT BUILDING

☐OTHER (SPECIFY)

TYPE OF FORCE/CONTROL USED: ☐PROFESSIONAL PRESENCE ☒VERBAL COMMAND

☐SOFT EMPTY HAND CONTROL ☐HARD EMPTY HAND CONTROL ☐TASER ☒OC SPRAY

☐IMPACT WEAPON ☐DEADLY FORCE (SPECIFY)

SUSPECT DESCRIPTORS: AGE 17 SEX M RACE B HEIGHT 5'7 WEIGHT 142

DISCRIPTION OF INJURY: (ATTACH ADDITIONAL SHEETS AS REQUIRED)

minor affect from OC spray in the back of the head/neck

HOSPITAL ADMISSION REQUIRED: ☐YES ☒NO THERAPEUTIC ADMISSION: ☐YES ☒NO

MEDICAL EXAM: ☐YES ☒NO

UNDER INFLUENCE OF DRUGS/ALCOHOL: ☐YES ☒NO (SPECIFY)

INSTRUCTIONS: THIS FORM IS TO BE COMPLETED WITH EVERY USE OF FORCE/CONTROL INCIDENT. THIS REPORT WILL BE SUBMITTED ALONG WITH A DETEAILED INCIDENT REPORT JUSTIFYINGTHE USE OF FORCE/CONTROL CONSISTENT WITH AGENCY POLICY. THESE REPORTS MUST GO THROUGH THE CHAIN OF COMMAND TO THE DIVISION COMMANDER WITH COPIES FORWARDED TO THE OFFICE OF PROFESSIONAL STANDARDS AND TRAINING DIVISION.

BERKELEY COUNTY SHERIFF'S OFFICE SUPERVISOR'S USE OF FORCE REPORT

DATE/TIME: 9/25/11 0325hours OCA#: PERSONNEL NAME: J. Jourolon

ASSIGNMENT: ON SCENE SUPERVISOR: Sgt. Scheetz

ADDITIONAL PERSONNEL INVOLVED: ☐YES ☒NO (COMPLETE SEPARATE SHEET ON EACH)

AGENCY PERSONNEL INJURED: ☐YES ☒NO (SPECIFY)

DISCRIPTION OF INJURY: (ATTACH ADDITIONAL SHEETS AS REQUIRED)

INCIDENT TYPE: ☐CIVIL PROCESS ☐DOMESTIC ☐VIOLENT SUSPECT ☐BARRICADE INCIDENT

☐WARRANT ☐JUVENILE ☐INTOXICATED SUBJECT ☐TRAFFIC STOP ☒OTHER

LOCATION OF INCIDENT: ☐INDOOR ☐OUTDOOR ☒DETENTION CENTER ☐ HOSPITAL ☐

☐SCHOOL ☐RESIDENCE ☐GOVERNMENT BUILDING

☐OTHER (SPECIFY)

TYPE OF FORCE/CONTROL USED: ☐PROFESSIONAL PRESENCE ☒VERBAL COMMAND

☐SOFT EMPTY HAND CONTROL ☐HARD EMPTY HAND CONTROL ☐TASER ☒OC SPRAY

☐IMPACT WEAPON ☐DEADLY FORCE (SPECIFY)

SUSPECT DESCRIPTORS: AGE 17 SEX M RACE B HEIGHT 5'7 WEIGHT 142

DISCRIPTION OF INJURY: (ATTACH ADDITIONAL SHEETS AS REQUIRED)

Minor affect from OC spray in the back of the head/neck

HOSPITAL ADMISSION REQUIRED: ☐YES ☒NO THERAPEUTIC ADMISSION: ☐YES ☒NO

MEDICAL EXAM: ☐YES ☒NO

UNDER INFLUENCE OF DRUGS/ALCOHOL: ☐YES ☒NO (SPECIFY)

INSTRUCTIONS: THIS FORM IS TO BE COMPLETED WITH EVERY USE OF FORCE/CONTROL INCIDENT. THIS REPORT WILL BE SUBMITTED ALONG WITH A DETEAILED INCIDENT REPORT JUSTIFYINGTHE USE OF FORCE/CONTROL CONSISTENT WITH AGENCY POLICY. THESE REPORTS MUST GO THROUGH THE CHAIN OF COMMAND TO THE DIVISION COMMANDER WITH COPIES FORWARDED TO THE OFFICE OF PROFESSIONAL STANDARDS AND TRAINING DIVISION.

Room Assigned: J B-14

Name James Allen Sanders JR.

Date 9/14/2011

Time 3:30 PM

The above named inmate(s) has/have been received by PFC. J. Litchfield
Receiving Official

of BCSO
Receiving County/Agency. I clearly understand that security, custody, and well being of this inmate is the responsibility of PFC. J. Litchfield BCSO
Receiving County/Agency

and is being temporarily removed from the custody of the Hill Finklea Detention Center for purpose of:

_____ Appearance in Court
_____ Illness in Family
_____ Death in Family
_____ Investigation
_____ Bond Hearing
_____ Post Conviction Hearing
X Other (specify) Court

I further understand that I may call Captain B. Currie at 719-4545 Hill Finklea Detention Center at 719-4341 anytime for assistance.

Signature of Receiving Official — PFC. J. Litchfield
Name and Title (Print)

Signature of Releasing HFDC Official — PFC Green
Name and Title (Print)

Return of Inmate to Hill Finklea Detention Center

Date: 09/14/2011 Time: 4:25 PM

Signature of Receiving Official — PFC. J. Litchfield
Name and Title (Print)

Signature of Receiving HFDC Official — PFC Green
Name and Title (Print)

Victim Notification

_____ officer does not or will not take full responsibility to notify the victim (s) in reference to the above inmate. If no victim the inmate MUST be returned to Hill Finklea Detention Center.

Signature of Receiving Official

Hill Finklea Detention Center
porary Custody Receipt for HFDC Inm.

Name: James Allen Sanders

Date 09/02/11 B-14

Time 0930

The above names inmate(s) has/have been received by Johnston
Receiving Official

of _____, I clearly understand that security, custody, and well
Receiving County/Agency

being of this inmate is the responsibility of _____
Receiving County/Agency

and is being temporarily removed from the custody of the Hill Finklea Detention Center for purpose of:

_____ Appearance in Court
_____ Death in Family
_____ Bond Hearing
✓ Other (specify) CDV - Court
_____ Illness in Family
_____ Investigation
_____ Post Conviction Hearing

I further understand that I may call Captain C. McElvogue at 719-4544 Hill Finklea Detention Center at 719-4341 any time for assistance.

Signature of Receiving Official

CPL Johnston
Name and Title (Print)

Signature of Releasing HFDC Official

PK S Green
Name and Title (Print)

++

Return of Inmate to Hill Finklea Detention Center

Date: 09/02/11

Time: 10:55

Signature of Returning Official

CPL Johnston
Name and Title (Print)

Signature of Receiving HFDC Official

Morris
Name and Title (Print)

++

Victim Notification

I _____, take full responsibility to notify the victim (s) in reference to the above inmate. If the officer does not or will not call the victim the inmate **MUST** be returned to Hill Finklea Detention Center.

Signature of Receiving Official

HILL-F[illegible] DETENTION CENTER INCIDENT/DI[illegible]E REPORT

Incident Type	Contraband found during search of B14
Date/Time	8-26-11 @ 2030
Incident Location	B14
Weapon Type	n/a
Victim	n/a
Visible Injury	n/a
Suspect(s)	List of inmates assigned to B14 attached.

Description of Incident:

On the above date and approx time everyone from B14 were placed into the containment area. They were escorted 2 at a time upfront to receive strip searches that were being conducted by PFC Carner, PFC Jourdan, and Pvt Nettles. While the strip searches were being conducted Cpl Gaskins, PFC Bland, PFC Johnson, PFC Morrison, Pvt Russell, Pvt Lopez, and I conducted a cell search of B14. During our search several contraband items were found in the bathroom ceiling which included: 1 screwdriver, 1 pair of pliers, 6 lighters, 1 roll of black wire, 1 roll of black electric tape, ink pens, 1 long piece of metal, and a toothbrush with a sharp piece of metal attached to the end of it. After the cell search

REPORTING OFFICER: Sgt Bland Date: 8-26-11

Approved By: _____ Date: _____

Reviewed By: _____ Date: _____

page_____ of_____

Cont:

Page: 2 of 2

Date: 8.26.11

Ref: Contraband in B14

was complete. everyone was escorted back to B14. All the contraband found was placed into a property bag and turned into Sgt Jacumin for evidence.

Reporting Officer Signature: Sgt Sleet Date: 8.26.11

Approving Supervisor: _____ Date: _____

HILL-FINKLEA DETENTION CENTER "INTAKE" CENTER

DATE: 20 Aug 11 TIME: _____

INMATE NAME: SANDERS (LAST) / JAMES (FIRST) A (MI)

ITEMS	DESCRIPTION OF CLOTHING TAKEN AT TIME OF "INTAKE"
SHIRT	RED SHIRT
PANTS	BLACK SHORT
SHOES	BROWN FLIP FLOPS
JACKET/COAT	
SWEATER	
MISC.	

ISSUED ITEMS

ARM BAND (YES) ✓

HANDBOOK YES ____

	CONDITION OF PROPERTY @ TIME OF INTAKE	CONDITION OF PROPERTY @ TIME OF RELEASE	
PROPERTY BIN	GOOD		UNSATISFACTORY ____
MATTRESS	USED		UNSATISFACTORY ____
BLANKET	USED		UNSATISFACTORY ____
TOWEL	USED		UNSATISFACTORY ____
WASHCLOTH	USED		UNSATISFACTORY ____
CUP / SPOON			UNSATISFACTORY ____
JUMPER	USED		UNSATISFACTORY ____
SHOWER SHOES	USED		UNSATISFACTORY ____

THE UNDERSIGNED INDIVIDUAL IS RESPONSIBLE FOR ALL OF THE ABOVE ITEMS ISSUED AT THE TIME OF INTAKE AT THE HILL-FINKLEA DETENTION CENTER. IT IS YOUR RESPONSIBILITY TO RETURN EACH ITEM IN THE SAME CONDITION. DAMAGED OR LOST ITEMS MUST BE PAID FOR, BEFORE YOU WILL BE RELEASED FROM THE FACILITY. IF YOU ARE UNABLE TO PAY FOR THE DAMAGED OR LOST ITEMS AT THE TIME OF YOUR RELEASE, YOU MAY FACE ADDITIONAL CHARGES FOR DESTRUCTION OF COUNTY PROPERTY.

YOUR SIGNATURE BELOW CONSTITUTES AN UNDERSTANDING AND ACCEPTANCE OF THESE CONDITIONS.

INMATE'S SIGNATURE: [signature] DATE: 20 Aug 11

OFFICER'S SIGNATURE: [signature] DATE: 20 Aug 11

INMATE SIGNATURE BELOW CONFIRMS RECEIPT OF THE ABOVE ITEMS LISTED AT THE TIME OF INTAKE.

INMATE'S SIGNATURE: _____ DATE: _____

_____ DATE: _____

Berkeley County Sheriff's Office
Sheriff Wayne DeWitt

Hill-Finklea Detention Center
Captain Cliff McElvogue

Hill-Finklea Detention Center
Classification, Custody and Security Review Checklist

Identification / Background Information

Inmate Name: Sanders Jr., James

Current Offense(s): Violation of court order

Custody / Security Level at time of Assignment: M

Current Custody / Security Level: B - large cell

Date Assigned to Facility: 8-18-11

✓ Initial Classification

_____ Re-Classification

_____ Disciplinary / Security Review Board

Recommendations:

_____ Advance on to Level (_____)

_____ Remain in Current Custody

_____ Eligible for Inmate Worker Status

Additional Comments: _____

Officer Signature: M Brown Jag Date: 19 Aug 11

HILL-FINKLEA DETENTION CENTER
INMATE MEDICAL QUESTIONNARIE

Inmate Name Sanders, James A Jr.

Date 8/19/11 DOB 6/8/72

SSN 251-24-3316 PIN # 06

1. Does the inmate appear to be under the influence of any type of alcohol or drugs? Y (N)
2. Does the inmate have a history of drug or alcohol addiction? (Y) N
3. Does the inmate have a history of attempted suicide? Y (N)
4. Has the inmate ever been treated for tuberculosis? Y / N If yes, when and where were they treated? _____
5. Does the inmate have a documented food or medication allergy? Y (N) If so, to what? _____
6. Does the inmate claim to be under a doctor's care? Y (N) If so, doctor's name/phone number? _____
7. Is the inmate currently taking any medications? Y (N) If yes, list. _____
8. Does the inmate have any medications with them? Y (N)
9. Is the inmate pregnant? Y (N) If yes, how far along? _____
10. Does the inmate have any other medical problems that HFDC should know about? Y (N) _____

X _____ _____

Inmate Signature Officer Signature

Revised 11/10/09

HILL-FINKLEA DETENTION CENTER

INMATE CHRONOLOGICAL

NAME: Sanders, James	RACE: W	SEX: M
SSN: 251-21-7330	DOB: 6/9/72	

DATE/TIME	CELL	INCIDENT
8/19/11	MS	Pt has no medical complaint

Berkeley County Sheriff's Office
Sheriff Wayne DeWitt

Hill-Finklea Detention Center
Captain Cliff McElvogue

Hill-Finklea Detention Center
Classification, Custody and Security Review Checklist

Identification / Background Information

Inmate Name: James Sanders

Current Offense(s): CDVHAN, Evading
Fail to Stop for Blue Light

Custody / Security Level at time of Assignment: M

Current Custody / Security Level: B

Date Assigned to Facility: 7·26·11

✓ Initial Classification

_____ Re-Classification

_____ Disciplinary / Security Review Board

Recommendations:

_____ Advance on to Level (_____)

_____ Remain in Current Custody

_____ Eligible for Inmate Worker Status

Additional Comments: _____

Officer Signature: M Snowday Date: 15·Aug·11

Hill-Finklea Detention Center
Berkeley County
Booking Report

Booking #: 2011-003882 Date: 07/26/2011 Time: 22:21

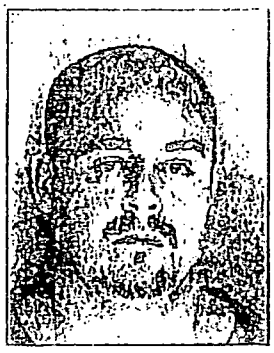
Name: SANDERS, JAMES ALAN

Sex: M **Race:** W **Ethnicity:** NON-HISPANIC **DOB:** 06/19/1972 **Age:** 39 **COB:** SOUTH CAROLINA
Address: 1254, CYPRESS CAMPGROUND RD,RIDGEVILLE, SC, 29472
Phones: 8039711873, Pager: 11072611
Details: **Height:** 5' 7" **Weight:** 180 lbs **Build:** NORMAL **Hair Color:** BROWN **Hair Style:** SHORT **Facial Hair:** GOATEE **Eye Color:** BROWN **Complexion:** LIGHT **Glasses/Contacts:** N
Identifiers: **DL:** 008983101 **ST:** SC **SSN:** 251213316
Arrested By: ARRINGTON,BCSO
Booked By: SPORTS
Detained Time: 07/26/2011 21:19
Warrant: **Count:** 0

Charges:

Time: 06/26/2011 22:22 **Offense:** CDVHAN **Penal Code:** 201107031724 **Ref:** M333997 **Issued By:** ARRINGTON,BCSO
Court $40,000.00 SURETY
Bond: SURETY $40000.00
Remarks: $40,000.00 SURETY
Time: 07/26/2011 22:23 **Offense:** FAILURE TO STOP FOR A BLUE LIGHT **Penal Code:** 201107031724 **Ref:** 27844FQ **Issued By:** ARRINGTON,BCSO
Court $2500.00 SURETY
Bond: SURETY $2500.00
Remarks: $2500.00 SURETY
Time: 07/26/2011 11:58 **Offense:** HOLD FOR NCPD
Time: 07/26/2011 11:59 **Offense:** EVADING ARREST **Penal Code:** 201107031724 **Ref:** 27846FQ **Issued By:** ARRINGTON,BCSO
Court $1092.50 SURETY/CD 09/14/2011 @ 1500
Bond: SURETY $1092.50
Remarks: $1092.50 SURETY/CD 09/14/2011 @ 1500

Photos:



Type: FACE
Entered By: JVC BOOKING
Time: 07/26/2011 22:47

Berkeley County Detention Center

Name Sanders James Allen Jr.

Charge CONHAN, failure to stop for blue light

Received by _____ Date 7-26-11

Arresting Officer Arrington

☑ Wallet Amount $ _____

☐ Keys

☐ Knife

☐ Watch

Other Articles laces, belt

I hereby acknowledge receipt of the above articles:

_____

Date _____

Received by _____

Reference: 039C0000PK
Msg Key : ICHR
Date/Time: 20110726214227
Source : SCCH

039C0000PK.SCCH.ICHR.20110726214227.
TO: BRKSO001-01318077 20110726 21:42:27 003FAC401C
FROM: SCCH 20110726 21:42:27

ICHR REQUEST FOR RAP SHEET
ORI-SC0080000 FBI-406764MA9 PUR-C
ATN-ARRINGTON, CPL COREY

AUTHORIZED CRIMINAL JUSTICE AGENCY USE ONLY. CONTACT CONTRIBUTING AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS. BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-07/26/2011 TIME-21:48:16
REQ ORI-SC0080000 BERKELEY CNTY SO
SID-SC00768045 FBI-406764MA9
NAME-SANDERS, JAMES ALLEN JR SEX-M RACE-W
HEIGHT-507 WEIGHT-150 EYES-BRO HAIR-BRO SKIN-MED BORN-SC
FPC-PO14132119DI18161918 HENRY-14 O 5 U OOO 19
I 17 U OOO
PHOTOGRAPH AVAILABLE
1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

* DNA - TAKEN
DATE RECORD ENTERED--12/05/1990 DATE OF LAST UPDATE--07/14/2011

ADDITIONAL IDENTIFIERS NAME	BIRTH DATES	MARKS	SOC SEC	MISC NUM
SANDERS, JIMMY	06191962		251213116	
SANDERS, JAMES ALAN	06191972		251213316	
SANDERS, JAMES ALLEN				
SANDERS, JAMES A				

CONTRIBUTOR/SUBJECT	DOA/RCVD	CHARGE/DISPOSITION/ETC
SANDERS, JAMES ALLEN JR	10/19/1990	
SC0040100 ANDERSON PD		
CASE-9017301		
WARR-C738465		
		ARREST CHARGE 01-GRAND LARCEN Y
WARR-C738464		
		ARREST CHARGE 02-BURGLARY 2ND DEGREE
WARR-C738464		COURT CHARGE 01-BURGLARY
		COURT DISP-CONVICTED;15Y SUSP DURING PROBATION
WARR-C738465		COURT CHARGE 02-GRAND LARCENY
		COURT DISP-CONVICTED;10Y SUSP DURING PROBATION
SANDERS, JAMES ALLEN JR	11/26/1990	
SC0040000 ANDERSON CNTY SO		
CASE-906274		
WARR-C738573		

ARREST CHARGE 01-BREAKING
INTO A MOTOR VEHICLE
OFFENSE DATE-11/26/1990
PHOTOGRAPH AVAILABLE

WARR-C738572

ARREST CHARGE 02-GRAND LARCEN
Y

WARR-C738573

COURT CHARGE 01-BREAKING
INTO MOTOR VEHICLE
COURT DISP-CONVICTED;5Y SUSP
DURING PROBATION

WARR-C738572

COURT CHARGE 02-GRAND LARCENY
COURT DISP-CONVICTED;10Y
CONSECUTIVE SUSP DURING
PROBATION

SANDERS, JAMES ALAN 12/20/1990
SC0040100 ANDERSON PD

ARREST CHARGE 01-PETTY LARCEN
Y
OFFENSE DATE-12/20/1990
COURT CHARGE 01-PETTY LARCENY
COURT DISP-CONVICTED;BAIL
FORFEITED;$237

SANDERS, JAMES ALLEN 02/27/1991
SC0040000 ANDERSON CNTY SO
CASE-911184
WARR-C738826

ARREST CHARGE 01-GRAND LARCEN
Y
OFFENSE DATE-02/27/1991
PHOTOGRAPH AVAILABLE

SC040015G CENTRAL PPP
WARR-C738826

COURT CHARGE 01-GRAND LARCENY
COURT DISP-CONVICTED;10Y
SUSP DURING PROBATION

SANDERS, JAMES ALLEN JR 03/07/1991
SC0040000 ANDERSON CNTY SO
CASE-911356
WARR-D005728

ARREST CHARGE 01-BURGLARY 2ND
OFFENSE DATE-03/07/1991
PHOTOGRAPH AVAILABLE

WARR-D005728

ARREST CHARGE 02-GRAND LARCEN
Y

SC040015G CENTRAL PPP
WARR-D005728

COURT CHARGE 01-BURGLARY
COURT DISP-CONVICTED;15Y
SUSP; 5Y PROB
COURT DATE-06/03/1991

WARR-D005728

COURT CHARGE 02-GRAND LARCENY
COURT DISP-CONVICTED;10Y
CONSECUTIVE SUSP DURING
PROBATION

SANDERS, JAMES ALLEN 05/03/1991
SC0040100 ANDERSON PD
CASE-910750

ARREST CHARGE 01-PETIT LARCEN

Y
OFFENSE DATE-02/25/1991
COURT CHARGE 01-PETIT LARCENY
COURT DISP-CONVICTED;30D CONFINE; $237 FINE;CONFINEMENT OR FINE;RESTITUTION

SANDERS, JAMES ALLEN 01/28/1992
SC0040000 ANDERSON CNTY SO
CASE-920439
WARR-D035187

ARREST CHARGE 01-GRAND LARCENY
OFFENSE DATE-01/28/1992
PHOTOGRAPH AVAILABLE

SC040015G CENTRAL PPP
CIT-16-21-60
WARR-D035187

COURT CHARGE 01-TEMPORARY USE OF VEHICLE W/OUT PERMISSION
COURT DISP-CONVICTED;1Y SUSP ON TIME SERVED, 1Y PROBATION
COURT DATE-02/12/1992

SC004015C PERRY RECPT & EVAL 03/24/1992 CUSTODY STATUS-RECEIVED
CASE-185199 START DATE-03/24/1992
CIT-16-11-312 FELONY

COURT CHARGE 01-BURGLARY SECOND
COURT DISP-CONVICTED;PROBATION REVOCATION 4 YEARS

SANDERS, JAMES ALLEN JR 10/29/1994
SC0040000 ANDERSON CNTY SO
CASE-945404
WARR-09628ZH

ARREST CHARGE 01-DISORDERLY CONDUCT
OFFENSE DATE-10/29/1994
PHOTOGRAPH AVAILABLE

WARR-09628ZH

COURT CHARGE 01-DISORDERLY CONDUCT
COURT DISP-CONVICTED;FORFEITURE
COURT DATE-11/18/1994

SANDERS, JAMES ALLEN JR 05/27/1995
SC0040000 ANDERSON CNTY SO
CASE-952776
WARR-D283045

ARREST CHARGE 01-BURGLARY 2ND
OFFENSE DATE-05/27/1995
PHOTOGRAPH AVAILABLE

WARR-D283046

ARREST CHARGE 02-PETTY LARCENY
OFFENSE DATE-05/27/1995

CIT-16-11-312 FELONY
DOC-95GS0401517 WARR-D283045

COURT CHARGE 01-BURGLARY(NON-

VIOLENT) , AFTER 6-20-1985)
2ND DEG
COURT DISP-CONVICTED;15 YEARS
CONCURRENT WITH REVOCATIO
N.
COURT DATE-01/29/1996

CIT-16-13-30 MISDEMEANOR
DOC-95GS0401518 WARR-D283046

COURT CHARGE 02-PETTY LARCENY
LESS THAN $200
COURT DISP-CONVICTED;30 DAYS
COURT DATE-01/29/1996

SANDERS, JAMES ALLEN 07/04/1995
SC0260600 MYRTLE BEACH PD
CASE-04121695
WARR-E026852

ARREST CHARGE 01-UNLAWFULLY
CARRYING FIREARM
OFFENSE DATE-07/03/1995
PHOTOGRAPH AVAILABLE

WARR-46526AB

ARREST CHARGE 02-DRIVING
UNDER SUSPENSION
OFFENSE DATE-07/03/1995

WARR-46527AB

ARREST CHARGE 03-DISREGARDING
TRAFFIC SIGNAL
OFFENSE DATE-07/03/1995

SANDERS, JAMES ALLEN JR 09/08/1995
SC0040000 ANDERSON CNTY SO
CASE-954839
WARR-D505338

ARREST CHARGE 01-ASSAULT AND
BATTERY W/I TO KILL
OFFENSE DATE-09/08/1995
PHOTOGRAPH AVAILABLE

WARR-D505337

ARREST CHARGE 02-ATTEMPTED
ARMED ROBBERY
OFFENSE DATE-09/08/1995

WARR-W049503 @

ARREST CHARGE 03-VIOLATION
PROBATION
OFFENSE DATE-09/08/1995

CIT-16-3-620 MISDEMEANOR
DOC-00GS04 WARR-D505338

COURT CHARGE 01-ASSAULT AND
BATTERY WITH INTENT TO
KILL
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-01/30/1996

CIT-16-11-330(B) FELONY
END OF PAGE 01 - PAGE 02 TO FOLLOW

****

Reference: 039C0000PK
Msg Key : ICHR
Date/Time: 20110726214228
Source : SCCH

039C0000PK.SCCH.ICHR.20110726214228.
TO: BRKSO001-01318079 20110726 21:42:28 003FAC401D
FROM: SCCH 20110726 21:42:28

PAGE-02 DATE-07/26/2011 TIME-21:48:16
REQ ORI-SC0080000 BERKELEY CNTY SO
SID-SC00768045 FBI-406764MA9

CONTRIBUTOR/SUBJECT DOA/RCVD CHARGE/DISPOSITION/ETC

DOC-95GS0402483 WARR-D505337
COURT CHARGE 02-ATTEMPTED ARMED ROBBERY
COURT DISP-CONVICTED;5 YEARS
COURT DATE-01/29/1996

SANDERS, JAMES ALLEN JR 12/23/1995
SC0040000 ANDERSON CNTY SO
CASE-956834
WARR-E648895
ARREST CHARGE 01-KIDNAPPING
OFFENSE DATE-12/23/1995
PHOTOGRAPH AVAILABLE

WARR-E648897
ARREST CHARGE 02-MALICIOUS INJURY TO PERSONAL PROPERT Y U/1000
OFFENSE DATE-12/23/1995

WARR-E648897
ARREST CHARGE 03-ASSAULT AND BATTERY
OFFENSE DATE-12/23/1995
ARREST CHARGE 04-FAILURE TO APPEAR
OFFENSE DATE-12/23/1995

CIT-16-3-910 FELONY
DOC-00GS04 WARR-E648895
COURT CHARGE 01-KIDNAPPING
COURT DISP-NON-CONVICTION; NOLLE PROSSED
COURT DATE-01/30/1996

CIT-16-11-520(B)(3) MISDEMEANOR
DOC-R84 WARR-E648897
COURT CHARGE 02-MAL INJURY TO PROPERTY, $1000 OR LESS
COURT DISP-CONVICTED;30 DAYS

SC004015C PERRY RECPT & EVAL 01/30/1996 CUSTODY STATUS-RECEIVED
CASE-185199
START DATE-01/30/1996
CIT-16-11-312 FELONY
COURT CHARGE 01-BURGLARY 2ND PROBATION REVOCATION
COURT DISP-CONVICTED;15 YEARS

CIT-16-11-312 FELONY
COURT CHARGE 02-BURGLARY 2ND DWELLING
COURT DISP-CONVICTED;15 YEARS

CC

CIT-16-13-30 MISDEMEANOR

COURT CHARGE 03-PETTY LARCENY
COURT DISP-CONVICTED;30 DAYS
CC

CIT-16-11-330(A) FELONY

COURT CHARGE 04-ATTEMPTED
ARMED ROBBERY
COURT DISP-CONVICTED;5 YEARS
CC

SANDERS, JAMES ALLEN JR 04/07/2001
SC0040100 ANDERSON PD
CASE-01-08655
ATN-
WARR-G245547

ARREST CHARGE 01-CRIMIANL
SEXUAL CONDUCT 1ST
OFFENSE DATE-04/07/2001

WARR-G245548

ARREST CHARGE 02-KIDNAPPING
OFFENSE DATE-04/07/2001

CIT-16-3-652-FELONY
DOC-00GS04 WARR-G245547

COURT CHARGE 01-CRIMINAL
SEXUAL CONDUCT - FIRST
DEGREE
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/28/2001
ATN-

CIT-16-3-910-FELONY
DOC-00GS04 WARR-G245548

COURT CHARGE 02-KIDNAPPING
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/28/2001

SC040055C R & E CENTER COLA 06/06/2001 CUSTODY STATUS-RECEIVED
CASE-185199 START DATE-06/06/2001
CIT-17-15-30-UNCLASSIFIED

COURT CHARGE 01-PAROLE REVOCA
TION
COURT DISP-CONVICTED;SERVING
TIME
ATN-

SANDERS, JAMES ALLEN 01/19/2006
SC0100800 NORTH CHARLESTON PD
CASE-2006002301
ATN-990000150034
WARR-11620DM
CIT-16-15-90(1)-MISDEMEANOR

ARREST CHARGE 01-PROSTITUTION
- 1ST OFFENSE
OFFENSE DATE-01/19/2006
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

SANDERS, JAMES ALLEN JR 01/04/2011
SC0080000 BERKELEY CNTY SO
CASE-2011-01000547

ATN-08D000522454
WARR-63252FL
CIT-16-3-600(E)(2)-MISDEMEANOR

ARREST CHARGE 01-ASSAULT AND
BATTERY 3RD DEGREE
OFFENSE DATE-01/04/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

CIT--MISDEMEANOR
WARR-63252FL

COURT CHARGE 01-ASSAULT AND
BATTERY 3RD DEGREE
COURT DISP-NON-CONVICTION;
NOT GUILTY/BENCH TRIAL
COURT DATE-02/09/2011
ATN-08D000522454

SANDERS, JAMES ALAN 07/02/2011
SC0080000 BERKELEY CNTY SO
CASE-201107027902
ATN-08D000526227
WARR-M325747
CIT-16-25-20(A)-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
OFFENSE DATE-07/02/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

@ - WARRANT OCCURS WITH MORE THAN ONE SID NUMBER

BASED ON SEARCH OF SCLED CJIS CCH FILE USING FBI/406764MA9
REQUESTED FOR CRIMINAL JUSTICE PURPOSES

SCLED CJIS RECORD INDICATES SUBJECT HAS NO OUT-OF-STATE ARREST INFORMATION

INQUIRY WILL BE FORWARDED TO: N C I C W A N T E D P E R S O N S

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING HANDGUN IN
SOUTH CAROLINA

INFORMATION SUBMITTED TO SLED CCH PURSUANT TO 16-23-10 (C) AND 23-31-110
(C) OF THE SOUTH CAROLINA CODE OF LAWS INDICATES THIS INDIVIDUAL HAS BEEN
CONVICTED OF A CRIME OF VIOLENCE AND IS NOT PERMITTED TO POSSESS OR
ACQUIRE A HANDGUN.

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION
PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN
CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS.
THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY
FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS
DEFINED BY THE GUN CONTROL ACT OF 1968 (18.USC 922(G)).

** S C CJIS END OF RECORD **

Reference: UNKNOWN
Msg Key : QWA
Date/Time: 20110726214233
Source   : NC2K

UNKNOWN.NC2K.QWA.20110726214233.
  TO: BRKSO001-01318080 20110726 21:42:33   0006924D35
FROM: NC2K   20110726 21:42:33
1L010920072FAD2QWA
SC0080000

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
MKE/WANTED PERSON
B - LIMITED EXTRADITION SEE MIS FIELD
ORI/SC0100800 NAM/SANDERS, JAMES ALLEN JR SEX/M RAC/W POB/SC DOB/19720619
HGT/508 WGT/200 EYE/BR0 HAI/BR0 FBI/406764MA9
FPC/P016132220DI15171717 SOC/251213316
OLN/0008983101 OLS/SC OLY/2021
OFF/SIMPLE ASSLT
DOW/20110725 OCA/2011026443N
WNO/M726579
MIS/WILL EXTRADITE SOUTH CAROLINA ONLY ARREST WARRANT FOR CRIMINAL DOMESTIC
MIS/VIOLENCE   0PR863
DNA/N
ORI IS NORTH CHARLESTON PD 843 745-1015
DOB/19620619
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/251213116
SOC/251213166
NIC/W533192235 DTE/20110726 0839 EDT DLU/20110726 0844 EDT
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

****

HILL-FINKLEA DETENTION CENTER "INTAKE" CENTER

DATE: 28 July 11 TIME: _____

INMATE NAME: SANDERS (LAST) I JAMES (FIRST) (MI)

ITEM	DESCRIPTION OF CLOTHING TAKEN AT TIME OF "INTAKE"
SHIRT	BLUE SHIRT
PANTS	TAN PANTS
SHOES	GRAY SHOES
JACKET/COAT	
SWEATER	
MISC.	BLUE UNDERWEAR, WHITE SOCKS

ISSUED ITEMS

ARM BAND YES ✓

HANDBOOK YES ____

	CONDITION OF PROPERTY @ TIME OF INTAKE	CONDITION OF PROPERTY @ TIME OF RELEASE	
PROPERTY BIN	GOOD		UNSATISFACTORY ____
MATTRESS	USED		UNSATISFACTORY ____
BLANKET	USED		UNSATISFACTORY ____
TOWEL	USED		UNSATISFACTORY ____
WASHCLOTH	USED		UNSATISFACTORY ____
CUP / SPOON			UNSATISFACTORY ____
JUMPER	USED		UNSATISFACTORY ____
SHOWER SHOES	USED		UNSATISFACTORY ____

THE UNDERSIGNED INDIVIDUAL IS RESPONSIBLE FOR ALL OF THE ABOVE ITEMS ISSUED AT THE TIME OF INTAKE AT THE HILL-FINKLEA DETENTION CENTER. IT IS YOUR RESPONSIBILITY TO RETURN EACH ITEM IN THE SAME CONDITION. DAMAGED OR LOST ITEMS MUST BE PAID FOR, BEFORE YOU WILL BE RELEASED FROM THE FACILITY. IF YOU ARE UNABLE TO PAY FOR THE DAMAGED OR LOST ITEMS AT THE TIME OF YOUR RELEASE, YOU MAY FACE ADDITIONAL CHARGES FOR DESTRUCTION OF COUNTY PROPERTY.

YOUR SIGNATURE BELOW CONSTITUTES AN UNDERSTANDING AND ACCEPTANCE OF THESE CONDITIONS.

INMATE'S SIGNATURE: [signature] DATE: 28 July 11

OFFICER'S SIGNATURE: [signature] DATE: 28 July 11

INMATE'S SIGNATURE BELOW CONFIRMS RECEIPT OF THE ABOVE ITEMS LISTED AT THE TIME OF INTAKE.

INMATE'S SIGNATURE: _____ DATE: _____

OFFICER'S SIGNATURE: _____ DATE: _____

NKLEA DETENTION CENTER

INMATE CHRONOLOGICAL

NAME: SANDERS, JAMES	RACE: W	SEX: M
SSN: 251121 3316	DOB:	

DATE/TIME	CELL	INCIDENT
7-27-11		I/m per a caller was making
12:52		3 way calls to the Vict.
		Inmate Sanders was placed
		In Cell #1 without the use of
		a telephone - Sgt Pilot
8-2-11	#1	I/m released from HPDC to NCPD,
		Sgt Pilot

HILL-FINKLEA DETENTION CENTER
INMATE MEDICAL QUESTIONNARIE

Inmate Name Sanders, James Allen Jr.

Date 7-26-11 DOB 6-19-72

SSN 251-21-3316 PIN # _____

1. Does the inmate appear to be under the influence of any type of alcohol or drugs? Y /(N)
2. Does the inmate have a history of drug or alcohol addiction? Y /(N)
3. Does the inmate have a history of attempted suicide? Y /(N)
4. Has the inmate ever been treated for tuberculosis? Y /(N) If yes, when and where were they treated? _____
5. Does the inmate have a documented food or medication allergy? Y/N If so, to what? _____
6. Does the inmate claim to be under a doctor's care? Y /(N) If so, doctor's name/phone number? _____
7. Is the inmate currently taking any medications? Y /(N) If yes, list. _____
8. Does the inmate have any medications with them? Y /(N)
9. Is the inmate pregnant? Y /(N) If yes, how far along? _____
10. Does the inmate have any other medical problems that HFDC should know about? Y /(N) _____

Inmate Signature

Officer Signature

Revised 11/10/09

Berkeley County Detention Center
300 California Ave Unit-A
Moncks Corner, SC. 29461
843-719-4557

7/27/2011 01:46
TRANSACTION #00113272
Inmate: JAMES SANDERS
Inmate ID: 2011003882
Amount Deposited: $443.00

Cash transaction.
Amount credited to account: $443.00

McDaniel Supply Company

3882

BERKELEY COUNTY DETENTION CENTER
INCOMING INMATE MONEY

Name Sanders James A Jr
Last First MI

SSAN 251 - 21 - 3316

$ 443.00 Date 7/26/11

ARRESTING OFFICER Arrington

BOOKING C.O. Sparks

SHIFT SUPERVISOR Stuart

DATE RETURNED ___/___/___

REC'D BY _____
Former Inmate Signature

RETURNED BY _____

Berkeley County Sheriff's Office
Sheriff Wayne DeWitt

Hill-Finldea Detention Center
Captain Cliff McElvogue

Money Accounting Sheet

Inmate Name: SANDERS, JAMES Date: 7-26-11

Social Security Number: 257-21-3316 Pin #: _____

Arresting Officer's Printed Name: ABINGTON

Booking Officer's Printed Name: SPORS

Shift Supervisor Printed Name: Scheefitz

Inmate Signature: [signature]

DENOMINATION	COUNT	CURRENCY
PENNIES		
NICKELS		
DIMES		
QUARTERS		
HALF DOLLARS		
$1.00 BILLS	13	13.00
$2.00 BILLS		
$5.00 BILLS	2	10.00
$10.00 BILLS	3	30.00
$20.00 BILLS	7	140.00
$50.00 BILLS	1	50.00
~~$100.00 BILLS~~	2	200.00
OTHER BILLS		

TOTAL AMOUNT RECEIVED: 443.00

$508.99

BERKELEY COUNTY DETENTION CENTER
INCOMING INMATE MONEY

Berkeley County Detention Center
300 California Ave Unit-A
Moncks Corner, SC. 29461
843-719-4557

7/2/2011 16:11
TRANSACTION #00111704
Inmate: JAMES SANDERS
Inmate ID: 2011003398
Amount Deposited: $508.99

Cash transaction.
Amount credited to account: $508.99

McDaniel Supply Company

BY_____
Former Inmate Signature

RETURNED BY_____

Berkeley County Detention Center

Name Sanders, James Alan

Charge CDV

Received by _____ Date 07-02-11

Arresting Officer Cpl. Harding

☒ Wallet Amount $ 508.99

☒ Keys

☐ Knife

☐ Watch

Other Articles 1 set of truck keys w/ 3 add. keys, One key w/ band, 1 broken wallet w/ misc cards, 1 black Sprint cell phone 1 add. key found

I hereby acknowledge receipt of the above articles:

_____

Date _____

Received by _____

0200

HILL-FINKLEA DETENTION CENTER
INMATE MEDICAL QUESTIONNARIE

Inmate Name James Alan Sanders

Date 01-02-11 DOB 08-19-72

SSN 251 21 3316 PIN # _____

1. Does the inmate appear to be under the influence of any type of alcohol or drugs? Y / (N)
2. Does the inmate have a history of drug or alcohol addiction? Y / (N)
3. Does the inmate have a history of attempted suicide? Y / (N)
4. Has the inmate ever been treated for tuberculosis? Y / (N) If yes, when and where were they treated? _____
5. Does the inmate have a documented food or medication allergy? Y (N) If so, to what? _____
6. Does the inmate claim to be under a doctor's care? Y / (N) If so, doctor's name/phone number? _____
7. Is the inmate currently taking any medications? Y / (N) If yes, list. _____
8. Does the inmate have any medications with them? Y / N
9. Is the inmate pregnant? Y (N) If yes, how far along? _____
10. Does the inmate have any other medical problems that HFDC should know about? Y / (N) _____

Inmate Signature

Cpl. Harding
Officer Signature

Revised 11-10-09

Hill-Finklea Detention Center
Berkeley County
Booking Report

Booking #: 2011-004253 Date: 08/19/2011 Time: 12:05

Name: SANDERS, JAMES A

Sex: M **Race:** W **DOB:** 06/19/1972 **Age:** 39 **POB:** SC
Address: 1254, CYPRESS CAMPGROUND RD,RIDGEVILLE, SC, 29472
Phones: , Pager: 11081906
Details: **Height:** 5' 7" **Weight:** 189 lbs **Build:** NORMAL **Hair Color:** BROWN **Eye Color Left:** BROWN **Right:** **Appearance:** CASUAL **Glasses/Contacts:** N
Identifiers: **DL:** 008983101 **ST:** SC **SSN:** 251213316
Arrested By: O'ROURKE 8888 BCSO
Booked By: GREENE
Detained Time: 08/19/2011 12:10
Warrant: **Count:** 0

Charges:

Time: 08/19/2011 12:10 **Offense:** VIOLATION OF COURT ORDER OF PROTECTION **Penal Code:** 201108033442 **Ref:** M334082 **Issued By:** O'ROURKE, BCSO
Court TIME SERVED
Bond: SURETY .$1092.50
Disposition: RELEASED FROM CUSTODY Date: 01/26/2012 00:00
Remarks: TIME SERVED/JUDGE MCELVOGUE

Time: 08/19/2011 10:02 **Offense:** CONTEMPT OF COURT **Issued By:** JUDGE POLK
Court 30 DAYS CONSEQ
Remarks: 30 DAYS CONSEQ

Time: 08/19/2011 10:02 **Offense:** BOND REVOCATION **Issued By:** ALLSTAR BONDING
Court $42,500.00 (M333997-CDVHAN, 27844FQ- FAILURE TO STOP FOR BLUE LIGHT)
Remarks: $42,500.00 (M333997-CDVHAN, 27844FQ- FAILURE TO STOP FOR BLUE LIGHT)

Time: 08/22/2011 13:25 **Offense:** HOLD FOR (CHARLESTON COUNTY CHARGES) **Issued By:** AAAA BONDING
Court TIME SERVED
Disposition: RELEASED FROM CUSTODY Date: 10/11/2011 00:00
Remarks: TIME SERVED/CHARLESTON COUNTY

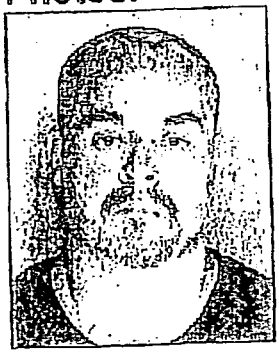
Time: 08/22/2011 10:18 **Offense:** BOND REVOCATION **Issued By:** HARRY DENNIS
Court 68817FC-CDV,M325747-CDVHAN,27846-EVADING ARREST ARRESTFQ ($11,577.50)
Remarks: 68817FC-CDV,M325747-CDVHAN,27846-EVADING ARREST ARRESTFQ ($11,577.50)

Time: 09/02/2011 13:00 **Offense:** CDV **Ref:** 68817FC
Court TIME SERVED
Disposition: RELEASED FROM CUSTODY Date: 10/10/2011 00:00
Remarks: TIME SERVED

Time: 09/02/2011 13:01 **Offense:** CDV **Ref:** M325747
Court $5242.50 PR BOND(CHANGED ON 09/23/2011)

Remarks: $5242.50 PR BOND(CHANGED ON 09/23/2011)
Time: 09/02/2011 13:01 **Offense:** EVADING ARREST **Ref:** 27846FQ
Court $1092.50 SURETY
Disposition: RELEASED FROM CUSTODY Date: 09/14/2011 00:00
Remarks: TIME SERVED/MCELVOGUE
Time: 10/12/2011 11:00 **Offense:** BOND REVOCATION **Issued By:** THE INTERNATIONAL BONDING COMPANY
Court $42,500.00 (M333997-CDVHAN, 27844FQ- FAILURE TO STOP FOR BLUE LIGHT)
Remarks: $42,500.00 (M333997-CDVHAN, 27844FQ- FAILURE TO STOP FOR BLUE LIGHT)
Time: 10/11/2011 14:58 **Ref:** M333997
Disposition: RELASED Date: 10/11/2011 00:00
Remarks: DISCHARGED/M.BROWN
Time: 10/11/2011 14:59 **Ref:** 27844FQ
Disposition: RELASED Date: 10/11/2011 00:00
Remarks: DISCHARGE/M.BROWN
Time: 03/02/2012 08:59 **Offense:** ESCAPE **Penal Code:** 201201003748 **Ref:** M325990 **Issued By:** JACUMIN,BCSO
Court $800,000.00 SURETY
Bond: SURETY $800000.00
Remarks: $800,000.00 SURETY

Photos:



Type: FACE
Entered By: JVC BOOKING
Time: 08/19/2011 13:21

Notes:

** PRINTS SUBMITTED ON 08/19/2011
**PRINTS SUBMITTED ON 03/05/12 (ESCAPE)

COMMITMENT

☑ Original Commitment

☐ Additional Charge(s)

TO: Director Berkeley County Detention Center

Date: 3/2/2012

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr — DOB: 06/19/1972 Race: W Sex:M

(Defendant's name)

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321

(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
M325990	Escape / Escape, recapture in state	General Sessions	Cash Bond Surety Bond	$800,000.00 $800,000.00

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

Criminal Charging Document No.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE General Sessions

You are to have No Contact with the alleged victim or the victim's family. No Exceptions! Any violation will result in your immediate return to jail.

STATE OF SOUTH CAROLINA

v.

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Sanders, James Allen Jr
NAME OF DEFENDANT

Offense Charged: Escape / Escape, recapture in state-jM3259901

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.

☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact: No Contact with Victim

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on May 25, 2012 at 2:30 o' clock, PM, at General Sessions - 300 B California Avenue/PO Box 219/Moncks Corner, SC 29461 / (843) 719-4400 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o' clock, M, at _____. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $800,000.00 (CS) or $800,000.00 (SB)

INITIALS OF DEFENDANT _____

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

2 Mar 12
DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED

Original Copy For The Trial Court - Copy For The Defendant

Berkeley County Sheriff's Office

Victim Services

300 California Avenue
Moncks Corner, SC 29461
Wayne Dewitt, Sheriff

Charleston Area
(843) 723-3800 ext. 4296

Moncks Corner Area
(843) 719-4296

St. Stephen Area
(843) 567-3136 ext. 4296

Monitor must be placed on suspect upon release from The Hill Finklea Detention Center.

Suspect's Name: James A. Sanders

Type of Monitor : GPS

Specific Features Required:

- [x] Steel encased band/3 way communication
- [x] House Arrest
- [ ] Victim provided with pager/cell phone
- [ ] None (no specification required)
- [x] Alcohol/Drug Sensor

Monitoring Services Provided By:

ARREST WARRANT

M-325990

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

THE STATE 201201003748

against

James Allen Sanders, Jr

Address: 1254 Cypress Campground Rd

Ridgeville, SC 29472-7321

Phone: SSN: 251-21-3316

Sex: M Race: W Height: 5 7 Weight: 189

DL State: SC DL#: 008983101 EXP

DOB: 6/19/1972 Agency ORI #: SC0080000

Prosecuting Agency: Berkeley County Sheriff Office

Prosecuting Officer: K A Jacumin - 0125

Offense: Escape / Escape, recapture in state

Offense Code: 1252

Code/Ordinance Sec: 24-13-0410

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of . The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant James Allen Sanders, Jr. on 2/2/12

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
300 B California Avenue
PO Box 219
Moncks Corner, SC 29461

AUDIT COPY AUDIT COPY AUDIT COPY AUDIT COPY

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Berkeley)

AFFIDAVIT

AUDIT COPY

Form Approved by S C Attorney General April 21, 2003 SCCA 510

Personally appeared before me the affiant K A Jacumin who being duly sworn deposes and says that defendant James Allen Sanders, Jr did within this county and state on or about 01/26/2012 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) in the following particulars:

DESCRIPTION OF OFFENSE Escape / Escape, recapture in state

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on or about 01/26/12 at 300 California Ave., Hill-Finklea Detention Center, Moncks Corner, S. C. located in the County, State aforesaid the Defendant did willfully and unlawfully commit the offense of ESCAPE in violation of section 24-13-410 of the South Carolina Code of Laws 1976, as amended. Facts to establish the same are as follows: 1) That the Defendant was incarcerated at the Hill-Finklea Detention Center for pending charges which he had not been released from. 2) That the Defendant was able to leave the secure portion of the Detention Center and flee from the area. All against the peace and dignity of this state.

Signature of Affiant

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Berkeley)

Affiant's Address 223 North Live Oak Drive
Moncks Corner, SC 29461
Affiant's Telephone (843)719-4465

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 1/26/2012 defendant James Allen Sanders, Jr did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) as set forth below:,

DESCRIPTION OF OFFENSE: Escape / Escape, recapture in state

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me)
on 01/26/2012)
(L.S.))
Signature of Issuing Judge)
James A Polk)
Judge Code: 7031)

Judge's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-1481
Judge's Telephone (843)719-4050
Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

AUDIT COPY AUDIT COPY AUDIT COPY AUDIT COPY

0207

BOOKING REPORT

AGENCY I.D.	DATE/TIME OF ARREST	CASE NUMBER
SCO	March @ 1:14	[illegible]

DEFENDANT NAME (LAST, FIRST, MIDDLE)	RACE	SEX	DATE OF BIRTH	DOCKET NUMBER
[illegible] Jr. James Allen	N	M	6 11 74	

AGE	ETH.	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	NCIC	I.D. NUMBER
41	N	5'7	164	BRO	BRO	251-24-3216			

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT	PHONE NUMBER
1274 Cypress Campground Rd	Kellyville	NC	28417	SOU	

ALIAS	PLACE OF BIRTH	DRIVERS LICENSE NUMBER	STATE
	SC		

EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (CITY AND STATE)
	Joyce Thomason	165 Dewitt Rd, Fayetteville, NC 28311

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER
Lt Jacumin	36	Lt Jacumin	SCO	36

ARRESTEE ARMED ☐ YES ☒ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☒ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY

JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY J-This Jurisdiction. S-State. O-Out of State. U-Unknown

ADDITIONAL CASE NUMBERS | | | MORE IN REMARKS ☐

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A,B,C

CHARGE I.D.	A	B	C
CHARGE	Escape		
STATURE	14-12.0410		
BOND AMOUNT			
BOND TYPE			
RET. DATE			
DISPOSITION			

	A DAYS	A AMOUNT	B DAYS	B AMOUNT	C DAYS	C AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						

RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X Cpl. Howell

LIST ANY REMARKS BELOW

REMARKS:

DEFENDANT'S PERSONAL PROPERTY RECEIPT | TOTAL CASH AT TIME OF ARREST → $

QUANTITY	ITEM	QUANTITY	ITEM
	NONE		NONE

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ _____

DEFENDANT'S SIGNATURE AT TIME OF ARREST OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____

FORM B-141

FILED

DISCHARGE

2011 OCT 11 AM 11:18

MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C

STATE OF SOUTH CAROLINA		IN THE COURT OF
COUNTY OF Berkeley		GENERAL SESSIONS
The State	vs	James Allen Sanders Jr
Warrant Number		M333997
Indictment Number		0000GS08
Charge		Domestic/ Criminal domestic violenceof a high and aggravated nature

By Mary P. Brown, Clerk of Court in and for the County and State aforesaid. To the Keeper of the Jail for said County, GREETING:

FORASMUCH AS James Allen Sanders Jr is in your custody on the above noted charge

THESE ARE, THEREFORE, to authorize and require you that if the said do remain in jail for no other cause, then you forbear to detain him any longer, but suffer him to go at large; herein fail not, upon the pain of penalty which will fall therein.

GIVEN under my Hand and Seal, this date, Tuesday, October 11, 2011.

Mary P Brown (L.S.)
s/Clerk of Court

GSI

STATE OF SOUTH CAROLINA)
COUNTY OF Berkeley)

STATE OF SOUTH CAROLINA)

-vs-)

James A. Sanders)
DEFENDANT)

IN RE:)
Mitch Winn (The International Bonding Company))
SURETY)

IN THE COURT OF
General Sessions
WARRANT/TICKET/
INDICTMENT # M333997
273444FA
AMOUNT OF BOND $2,500.00

SSN 257 21 5316 DOB 6/19/1992
DATE BOND POSTED 10-11-11

MOTION TO BE RELIEVED
ON BOND

PLEASE TAKE NOTICE that The International Bonding Company Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (**affidavit required**):

☒ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☒ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify) _____

2011 OCT 13 AM 10:25
JERRY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 13 DAY OF Oct, 2011

Brent Christy
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 2-3-2013

The International Bonding Co. P.
SURETY

CERTIFIED TRUE COPIES OF RECORD
CLERK OF COURT, C.P. & GS
BERKELEY COUNTY, SC
DATE 1-25-12

ORDER OF COURT

The above motion is hereby ☒ GRANTED ☐ DENIED.
The bond shall be set at _____ ☐ remain as is.

Defendant to be ☒ committed ☐ released under the above charge(s).

Date and Location: Moncks Corner County, South Carolina

OCT 20 2011

JUDGE A. C. Toffel

NOTICE OF HEARING

Please take notice that a hearing on the above motion is scheduled at the General Session located at 300 California Ave at 2:30 pm o'clock on Thur 20 2011
If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☐ Surety Copy

AA Defendant present with Counsel and Consents to relief.

0210

Initial Charging Document No.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE General Sessions

You are to have No Contact with the alleged victim or the victim's family for Exceptions! Any violation will result in your immediate return to jail.

STATE OF SOUTH CAROLINA

v.

ORDER SPECIFYING VICTIM'S FAMILY FOR THIS CASE

Sanders, James Allen Jr
NAME OF DEFENDANT

Offense Charged: Domestic/ Criminal domestic violence of a high and aggravated nature-M3339971

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.

☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental c... length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court pro...

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on September 09, 2011 at 2:30 o' clock, PM, at General Sessions - 300 B California Avenue/PO Box 219/Moncks Corner, SC 29461 / (843) 719-4400 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o' clock, M, at _____
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $40,000.00 (CS) or $40,000.00 (SB)

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

DATE 9/1/11

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED

Original Copy For The Trial Court - Copy For The Defendant

STATE OF SOUTH CAROLINA)
COUNTY OF Berkeley)

IN THE COURT OF General Sessions

STATE OF SOUTH CAROLINA)

-VS-)

James Allen Sanders Jr.)
DEFENDANT)

IN RE:)
Harry A. Dennis Jr.)
SURETY)

WARRANT/TICKET/
INDICTMENT # M333997, 2784FQ

AMOUNT OF BOND $2,500.00

SSN 251-21-3316 DOB

DATE BOND POSTED 7-30-11

MOTION TO BE RELIEVED ON BOND

PLEASE TAKE NOTICE that Harry A. Dennis Jr. Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (affidavit required):

☐ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☑ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify)

FILED
2011 AUG 19 PM 4:08
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

FILED
2011 AUG 19 AM 10:56
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 19th DAY OF Aug. , 2011

Kimberly Cobb
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 4/12/2016

Harry A. Dennis Jr.
SURETY

ORDER OF COURT

The above motion is hereby ☑ GRANTED ☐ DENIED.
The bond shall be set at _____ ☑ remain as is.

Defendant to be ☑ committed ☐ released under the above charge(s).

Date and Location: 9/1/11 Moncks Corner County, South Carolina,

JUDGE

NOTICE OF HEARING

Please take notice that a hearing on the above motion is scheduled at the GS Court located at 300 California Ave. Moncks Corner SC at 2:30 o'clock on 9/1/11

If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☐ Surety Copy

CERTIFIED TRUE COPIES OF RECORD
Mary P. Brown
CLERK OF COURT, C.P. & GS
BERKELEY COUNTY, SC
DATE 1-26-12

CERTIFIED TRUE COPIES OF RECORD
Mary P. Brown
CLERK OF COURT, C.P & GS
BERKELEY COUNTY, SC
DATE 8/19/11

/ (B) ✓ Joseph

Sanders James Allen Jr.

251-21-3316 6-19-72 (M) (B)

BCSO WARRANT 719-4505 Several

NCPD WARRANT 745-1015

2,500 Surety

1,000.50 Surety

40.00 @ SB

B 2C

Hill-Finklea Detention Center Inmate Check-In/Check-Out List

Date 8/19/14 Pin # 06 Time 1030 Inmate Name Saucedo Frank

Photo ✓ Fingerprints Taken: ___Yes ___ No If Not, Why ?_____

Currency $ 0.00 I/M Initial ___ Cell Assigned: 1 2 3 Other _____

**AFTER RELEASE, MONIES WILL BE SENT TO THE MAILING ADDRESS GIVEN AT TIME OF BOOKING. INITIAL IF ADDRESS IS CORRECT. I/M INITAILS _____

**NOTE: POSTAGE WILL BE DEDUCTED FROM YOUR ACCOUNT FOR MAILING COSTS.

Jewelery Yes ___ No ✓ I/M Initial ___ CO_____

Property Bag ✓ Yes ___No Property Placed in Laundry ____Yes ____No C/O_____

NCIC Check: ___ Hit ___ Clear By Operator: _____/_____ Hit for Agency (s)_____

In-House Check: ____ Hit ___ Clear By Operator: _____/BCSO Hit for Agency (s)_____

All phone calls at the HFDC are recorded at all times. Inmate rules will be received at dress-out.

Inmate Signature _____

Booking Officer Signature _____ Shift Supervisor_____

Inmate Check-Out List

Transported To:_____

Date _____ Time _____ Releasing Judge/Offical:_____

Clothing Received Initial: _____ Property Received Initial: _____

Money Received Initial: _____ Jewelery Received Initial: _____ Medicine Received Initial: _____

List any property not received at time of release _____

**When transported to SCDC, you have 7 days for someone to pick up your personal property. After 7 days all property will be disposed of. Pick up medications Monday thru Friday between 10:00 and 3:00, except for holidays. **

Victim Notified:_____

_____ Date_____

Inmate Signature:_____

Releasing Officer:_____ Supervisor Signature:_____

Over 30 days

NCIC Check: ____ Hit ____ Clear Operator Initial. ____ In-House Check: ____ Hit ____ Clear

Agency: _____ Operator _____

Revised 02 19:10

INMATE DATA SHE.

AGENCY ID	DATE OF ARREST
BCSO	08-19-2011

CASE NUMBER: 2011108033442

PERSONAL DATA

DEFENDENT RAW LAST, FIRST MIDDLE	RACE	SEX	DATE OF BIRTH	PHONE NUMBER
SANDERS, JAMES A	W	M	06-19-1972	

BTH	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	PIN NUMBER
	5'07"	189	BROWN	BROWN	251213316		201100

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT
1254 CYPRESS CAMPGROUND RD	RIDGEVILLE	SO	29472	T

ALIAS	PLACE OF BIRTH	DRIVER'S LICENSE NUMBER	STATE
	SOUTH CAROLINA	008983101	SO

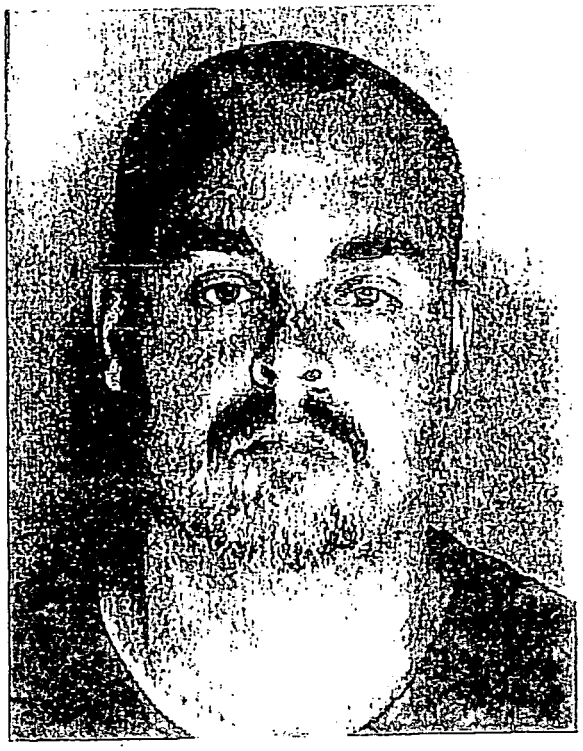
EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (STREET AND CITY)

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER
GREENE	354	O'ROURKE	BCSO	123

TOTAL CASH AT TIME OF ARREST: NONE

CHARGES

CHARGE ID	A	B	C
CHARGES	VIOLATION OF COURT ORDER OF PROTECTION		
STATUTE	16-25-20(E)		
CHARGE ID	D	E	F
CHARGES			
STATUTE			





COMMENTS	PHOTO DATE:	AGE AT PHOTO:
	08-19-2011	39
	RECEIVING OFFICER:	
	X RECEIVING OFFICER'S SIGNATURE	

FILED

DISCHARGE

2011 OCT 11 AM 11: 15

MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

STATE OF SOUTH CAROLINA		**IN THE COURT OF**
COUNTY OF Berkeley		**GENERAL SESSIONS**
The State	vs	James Allen Sanders Jr
Warrant Number		27844FQ
Indictment Number		0000GS08
Charge		Traffic / Failure to stop for a blue light, no injury or death - 1st offense

By Mary P. Brown, Clerk of Court in and for the County and State aforesaid. To the Keeper of the Jail for said County, GREETING:

FORASMUCH AS James Allen Sanders Jr is in your custody on the above noted charge

THESE ARE, THEREFORE, to authorize and require you that if the said do remain in jail for no other cause, then you forbear to detain him any longer, but suffer him to go at large; herein fail not, upon the pain of penalty which will fall therein.

GIVEN under my Hand and Seal, this date, Tuesday, October 11, 2011.

Mary P Brown (L.S.)
s/Clerk of Court

GS1

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE COURT OF
General Sessions

STATE OF SOUTH CAROLINA

-vs-

James A. Sanders
DEFENDANT

WARRANT/TICKET
INDICTMENT # 11383997
2711447 FC
AMOUNT OF BOND $21,500.00

SSN 257 21 7316 DOB 6/19/1992
DATE BOND POSTED 10-11-11

IN RE:
Mitch Vann (The International Bonding Company)
SURETY

MOTION TO BE RELIEVED
ON BOND

PLEASE TAKE NOTICE that The International Bonding Company
Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (affidavit required):

☒ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☒ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify)

2011 OCT 13 AM 10:26
BERKELEY COUNTY, SC
CLERK OF COURT

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 13 DAY OF Oct, 2011

Diana Chesney
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 2-3-2013

The International Bonding Co.

SURETY

ORDER OF COURT

The above motion is hereby ☒ GRANTED ☐ DENIED
The bond shall be set at _____ ☐ remain as is.

Defendant to be ☒ committed ☐ released under the above charge(s).

Date and Location: Moncks Corner County, South Carolina, Oct 2011

JUDGE

NOTICE OF HEARING

Please take notice that a hearing on the above motion is scheduled at the General Session located at 300 California Ave at 1:30 PM o'clock on Thur 20, 2011
If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☐ Surety Copy

AH Defendant Present with Counsel and Consents to relief.

STATE OF SOUTH CAROLINA)
)
COUNTY/CITY OF BERKELEY)
)

IN THE SUMMARY COURT

DISCHARGE

By Berkeley County/City Judge, in and for the County/City and State aforesaid: '11 SEP 14 4:26PM

For as much as **James Allen Sanders Jr.** in your custody now for want of his finding sureties to be released on the charge(s) of

Case # / Offense: **27846FQ County / Evading Arrest**

is hereby Ordered to be **RELEASED - TIME SERVED**

These are, therefore, to authorize and require you that if the said James Allen Sanders Jr do remain in jail for no other cause, then you forbear to detain him any longer, but suffer him to go at large, and that upon the pain that will fall therein.

Given under my Hand and Seal, at **Berkeley County/City** on September 14, 2011 and in the two hundred and twenty-first year of American independence.

Paula McElmoyle
JUDGE

Berkeley County/City
Central Criminal/Traffic
223 N. Live Oak Drive P.O. Box 6122
Moncks Corner, SC 29461
Phone: (843) 719-4050 Fax: (843) 719-4534

MCS

COMMITMENT

☒ Original Commitment
☐ Additional Charge(s)

'11 SEP 2 10:54AM

Date: 9/2/2011

TO: Director Berkeley County Detention Center

You are hereby commanded by this Court to hold in your custody.

James Allen Sanders Jr (Defendant's name) DOB: 06/19/1972 Race: W Sex: M

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321
(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
27846FQ	County / Evading Arrest	Central Criminal/Traffic	Cash Bond Surety Bond	$1,092.50 $1,092.50

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

0219

STATE OF SOUTH CAROLINA	)	IN THE SUMMARY COURT
	)	
COUNTY/CITY OF BERKELEY	)	
	)	DISCHARGE

By Berkeley County/City Judge, in and for the County/City and State aforesaid:

For as much as James Allen Sanders Jr. in your custody now for want of his finding sureties to be released on the charge(s) of

Case # / Offense: **68817FC Domestic / Criminal Domestic Violence - 1st offense**

is hereby Ordered to be **RELEASED - TIME SERVED**

These are, therefore, to authorize and require you that if the said James Allen Sanders Jr do remain in jail for no other cause, then you forbear to detain him any longer, but suffer him to go at large, and that upon the pain that will fall therein.

Given under my Hand and Seal, at **Berkeley County/City** on October 10, 2011 and in the two hundred and twenty-first year of American independence.

JUDGE

Berkeley County/City
Central Criminal/Traffic
223 N. Live Oak Drive P.O. Box 6122
Moncks Corner, SC 29461
Phone: (843) 719-4050 Fax: (843) 719-4534

STATE OF SOUTH CAROLINA

COUNTY/CITY OF Berkeley

James Allen Sanders
1254 Cypress Campground Rd
Ridgeville, SC 29472-7321

SUMMARY COURT SUMMONS

STATE VS.	James Allen Sanders Jr
TICKET #(S)	M325747/68817FC
OFFICER	Antwine, T/ Harding, T.
AGENCY	Berkeley County Sheriff Office
CHARGE	Domestic / Criminal Domestic Violence - 1st offense

Please be advised that a **Bond Reconsideration** is scheduled to be heard on **September 23, 2011 at 9:30AM**

You are hereby summoned to appear in the **Berkeley County Central Criminal/Traffic, 223 N. Live Oak Drive, Moncks Corner, SC,** on that date. Please notify any witnesses you may have of this Court date.

HEREIN FAIL NOT, ON PAIN OF FORFEITING THE LAWFUL PENALTY IN SUCH CASES MADE AND PROVIDED.

Clerk

Berkeley COUNTY/CITY Central Criminal/Traffic
223 N. Live Oak Drive, P.O. Box 6122
Moncks Corner, SC 29461
PHONE (843) 719-4050 FAX (843) 719-4534

September 22, 2011

CDV4

STATE OF SOUTH CA[illegible]NA)
) IN THE SUMMARY COURT
County of Berkeley)
) DISCHARGE
State of South Carolina

vs.

James Allen Sanders Jr
DEFENDANT(S)

11 SEP 23 10:[illegible]

DISCHARGE

By James A Polk, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, James Allen Sanders Jr, having been committed to your custody for the charge of:

Case number	Charge	Trial Court	Bond Type	Amount
68817FC	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Personal Recogniza	
M325747	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Personal Recogniza	

has posted bond of type
Personal Recognizance in the amount of **$10,485.00**

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY September 23, 2011

(Seal)
(Judge)
Berkeley County, SC

COMMITMENT

☒ Original Commitment
☐ Additional Charge(s)

11 SEP 2 1 9:54AM

TO: Director Berkeley County Detention Center

Date: 9/2/2011

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr
(Defendant's name)
DOB: 06/19/1972 Race: W Sex:M

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321
(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
68817FC	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Cash Bond Surety Bond	$5,242.50 $5,242.50
M325747	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Cash Bond Surety Bond	$5,242.50 $5,242.50

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

CRIMINAL CHARGING DOCUMENT NO.

BAIL PROCEEDING
FORM I

STATE OF SOUTH CAROLINA

IN THE Central Criminal/Traffic

COUNTY OF Berkeley

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

v.

Sanders, James Allen Jr
NAME OF DEFENDANT

Offense Charged: Domestic / Criminal Domestic Violence - 1st offense-(68817FC, M325747)

IT IS HEREBY ORDERED

I

That the above named defendant be released from custody on his own recognizance without surety on the condition that he will personally appear before the designated court at the place, date, and time required to answer the charge made against him and do what shall be ordered by the court, and not depart the State without permission of the court and be of good behavior.

II

That the above named defendant be released from custody upon recognizance without surety executed by him.

Appearance Recognizance Without Surety

On the 23rd day of September, 2011, personally appeared before the undersigned judge the defendant named above who acknowledged himself indebted to the State of South Carolina, in the sum of 10,485.00 dollars, to be levied on his real and personal property for the use of the State, if the defendant shall fail in performing the conditions of the Order.

III

That the defendant will notify the court promptly if he changes his address from the one contained in this Order and will comply with the following other conditions of release: No contact with alleged victim/ alleged victim's family directly or indirectly

IV

That the defendant shall appear at (check one):

☐ the term of COURT OF GENERAL SESSIONS beginning on _____ at _____ o' clock, M. at _____ and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☒ the session of ☐MAGISTRATE COURT ☐MUNICIPAL COURT beginning on October 10, 2011 at 2:00 o' clock, P.M. at Central Criminal/Traffic - 223 N. Live Oak Drive/P.O. Box 6122/Moncks Corner, SC 29461 / (843) 719-4050 If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SIGNATURE OF JUDGE

DATE 9/23/11

SIGNATURE OF DEFENDANT

1254 Cypress Campground Rd
ADDRESS

Ridgeville, SC 29472-7321
CITY/STATE/ZIP

(843) 714-8038
TELEPHONE

251-21-3316
SOCIAL SECURITY NUMBER

008983101 (SC)
DRIVER'S LICENSE OR ID NUMBER

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED
Original Copy For The Trial Court - Copy For The Defendant

Form Approved by S.C. Attorney General
Section 17-15-40
September 5, 2006

NORTH CHARLESTON MUNICIPAL COURT RELEASE FORM

TO: Keeper, Charleston County Jail

THIS IS AN ORDER to release James Sanders

committed to jail on 7-19-11

this subject was sentenced to 30 days

this subject is released by Judge Coleman

for the following reason(s): Time Served

Case No.(s): 2011026443

Warrant or Ticket No.(s): M726579

Hold for: _____

_____ Agency

_____ Agency

_____ Agency

10-11-11
Date

Municipal Judge/Clerk of Court

STATE OF SOUTH CAROLINA	)	IN THE MUNICIPAL COURT OF THE
	)	CITY OF NORTH CHARLESTON
COUNTY OF CHARLESTON	)	
	)	
	)	WAIVER OF RIGHTS TO HAVE
vs.	)	APPOINTED COUNSEL OR SERVICES
	)	OF THE PUBLIC DEFENDER
	)	
James Allen Sanders Jr	)	
_____	)	OCA# 2011026443
Defendant	)	TICKET/WARRANT# M726579

James Allen Sanders Jr, you have been charged with Criminal Domestic Violence 16-25-20. You are advised that you have the right to have your own legal counsel or the services of the Public Defender's Office. You, James Allen Sanders Jr wish to waive your rights of legal counsel or services of the Public Defender's Office and go forward with a Bench Trial in front of Samuel M. Coleman.

Defendant's Signature

This form has been read to James Allen Sanders Jr in my presence, at 3:09:54 PM on October 11, 2011.

Samuel M. Coleman

Judge's Signature

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	)	IN THE MUNICIPAL COURT OF THE CITY OF NORTH CHARLESTON
	)	
	)	
	)	NOTICE OF FEDERAL FIREARMS PROHIBITION
vs.	)	PURSUANT TO 18 U.S.C. 922 & SC CODE OF LAWS § 16-25-30
	)	
James Allen Sanders Jr	)	OCA# 2011026443
	)	TICKET/WARRANT# M726579
Defendant.	)	CHARGE: Criminal Domestic Violence 16-25-20

THE Defendant named hereinabove was convicted of South Carolina Code of Laws § 16-25-20, Criminal Domestic Violence, on the following date July 19, 2011.

PURSUANT to SC Code of Laws, § 16-25-20, the Defendant named hereinabove, is given notice of the following:

PURSUANT TO 18 U.S.C. 922, IT IS UNLAWFUL FOR A PERSON CONVICTED OF A VIOLATION OF SECTION 16-25-20 TO SHIP, TRANSPORT, POSSESS, OR RECEIVE A FIREARM OR AMMUNICTION.

THIS notice was provided by the Court to the Defendant on October 11, 2011.

Samuel M. Coleman
Judge, North Charleston Municipal Court

Received by Defendant:

SCCN/552(06/09)

STATE OF SOUTH CAROLINA,)
)
COUNTY/MUNICIPALITY OF CITY OF)
NORTH CHARLESTON)
)
STATE OF SOUTH CAROLINA)
)
vs.)
)
JAMES SANDERS)
Defendant)
)
IN RE: AMERICAN SURETY)
Surety)

IN THE COURT OF ____

AFFIDAVIT OF SURRENDER OF DEFENDANT BY SURETY

Amount of Bond: $ 250.00
S.S.N.: ____
D.O.B.: 6/19/1972
By: AMERICAN SURETY
Date of Bond: 8/31/11

PERSONALLY APPEARED BEFORE ME, the undersigned surety/deponent, who being duly sworn, states that he is the duly authorized representative of AMERICAN SURETY d/b/a AAAA BAIL BONDS Surety Company, who is contractually acting as surety for the above named defendant on the following ☐ ticket ☒ warrant ☐ indictment number(s) and charges: M7A6579 (CDV)

☒ Defendant was incarcerated by surety/deponent for a violation or imminent violation of a specific term(s) of the bond as sworn to below. **Surety/deponent states under penalty of perjury that the information contained in this Affidavit constitutes good cause for the immediate incarceration of defendant.**

☐ Defendant was incarcerated by ☐ surety ☐ deponent ☐ law enforcement as the result of a bench warrant for violation of a specific term(s) of the bail bond as stated in the bench warrant and sworn to below.

(Attach additional sheets if necessary.)

Sworn to and Subscribed before me
this ____ day of ____, 2____
Brenda White
Notary Public for South Carolina
My Commission expires 10/24/2016

Signature of Surety/Deponent AGENT
AMERICAN SURETY
Surety Company

I have received custody of the above named defendant pursuant to ☐ immediate incarceration by surety ☐ bench warrant and the defendant will remain in custody until such time as notice concerning defendant is received from clerk of court or court of competent jurisdiction.
Officer: ____ Date: ____
Detention Facility for the: ☐ County ☐ Municipality of ____

SCCA/636 (07/2008)

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

-vs-

JAMES SANDERS
DEFENDANT

IN RE: AAAA BAIL BONDS
AMERICAN SURETY
SURETY

IN THE COURT OF
CITY OF NORTH CHARLESTON
WARRANT/TICKET/
INDICTMENT # M726379

AMOUNT OF BOND $5,250.00

SSN _____ DOB 6/19/72
DATE BOND POSTED 8/3/11

MOTION TO BE RELIEVED
ON BOND

PLEASE TAKE NOTICE that A AAA BAIL BONDS AMERICAN SURETY
Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (affidavit required):

☐ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☑ 2. The defendant has violated any one of the specific terms of the bond.

☒ 3. Other: (specify) INCARCERATED IN BERKELEY COUNTY

SWORN TO AND SUBSCRIBED BEFORE ME
THIS ____ DAY OF _____, 2___

Brenda F. Whitley
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 10/26/2014

Larry D. Ball
SURETY AGENT FOR
AMERICAN SURETY

ORDER OF COURT

The above motion is hereby ☐ GRANTED ☐ DENIED.
The bond shall be set at _____ ☐ remain as is.

Defendant to be ☐ committed ☐ released under the above charge(s).

Date and Location: _____ County, South Carolina,

JUDGE _____

NOTICE OF HEARING
Please take notice that a hearing on the above motion is scheduled at the _____
located at _____
at _____ o'clock on _____
If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☐ Surety Copy

HILL-FINKLEA DETENTION CENTER

REQUEST FOR INMATE HOLD

HOLD IS ONLY VALID FOR 24 HOURS. IF WARRANT IS NOT SERVED WITHIN 24 HOURS, THE HOLD WILL BE REMOVED.

INMATE NAME JAMES A. SANDERS

DOB 6-19-72 SSN 251-21-3316

DATE HOLD PLACED 8-22-11 TIME 1215

HOLDING AGENCY/OFFICER AAAA BONDING

OFFICER SIGNATURE LARRY BALLARD

CONTACT NUMBER (S) 843-747-2245

CHARGE(S) OFF BOND (CHAS. CO. CHARGES)

HFDC OFFICER (PRINT) LT. RILEY SIGN Lt. Riley

DATE HOLD RELEASED WENT TO COURT 10-11-11 TIME

RELEASING OFFICER (PRINT) TIME SERVED LT. RILEY SIGN Riley

REASON

HFDC OFFICER (PRINT) DONE SIGN Riley

STATE OF SOUTH CAROL)
) IN THE COURT OF General Sessions
COUNTY/MUNICIPALITY OF Berkeley)
) AFFIDAVIT OF SURRENDER OF
) DEFENDANT BY SURETY
STATE OF SOUTH CAROLINA)
) Amount of Bond: 42,500.00
vs.) S.S.N.: 257-21-3316
) D.O.B.:
James Allen Sanders Jr.) By:
Defendant.) Date of Bond: 7-30-11
)
IN RE: Hanno Dennis Jr.)
Surety)

FILED
2011 AUG 19 AM 10:56
BERKELEY COUNTY, S.C.
CLERK OF COURT

PERSONALLY APPEARED BEFORE ME, the undersigned surety/deponent, who being duly sworn, states that he is duly authorized representative of Allstar Bonding Surety Company, who is contractual acting as surety for the above named defendant on the following ☐ticket ☒warrant ☐indictment number(s) ar charges: 0533997 Domestic/Criminal domestic Violence of a high and Aggravated Nature, 22844FO Traffic/Failure to stop for a blue light, no injury or death - 1st offense

☐ Defendant was incarcerated by surety/deponent for a violation or imminent violation of a specific term(s) of the ba bond as sworn to below. **Surety/deponent states under penalty of perjury that the information contained in thi Affidavit constitutes good cause for the immediate incarceration of defendant.**

☐ Defendant was incarcerated by surety/deponent ☒ law enforcement as the result of a bench warrant for violation of a specific term(s) of the bail bond as stated in the bench warrant and sworn to below.

Defendant did not charge monitor, did not give address, tried to cut monitor off ankle, fled from Bondsman. Violation of order of protection and failure to appear 8-15-11 in Magistrate Court

(Attach additional sheets if necessary.)

Sworn to and Subscribed before me)
this 19th day of August, 2011) Hanno Dennis II
) Signature of Surety/Deponent
Notary Public for South Carolina) Allstar Bonding
My Commission expires 4/12/2016) Surety Company

I have received custody of the above named defendant pursuant to ☐ immediate incarceration by surety ☒ bench warrant and the defendant will remain in custody until such time as notice concerning defendant is received from a clerk of court or court of competent jurisdiction.

Officer: [illegible] Date: 8-19-11

Detention Facility for the: ☐ County ☐ Municipality of

CERTIFIED TRUE COPIES OF RECORD
CLERK OF COURT, C.P & GS
BERKELEY COUNTY, SC
DATE 8/19/11

SCCA/636 (07/2008)

0231

STATE OF SOUTH CAROLINA)
COUNTY OF Berkeley)

STATE OF SOUTH CAROLINA)

-VS-)

Tamara Ann Sanders Q.)
DEFENDANT)

IN RE:)
Harry A. Dennis Jr.)
SURETY)

IN THE COURT OF
General Sessions
WARRANT/TICKET/
INDICTMENT # 11333997, 2784FG

AMOUNT OF BOND 42500.00

SSN 251-21-3316 DOB
DATE BOND POSTED 7-30-11

MOTION TO BE RELIEVED
ON BOND

PLEASE TAKE NOTICE that Harry A. Dennis Jr.
Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (affidavit required):

☐ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☒ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify) _____

FILED
2011 AUG 19 AM 10:56
MARY F. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 19th DAY OF Aug. , 2011

Kimberly Cteh
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 4/12/2016

Harry A. Dennis Jr.
SURETY

ORDER OF COURT

The above motion is hereby ☐ GRANTED ☐ DENIED.
The bond shall be set at _____ ☐ remain as is.

Defendant to be ☐ committed ☐ released under the above charge(s).

Date and Location: _____ County, South Carolina,

JUDGE _____

NOTICE OF HEARING

Please take notice that a hearing on the above motion is scheduled at the CJS Court located at 3Xcalibur Plantation Blvd Moncks Corner SC at 2:30 o'clock on 9/1/11 If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☐ Surety Copy

I HEREBY CERTIFY THIS TO BE A TRUE COPY OF RECORD
Mary F. Brown
CLERK OF COURT, C.P. & G.S.
BERKELEY COUNTY, SC
DATE 8/19/11 160232

STATE OF SOUTH CAROLINA)
) IN THE COURT OF General Sessions
COUNTY/MUNICIPALITY OF Berkeley)

STATE OF SOUTH CAROLINA)
) AFFIDAVIT OF SURRENDER OF
vs.) DEFENDANT BY SURETY
) Amount of Bond: $25,000.00
James Allen Sanders Jr.) S.S.N.: 251-21-7716
Defendant.) D.O.B.:
) By:
IN RE: Hanna Dennis Jr.) Date of Bond: 7-30-11
Surety)

2011 AUG 19 AM 10:56 FILED
BERKELEY COUNTY, S.C.
CLERK OF COURT

PERSONALLY APPEARED BEFORE ME, the undersigned surety/deponent, who being duly sworn, states that he is duly authorized representative of Allstar Bonding Surety Company, who is contractual acting as surety for the above named defendant on the following ☐ticket ☒warrant ☐indictment number(s) as charges: M1337911 Domestic/Criminal domestic Violence of a high and Aggravated Nature 2784FO Traffic/Failure to Stop for a blue light, CD injury or death - 1st offense

☐ Defendant was incarcerated by surety/deponent for a violation or imminent violation of a specific term(s) of the bail bond as sworn to below. **Surety/deponent states under penalty of perjury that the information contained in this Affidavit constitutes good cause for the immediate incarceration of defendant.**

☐ Defendant was incarcerated by surety/deponent ☒ law enforcement as the result of a bench warrant for a violation of a specific term(s) of the bail bond as stated in the bench warrant and sworn to below.

Defendant did not charge monitor, did not give address, Fail to put monitor on ankle, Fled from Bondsman Violation of order of protection and Failure to appear 8-15-11 in Magistrate Court

(Attach additional sheets if necessary.)

2011 SEP -1 P 4:08
CLERK OF COURT
BERKELEY COUNTY, S.C.

Sworn to and Subscribed before me
this 29th day of August, 2011
Notary Public for South Carolina
My Commission expires 4/12/2016

Hanna Dennis Jr.
Signature of Surety/Deponent
Allstar Bonding
Surety Company

I have received custody of the above named defendant pursuant to ☐ immediate incarceration by surety ☑ bench warrant and the defendant will remain in custody until such time as notice concerning defendant is received from a clerk of court or court of competent jurisdiction.

Officer: I.P. T. Riley Date: 8-19-11

Detention Facility for the: ☑ County ☐ Municipality of

CERTIFIED TRUE COPIES OF RECORD
CLERK OF COURT, C.P. & G.S.
BERKELEY COUNTY, S.C.
DATE 2/10/11

SCCA/636 (07/2008)

STATE OF SOUTH CAROLINA)
COUNTY OF Berkeley)

STATE OF SOUTH CAROLINA)

-vs-)

James A. Sanders)
DEFENDANT)

IN RE:)
Mitch Ham (The International Bonding Company)
SURETY

IN THE COURT OF)
General Sessions)
WARRANT/TICKET/)
INDICTMENT # M333997)
27944 FA)
AMOUNT OF BOND $2,500.00)
SSN 251 21 3316 DOB 6/19/1992)
DATE BOND POSTED 10-11-11)

MOTION TO BE RELIEVED ON BOND

PLEASE TAKE NOTICE that The International Bonding Company Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (affidavit required):

☒ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☒ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify) _____

2011 OCT 13 AM 10:26
CLERK OF COURT
BERKELEY COUNTY, S.C.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 13 DAY OF Oct, 2011

Bruce Chinsky
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 2-3-2013

The International Bonding Co.
SURETY

ORDER OF COURT

The above motion is hereby ☐ GRANTED ☐ DENIED.
The bond shall be set at _____ ☐ remain as is.

Defendant to be ☐ committed ☐ released under the above charge(s).

Date and Location: _____ County, South Carolina,

JUDGE _____

NOTICE OF HEARING

Please take notice that a hearing on the above motion is scheduled at the
General Session
located at 300 California Ave
at 2:30 pm o'clock on Thur 20, 2011
If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☐ Surety Copy

CERTIFIED TRUE COPIES OF SURETY

Mary P. Rassam /MC
CLERK OF COURT OF GENERAL SESSIONS
BERKELEY COUNTY, SC
DATE 10-13-11

0234

STATE OF SOUTH CAROLINA)
COUNTY OF Berkeley)

STATE OF SOUTH CAROLINA)

-vs-)

James Allen Sanders Jr.)
DEFENDANT)

IN RE:)
Harvey W. Dennis Jr.)
SURETY)

IN THE COURT OF
General Sessions
WARRANT/TICKET/
INDICTMENT # 11333997, 27844(a)

AMOUNT OF BOND $2500.00

SSN 251-21-3316 DOB
DATE BOND POSTED 7-30-11

MOTION TO BE RELIEVED
ON BOND

PLEASE TAKE NOTICE that Harvey W. Dennis Jr. Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (affidavit required):

☐ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☒ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify)

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 19th DAY OF Aug, 2011

Kimberly Cottrell
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 4/12/2016

Harvey W. Dennis Jr.
SURETY

FILED
2011 AUG 19 AM 10:56
CLERK OF COURT
BERKELEY COUNTY, S.C.

ORDER OF COURT

The above motion is hereby ☒ GRANTED ☐ DENIED.
The bond shall be set at _____ ☑ remain as is.

Defendant to be ☑ committed ☐ released under the above charge(s).

Date and Location: 9/1/11 Moncks Corner County, South Carolina,

JUDGE

NOTICE OF HEARING

Please take notice that a hearing on the above motion is scheduled at the GS Court located at 300 California Ave. Moncks Corner SC 29461 at 2:30 o'clock on 9/1/11

If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☒ Surety Copy

CLERK OF COURT, C.P. & G.S.
BERKELEY COUNTY, S.C.
DATE 8/19/11

BERKELEY COUNTY CENTRAL SUMMARY COURT
223 North Live Oak Drive, Post Office Box 6122
Moncks Corner, SC 29461
(843) 719-4050 or (843) 723-3800 Ext: 4050
Fax: (843) 719-4534

October 10, 2011

James Allen Sanders, Jr.
1254 Cypress Campground Road
Ridgeville, SC 29472

Defendant Name: *James Allen Sanders, Jr.*
Ticket #(s): *M-334082*
Charge(s): *Violation of court order protection*

RE: NOTIFICATION OF PUBLIC DEFENDER HEARING:

To all involved parties:

The afore-mentioned case has been scheduled for:

Trial Date: ***January 26, 2012 @ 10:00 a.m.***

If you are the defendant and you fail to appear in court, the case may proceed in your absence, and additional charges may be brought against you. If you are a party in this case, you are responsible for presenting your case in court, unless you have retained an attorney. The presiding judge that will hear your case will not be known until the time of court.

Please do not hesitate to contact this office if you have any questions and thank you for your cooperation in this matter.

Thank you,

C. Dowis
Summary Court Clerk

cc: *Defendant: J. Sanders, Jr.* *Victim: J. Howzard*
Officer: R. Ramsey
Public Defender: P. Beauford

B-9

BERKELEY COUNTY CENTRAL SUMMARY COURT
223 North Live Oak Drive, Post Office Box 6122
Moncks Corner, SC 29461
(843) 719-4050 or (843) 723-3800 Ext: 4050
Fax: (843) 719-4534

October 10, 2011

To James Allen Sanders, Jr.:

You recently came in to our court and applied for a Public Defender. Your application has been approved, and Mr. Percy Beauford has been assigned to represent you for your charge(s). Please contact Mr. Beauford to make an appointment to discuss your case, at (843) 899-5555, 204 North Live Oak Dr. Moncks Corner, SC 29461.

Failure to contact him will result in the loss of your opportunity to be represented by a Public Defender for your charge(s) and your case(s) will be scheduled immediately for a bench trial before the presiding judge.

Please do not hesitate to contact this office if you have any questions and thank you for your cooperation in this matter.

Sincerely,

C. Downs

C. Downs
Administrative Specialist I

cc
Attorney: Percy Beauford

STATE OF SOUTH CAROLINA	)	IN THE SUMMARY COURT
	)	
COUNTY/CITY OF BERKELEY	)	
	)	DISCHARGE

By **Berkeley County/City Judge**, in and for the County/City and State aforesaid:

For as much as **James Allen Sanders Jr**, in your custody now for want of his finding sureties to be released on the charge(s) of

Case # / Offense: **M334082 Violation of court order of protection**

is hereby Ordered to be **RELEASED - TIME SERVED**

These are, therefore, to authorize and require you that if the said James Allen Sanders Jr do remain in jail for no other cause, then you forbear to detain him any longer, but suffer him to go at large, and that upon the pain that will fall therein.

Given under my Hand and Seal, at **Berkeley County/City** on January 26, 2012 and in the two hundred and twenty-first year of American independence.

JUDGE

Berkeley County/City
Central Criminal/Traffic
223 N. Live Oak Drive P.O. Box 6122
Moncks Corner, SC 29461
Phone: (843) 719-4050 Fax: (843) 719-4534

MC8

STATE OF SOUTH CAROLI)

COUNTY/MUNICIPALITY OF Berkeley)

STATE OF SOUTH CAROLINA)

vs.)

James A. Sanders)

Defendant.)

IN RE: United Yound (The International Bonding Co))

Surety)

IN THE COURT OF Berkeley General Sessions

AFFIDAVIT OF SURRENDER OF DEFENDANT BY SURETY

Amount of Bond: $2,500.00

S.S.N.: 257 21 3316

D.O.B.: 6/19/1992

By: United Yound

Date of Bond: 10-11-11

PERSONALLY APPEARED BEFORE ME, the undersigned surety/deponent, who being duly sworn, states that he is duly authorized representative of The International Bonding Co, Surety Company, who is contractual acting as surety for the above named defendant on the following ☐ticket ☐warrant ☐indictment number(s) ar charges: DUI Highway / Failure to Stop for Blue Light

2011 OCT 13 AM 10:26
BERKELEY COUNTY, S.C.
CLERK OF COURT

☑ Defendant was incarcerated by surety/deponent for a violation or imminent violation of a specific term(s) of the ba bond as sworn to below. **Surety/deponent states under penalty of perjury that the information contained in thi Affidavit constitutes good cause for the immediate incarceration of defendant.**

☐ Defendant was incarcerated by ☐ surety/deponent ☐ law enforcement as the result of a bench warrant for a violation of a specific term(s) of the bail bond as stated in the bench warrant and sworn to below.

CERTIFIED TRUE COPIES OF RECORD
Mary P. Brown
CLERK OF COURT C.P. & G.S.
BERKELEY COUNTY, SC
DATE 10-13-11

(Attach additional sheets if necessary.)

Sworn to and Subscribed before me
this 13 day of Oct, 2011.
Notary Public for South Carolina
My Commission expires 2-3-2013

Signature of Surety/Deponent
The International Bonding Co
Surety Company

I have received custody of the above named defendant pursuant to ☐ immediate incarceration by surety ☐ bench warrant and the defendant will remain in custody until such time as notice concerning defendant is received from a clerk of court or court of competent jurisdiction.

Officer: _____ Date: _____

Detention Facility for the: ☐ County ☐ Municipality of _____

SCCA/636 (07/2008)

STATE OF SOUTH CAROLINA)
) IN THE SUMMARY COURT
COUNTY/CITY OF BERKELEY)
) COMMITMENT
State of South Carolina)
)
vs)
)
James Allen Sanders Jr)
Defendant

By Berkeley County/City Judge James A Polk in and for the County/City and State aforesaid, These are to command you forthwith to convey and deliver into custody, James Allen Sanders Jr charged before me this date: August 19, 2011, on oath of

OFFICER: **R Ramsey/Berkeley County Sheriff Office**

DETAIN ON charge(s) of: **M334082 Violation of court order of protection**

BOND: **30 days commitment for Contempt of Court**

COURT DATE: **August 19, 2011**

And you the said KEEPER are required to receive the said **James Allen Sanders Jr** into your custody in the said jail and there safely keep until he be thence delivered by due course of law. Given under my Hand and Seal, at Moncks Corner, SC on August 19, 2011 and the two hundred and twenty-first year of American independence.

JUDGE JAMES A. POLK

Berkeley County/City
Bond Court
P.O. Box 6122
Moncks Corner, SC 29461
Phone: (843) 719-4050

BC2

STATE OF SOUTH CAROLINA)
) IN THE SUMMARY COURT
COUNTY/CITY OF BERKELEY)
COMMITMENT

State of South Carolina)
)
vs)
)
James Allen Sanders Jr)
Defendant

By Berkeley County/City Judge James A Polk in and for the County/City and State aforesaid, These are to command you forthwith to convey and deliver into custody, James Allen Sanders Jr charged before me this date: August 19, 2011, on oath of

OFFICER: R Ramsey/Berkeley County Sheriff Office

DETAIN ON charge(s) of: M334082 Violation of court order of protection

BOND: 30 days commitment for Contempt of Court

COURT DATE: August 19, 2011

And you the said KEEPER are required to receive the said James Allen Sanders Jr into your custody in the said jail and there safely keep until he be thence delivered by due course of law. Given under my Hand and Seal, at Moncks Corner, SC on August 19, 2011 and the two hundred and twenty-first year of American independence.

JUDGE JAMES A. POLK

Berkeley County/City
Bond Court
P.O. Box 6122
Moncks Corner, SC 29461
Phone: (343) 719-4050

LT
BE ADVISED
Judge does
NOT WANT
GOOD TIME - DIDN'T
HAVE A STAMP
IN B-CELL
SIMIT

BC2

COMMITMENT

☑ Original Commitment
☐ Additional Charge(s)

TO: Director Berkeley County Detention Center

Date: 8/19/2011

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr (Defendant's name) DOB: 06/19/1972 Race: W Sex:M

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321

(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
M334082	Violation of court order of protection	General Sessions	Cash Bond Surety Bond	$1,092.5 $1,092.5

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

(Charging Document No.)

You are to have No Contact with the alleged victim or the victim's family. No Exceptions! Any violation will result in your immediate return to jail.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE Central Criminal/Traffic

STATE OF SOUTH CAROLINA

v.

Sanders, James Allen Jr
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Offense Charged: Violation of court order of protection-(M334082)

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.

☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☐ the term of COURT OF GENERAL SESSIONS beginning on _____ at _____ o' clock, M, at _____ and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☒ the session of ☒ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on September 01, 2011 at 2:00 o' clock, PM, at Central Criminal/Traffic - 223 N. Live Oak Drive/P.O. Box 6122/Moncks Corner, SC 29461. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $1,092.50 (CS) or $1,092.50 (SB)

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

DATE 9/1/11

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED

Original Copy For The Trial Court - Copy For The Defendant

Victim Notification Information
BERKELEY COUNTY SHERIFF'S OFFICE

AGENCY I.D. SC0080000

Victim Information

Case # 2011-0803344
PIN: _____

Name of Victim: Jennifer D. Bowzard

Mailing Address: 1254 Cypress Campground Rd, Ridgeville, S 2941

Telephone #: (H) 843-305-0255 (C) 843-574-2222 (W)

Relative or Contact Person: _____

Mailing Address: _____

Telephone #: (H) _____

Suspect Name: James A. Sanders Jr.

In order for Law Enforcement to make a reasonable attempt to contact you of the arrest or detention and of the appropriate bond or other pretrial release hearing or procedure, it is your responsibility to notify the appropriate agency of any change in your address or phone number.

The information given on this form will be provided to the jail, prison, detention or holding facility having physical custody of the defendant. It will also be made available to the prosecuting agency and the Department of Juvenile Justice System, if the defendant is a juvenile.

Court Date Information (if available at time of report)

State vs. James A. Sanders Jr. Warrant #/Ticket # M-334082

Date and Time: T.B.A. Location: 223 N. Live Oak Dr. Moncks Corner, SC

Bond hearings are held at the Berkeley County Detention Facility Monday through Friday, 8:00 a.m. & 6:30 p.m., Saturday and Sunday, 9:00 a.m. & 6:30 p.m., and Holidays at 9:00 a.m. and 6:30 p.m.

I do ☒ I do not ☐ wish to be contacted when bond is set, anytime day or night.

I do ☒ I do not ☐ wish to be contacted when the defendant is released from jail, anytime day or night.

As a victim of crime I have received a copy of the Victim Notification Form provided to me by the Berkeley County Sheriff's Office and I agree that the victim information is correct.

Unable to sign — 8/12/11
Signature of Person Receiving Information — Date

[signature] — 8/12/11
Signature of Reporting Officer — Date

Notice of Bond Hearing: The victim was notified of the bond hearing on Aug 19, 2011 *at* 1902 *hours.*

[signature] — In-Person
Signature of Notifying Person — *How Notified*

Notice of Defendant's Release: The victim was notified of the defendant's release on bond on _____, 20____ *at* _____

_____ — _____
Signature of Notifying Person — How Notified

Victim Notification Information
BERKELEY COUNTY SHERIFF'S OFFICE

AGENCY I.D. SC0080000

Victim Information

Case # _____
PIN: _____

Name of Victim: _____

Mailing Address: _____

Telephone #: (H) _____

Relative or Contact Person: _____

Mailing Address: _____

Telephone #: (H) _____

Suspect Name: _____

In order for Law Enforcement to make a reasonable attempt to contact you of the arrest or detention and of the appropriate bond or other pretrial release hearing or procedure; it is your responsibility to notify the appropriate agency of any change in your address or phone number.

The information given on this form will be provided to the jail, prison, detention or holding facility having physical custody of the defendant. It will also be made available to the prosecuting agency and the Department of Juvenile Justice System, if the defendant is a juvenile.

Court Date Information (if available at time of report)

State vs. _____ Warrant #/Ticket # _____

Date and Time: _____ Location: _____

Bond hearings are held at the Berkeley County Detention Facility Monday through Friday, 8:00 a.m. & 6:30 p.m., Saturday and Sunday, 9:00 a.m. & 6:30 p.m., and Holidays at 9:00 a.m. and 6:30 p.m.

I do ☐ I do not ☐ wish to be contacted when bond is set, anytime day or night.

I do ☐ I do not ☐ wish to be contacted when the defendant is released from jail, anytime day or night.

As a victim of crime I have received a copy of the Victim Notification Form provided to me by the Berkeley County Sheriff's Office and I agree that the victim information is correct.

_____ _____
Signature of Person Receiving Information Date

_____ _____
Signature of Reporting Officer Date

Notice of Bond Hearing: The victim was notified of the bond hearing on _____, 20___ *at* _____ *hours.*

_____ _____
Signature of Notifying Person *How Notified*

Notice of Defendant's Release: The victim was notified of the defendant's release on bond on _____, 20___ *at* _____

_____ _____
Signature of Notifying Person How Notified

M-334082

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

THE STATE 2011-08033442

against

ames Allen Sanders, Jr

ddress: 1254 Cypress Campground Rd

Ridgeville, SC 29472-7321

hone:

ex. M Race: W SSN: 251-21-3316

- State: SC DL #: Height: 5 7 Weight: 189

OB: 6/19/1972 Agency ORI #: SC0080000

rosecuting Agency: Berkeley County Sheriff Office

rosecuting Officer: R Ramsey - 0197

ffense: Violation of court order of protection

ffense Code: 3056

ode/Ordinance Sec: 16-25-0020(D)

his warrant is CERTIFIED FOR SERVICE in the

[ ] County/ [ ] Municipality of

. The accused to be arrested and brought before me to be ealt with according to the law.

(L.S.)

Signature of Judge

ate.

RETURN

copy of this arrest warrant was delivered to

efendant James A. Sanders Jr.

n 8/19/11

Signature of Constable/Law Enforcement Officer

ETURN WARRANT TO:

General Sessions
300 B California Avenue
PO Box 219
Moncks Corner, SC 29461

0246

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Berkeley)

AFFIDAVIT

DEFENDANT COPY

Form Approved by S.C. Attorney General April 21, 2003 SCCA 510

Personally appeared before me the affiant R Ramsey who being duly sworn deposes and says that defendant James Allen Sanders, Jr did within this county and state on or about 08/05/2011 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) in the following particulars:

DESCRIPTION OF OFFENSE Violation of court order of protection

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on 08/05/11 the defendant did commit the above stated offense in that he did willfully, unlawfully, violate the terms and conditions of a court order, and said offense having occurred at 1254 Cypress Campground Road, Ridgeville, SC located in the County of Berkeley. Facts to establish the aforesaid: 1) On 08/05/11 a report was filed with the Berkeley County Sheriff's Office in reference to a violation of court order. 2) The victim advised that the defendant has contacted her six times on the incident day. 3) The victim advised on 08/07/11 the defendant has called and left several voice mails while she was at the incident location. 4) The victim advised that the defendant has several Criminal Domestic Violence charges pending, and has violated the current Order of Protection. 5) The victim has an active Order of Protection (2011-DR-08-1439) showing where the defendant is prohibited from making any contact her. The affiant and victim are witnesses to prove the same

Signature of Affiant Renee' Ramsey

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Berkeley)

Affiant's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-

Affiant's Telephone (843)719-4465

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe th- on or about 8/5/2011 defendant James Allen Sanders, Jr did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) as set forth below:

DESCRIPTION OF OFFENSE: Violation of court order of protection

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me on 08/12/2011

Signature of Issuing Judge (L.S.)

Ava Bryant Ayers

Judge Code: 5008

Judge's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-3748

Judge's Telephone (843)719-4537

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

8-12-11

BOOKING REPORT

AGENCY I.D.	DATE/TIME OF ARREST	CASE NUMBER
SCO		

DEFENDANT NAME (LAST, FIRST, MIDDLE)	RACE	SEX	DATE OF BIRTH	DOCKET NUMBER

AGE	ETH.	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	NCIC	I.D. NUMBER

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT	PHONE NUMBER

ALIAS	PLACE OF BIRTH	DRIVERS LICENSE NUMBER	STATE

EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (CITY AND STATE)

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER

ARRESTEE ARMED ☐ YES ☐ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☐ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY

JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY (J-This Jurisdiction S-State: O-Out of State, U-Unknown)

ADDITIONAL CASE NUMBERS | MORE IN REMARKS ☐

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A,B,C

	A	B	C
CHARGE I.D.			
CHARGE	Viol. of Old. Prot.		
STATURE	7b-2-1202(D)		
BOND AMOUNT			
BOND TYPE			
RET DATE			
DISPOSITION			

	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						

RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X _____ LIST ANY REMARKS BELOW

REMARKS:

MA-3ZHCRC-2011-004333-DV2

DEFENDANT'S PERSONAL PROPERTY RECEIPT

TOTAL CASH AT TIME OF ARREST → $

QUANTITY	ITEM	QUANTITY	ITEM
1	Wallet		
1	Cell phone w/ Charger		
1	Portable Radio w/ Head phones		
1	Green Lunch Bag		
3	Pictures		
	Clothes		

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ DEFENDANT'S SIGNATURE AT TIME OF ARREST

_____ OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____

FORM R-141

Hill-Finklea Detention Center Inmate Check-In/Check-Out List

Date 7-26-11 Pin # 11 Time 2216 Inmate Name SANDERS, JAMES JR.

Photo ✓ Fingerprints Taken: ✓ Yes ___ No If Not, Why? _____

Currency $ 443.00 I/M Initial [signature] Cell Assigned: 1 2 3 Other _____

**AFTER RELEASE, MONIES WILL BE SENT TO THE MAILING ADDRESS GIVEN AT TIME OF BOOKING. INITIAL IF ADDRESS IS CORRECT. I/M INITAILS [signature]

**NOTE: POSTAGE WILL BE DEDUCTED FROM YOUR ACCOUNT FOR MAILING COSTS.

Jewelery Yes ___ No ✓ I/M Initial [signature] CO SPORTS

Property Bag ✓ Yes ___ No Property Placed in Laundry ___ Yes ✓ No C/O SPORTS

NCIC Check: ___ Hit ___ Clear By Operator: _____/_____ Hit for Agency (s) _____

In-House Check: ___ Hit ___ Clear By Operator: _____/BCSO Hit for Agency (s) _____

All phone calls at the HFDC are recorded at all times. Inmate rules will be received at dress-out.

Inmate Signature [signature]

Booking Officer Signature [signature] Shift Supervisor [signature]

165 DeWitt Ln Pittsburg SC 29077

Inmate Check-Out List

Transported To: NCPD.

Date 8-2-11 Time [signature] Releasing Judge/Offical: PAIK

Clothing Received Initial: [signature] Property Received Initial: [signature]

Money Received Initial: [signature] Jewelery Received Initial: N/A Medicine Received Initial: N/A

List any property not received at time of release money

**When transported to SCDC, you have 7 days for someone to pick up your personal property. After 7 days all property will be disposed of. Pick up medications Monday thru Friday between 10:00 and 3:00, except for holidays. **

Victim Notified: Spoke to victim @ 3:25 pm - Notified of release & conditions of Bond. Victim already had contact w/ Monitoring Company. JWS

Inmate Signature: [signature] Date 8-1-11

Releasing Officer: _____ Supervisor Signature: _____

Over 31 days

NCIC Check: _____ Hit _____ Clear Operator Initial: _____ In-House Check: _____ Hit ___ Clear

Agency: _____ _____ Operator _____

Revised 02.19.10

INMATE DATA SHE

AGENCY ID	DAT: ARREST
2011003882	07-26-2011

CASE NUMBER: 1 1 1 0 7 0 3 1 7 2 4

PERSONAL DATA

DEFENDENT RAW LAST, FIRST, MIDDLE:	RACE	SEX	DATE OF BIRTH	PHONE NUMBER
SANDERS, JAMES ALLEN	W	M	06-19-1972	8433050255

ETH	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	PIN NUMBER
N	5'07"	180	BROWN	BROWN	251213316		201100

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT
1254 CYPRESS CAMPGROUND RD	RIDGEVILLE	SO	29472	T

ALIAS	PLACE OF BIRTH	DRIVER'S LICENSE NUMBER	STATE
	SOUTH CAROLINA	008983101	SO

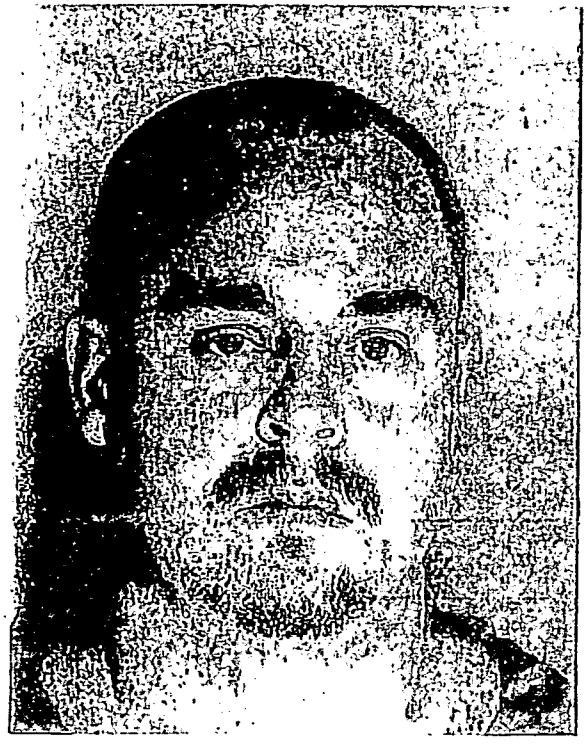
EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (STREET AND CITY)

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER
SPORTS	315	ARRINGTON	BCSO	113

TOTAL CASH AT TIME OF ARREST:443.00

CHARGES

CHARGE ID	A	B	C
CHARGES	CRIMINAL DOMESTIC VIOLENCE HIGH AND [illegible] FOR A BLUE LIGHT		
STATUTE	16-25-65	0000000	
CHARGE ID	D	E	F
CHARGES			
STATUTE			





COMMENTS:	PHOTO DATE: 07-26-2011	AGE AT PHOTO: 39
	RECEIVING OFFICER:	
	X RECEIVING OFFICER'S SIGNATURE	
	X	

STATE OF SOUTH CAROLINA)
) IN THE FAMILY COURT
COUNTY OF BERKELEY) NINTH JUDICIAL CIRCUIT
)
Jennifer Bouzard) 2011 AUG -2 PM 12:02 FAMILY COURT ORDER
Petitioner,) PROTECTION FROM DOMESTIC ABUSE ACT
CLERK OF COURT (For Use By Family Court Judges)
vs. BERKELEY COUNTY
) Docket No. 2011-DR-08-1439
James Sanders) Judge:
Respondent.) Attorney for Petitioner:
) Attorney for Respondent:
) Court Reporter:

PETITIONER IDENTIFIERS

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*

EYES	HAIR	SOCIAL SECURITY #

HEIGHT	WEIGHT

DRIVERS LICENSE #	STATE

Relationship to Petitioner:

Respondent's Address

CAUTION:
☒ Weapon Involved ☐ Weapon Present on Respondent's Property ☐ Access to weapons

*Indicates required information for entry into NCIC

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 this order shall be effective until 8/2/12

Form 11 Order of Term to Respondent

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:

Phone Number - Sheriff

CERTIFIED TRUE COPIES OF RECORD IN THIS COUNTY

Phone Number – Clerk of Court

Mary P Brown

SCCA 426 (12/2009)

8-2-11
DATE

CLERK OF COURT, FAMILY COURT
BERKELEY COUNTY, SOUTH CAROLINA

0250

A Petition for Order of Protection was filed on July 29, 2011. I held a hearing on 8/2/11. Respondent (☒ was / ☐ was not) given actual notice and an opportunity to participate. Respondent (☒ did / ☐ did not) appear. After hearing the evidence, and examining the affidavits and verified pleadings, I have determined that the petition should be GRANTED, based on these facts:

1. That the Respondent and the Petitioner (check one or more):

☐ are husband and wife
☐ were husband and wife
☐ have this child/children in common:
☐ are household or family members pursuant to S.C. Code § 20-4-20(a)(2)
☐ are cohabiting
☒ were cohabiting

2. Venue is properly in this county, since this is the county where
   ☒ a. the act of abuse occurred; or
   ☐ b. the Respondent resides; or
   ☐ c. the parties last resided together.

3. Abuse occurred on (date) 7/26/11 at _____ o'clock (☐ a.m. / ☐ p.m) at _____ in this manner: Resp. hit and kicked Petitioner causing injury and putting Pet. in fear for her life.

4. Resp committed this abuse.

5. Pet (☒ was / ☐ were) the victim(s) of this abuse.

☐ Check here if the victim is less than 18 years old and name: _____.

6. ☒ The evidence establishes that (☒ Respondent / ☐ Petitioner) represents a credible threat to the physical safety of the victim. The (☐ Respondent / ☐ Petitioner) used, attempted to use, or threatened to use physical force against (☐ Respondent / ☒ Petitioner) that is reasonably expected to cause bodily injury.

☐ 7. The (☐ Petitioner / ☐ Respondent) is a fit and proper person to have custody of the minor child or children.

☐ 8. (☐ Respondent / ☐ Petitioner) is employed at _____ and earns approximately $ _____ gross per month and has reasonable monthly expenses of $_____.

☐ 9. (☐ Respondent / ☐ Petitioner) is employed and earns approximately $_____ gross per month, and has reasonable monthly expenses of $_____ for (☐ himself / ☐ herself) and the minor children.

☐ 10. (☐ Petitioner / ☐ Respondent) has shown a need for child support in the amount of $_____ per _____ and (☐ Petitioner / ☐ Respondent) has the ability to make these payments.

☐ 11. (☐ Petitioner / ☐ Respondent) has shown a need for temporary financial support in the amount of $_____ per _____ and (☐ Petitioner / ☐ Respondent) has the ability to make those payments.

☐ 12. (☐ Petitioner / ☐ Respondent) should have the use and possession of the home and furnishings located at _____ in _____, S.C., with (☐ Respondent / ☐ Petitioner) making the mortgage and/or rental payments plus any taxes and/or insurance on the property.

☐ 13. (☐ Petitioner / ☐ Respondent) retained an attorney, $_____ is a reasonable attorney's fee, and (☐ Respondent / ☐ Petitioner) should contribute to this expense.

☐ 14. Other: _____.

IT IS THEREFORE ORDERED THAT: and her children

☒ A. (☒ Respondent / ☐ Petitioner) is temporarily restrained, prohibited and forbidden to abuse, threaten to abuse, or molest, (☒ Petitioner / ☒ Respondent) or engage in any other conduct that would place (☒ Petitioner / ☐ Respondent) in reasonable fear of bodily injury.

☐ B. (☒ Respondent / ☐ Petitioner) is temporarily restrained and prohibited from using, attempting to use, or threatening to use physical force against (☒ Petitioner / ☐ Respondent) that would reasonably be expected to cause bodily injury. and her children

☐ C. (☐ Respondent / ☒ Petitioner) is temporarily restrained, prohibited and forbidden to communicate or attempt to communicate with (☒ Petitioner / ☐ Respondent) in any way or to enter or attempt to enter (☒ Petitioner's / ☐ Respondent's) place of residence, employment, education or the following locations: and her children

☐ D. (☐ Petitioner / ☐ Respondent) is awarded temporary custody of the minor children named _____.

☐ E. (☐ Respondent / ☐ Petitioner) is awarded temporary visitation rights with the minor children as follows: _____.

☐ F. (☐ Respondent / ☐ Petitioner) shall pay the sum of $ _____ each _____ as temporary child support through the clerk of court, plus 5% court costs, making a total payment of $ _____, commencing on _____, and each and every _____ thereafter.

☐ G. (☐ Respondent / ☐ Petitioner) shall pay the sum of $ _____ each _____ as temporary financial support through the clerk of court, plus 5% court costs, making a total payment of $_____, thereafter commencing on _____, and each and every _____ thereafter.

☐ H. The sole, exclusive possession of the residence and furnishings located at the aforementioned address (appearing under number "12" of this order) is awarded to (☐ Petitioner / ☐ Respondent) with (☐ Respondent / Petitioner) making the mortgage and/or rental payments plus any taxes and/or insurance on the property.

☐ I. (☐ Respondent / ☐ Petitioner) is temporarily restrained, prohibited, and forbidden to transfer, encumber, destroy, sell or otherwise dispose of, except in the ordinary course of business, real or personal property jointly owned or leased by the parties or in which (☐ Petitioner / ☐ Respondent) claims an equitable interest including, but not limited to, the following: _____.

☐ J. (Respondent / ☐ Petitioner) shall pay $_____ to the (☐ Petitioner / ☐ Respondent) by _____ (date) as a contribution toward (☐ Petitioner's / ☐ Respondent's) attorney fees.

☒ K. The following law enforcement agencies shall be served with a copy of this Order by the Clerk of Court: _____. Berkeley County Sheriff's dept; North Charleston Police dept; Berkeley County Sheriff dept

☒ L. The law enforcement agencies listed below are directed to assist (☐ Petitioner / ☐ Respondent) as follows:

☐ (1) Accompany (☐ Petitioner / ☐ Respondent) to remove (☐ his / ☐ her) personal property at _____;

☐ (2) Accompany (☐ Petitioner / ☐ Respondent) to assist in placing (☐ his / ☐ her) in possession of the residence, located at _____;

☐ (3) Other: _____.

RESPONSIBLE LAW ENFORCEMENT AGENCIES: _____.

☐ M. IT IS FURTHER ORDERED, pursuant to S.C. Code Ann. § 63-3-530, that _____.

☐ N. Federal Firearms Prohibition, pursuant to 18 U.S.C § 922.

1. Does this Order protect an intimate partner, a child of an intimate partner, or a child of the Respondent? ☐ YES ☐ NO
2. Did the person restrained have actual notice and an opportunity to participate in the hearing? ☑ YES ☐ NO
3. Does the Order find the restrained person a credible threat or explicitly prohibit the use, attempted use, or use, or threatened use of physical force? ☑ YES ☐ NO

THE PROVISIONS OF THIS ORDER SHALL EXPIRE ON Aug 2 2012 (a date which is not less than 6 months and does not exceed 12 months from the date of this Order) UNLESS OTHERWISE PROVIDED BY S.C. CODE ANN. §20-4-70.

VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE PUNISHABLE BY NOT MORE THAN THIRTY DAYS IN JAIL AND A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS OR MAY CONSTITUTE CONTEMPT OF COURT PUNISHABLE BY UP TO ONE YEAR IN JAIL AND/OR A FINE NOT TO EXCEED FIFTEEN HUNDRED DOLLARS.

PURSUANT TO § 16-25-125 OF THE SOUTH CAROLINA CODE OF LAWS, IT IS UNLAWFUL FOR A PERSON WHO HAS BEEN CHARGED WITH OR CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, WHO IS SUBJECT TO AN ORDER OF PROTECTION, OR WHO IS SUBJECT TO A RESTRAINING ORDER, TO ENTER OR REMAIN UPON THE GROUNDS OR STRUCTURE OF A DOMESTIC VIOLENCE SHELTER IN WHICH THE PERSON'S HOUSEHOLD MEMBER RESIDES OR THE DOMESTIC VIOLENCE SHELTER'S ADMINISTRATIVE OFFICES. A PERSON WHO VIOLATES THIS PROVISION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN THREE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN THREE YEARS, OR BOTH. IF THE PERSON IS IN POSSESSION OF A DANGEROUS WEAPON AT THE TIME OF THE VIOLATION, THE PERSON IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN FIVE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN FIVE YEARS, OR BOTH.

AND IT IS SO ORDERED.

3/2/11 Date
MONCKS CORNER, SC

Robert K. DeHart
FAMILY COURT JUDGE

COPY GIVEN TO PETITIONER BY _____ (initials)

COPY GIVEN TO RESPONDENT BY _____ (initials)

RESPONDENT'S HOME ADDRESS: _____

RESPONDENT'S PLACE OF EMPLOYMENT: _____

Information which may be of assistance to law enforcement in identifying the respondent: _____

ATTACH PHOTOSTATIC COPY OF RESPONDENT'S DRIVERS LICENSE, IF AVAILABLE.

DOMESTIC ABUSES/EMERGENCIES

JUDGE: Judy McMahon
DATE: August 2, 2011

TIME: 11:30 CASE NO: 2011-DR-08-1439 D/A

CASE NAME: Jennifer Bowzard vs James Sanders
Check the Jail

ATTORNEYS:

DISPOSITION:

TIME: CASE NO:

CASE NAME:

ATTORNEYS:

DISPOSITION:

TIME: CASE NO:

CASE NAME:

ATTORNEYS:

DISPOSITION:

TIME: CASE NO:

CASE NAME:

ATTORNEYS:

DISPOSITION:

Hill-Finklea Detention Center
Berkeley County
Booking Report

Booking #: 2011-003882 **Date: 07/26/2011 Time: 22:21**

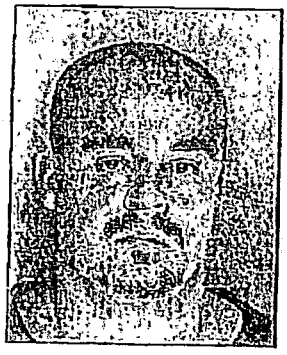
Name: SANDERS, JAMES ALAN

Sex: M **Race:** W **Ethnicity:** NON-HISPANIC **DOB:** 06/19/1972 **Age:** 39 **COB:** SOUTH CAROLINA
Address: 1254, CYPRESS CAMPGROUND RD,RIDGEVILLE, SC, 29472
Phones: 8039711873, Pager: 11072611
Details: **Height:** 5' 7" **Weight:** 180 lbs **Build:** NORMAL **Hair Color:** BROWN **Hair Style:** SHORT **Facial Hair:** GOATEE **Eye Color:** BROWN **Complexion:** LIGHT **Glasses/Contacts:** N
Identifiers: **DL:** 008983101 **ST:** SC **SSN:** 251213316
Arrested By: ARRINGTON,BCSO
Booked By: SPORTS
Detained Time: 07/26/2011 21:19
Warrant: **Count:** 0

Charges:

Time: 06/26/2011 22:22 **Offense:** CDVHAN **Penal Code:** 201107031724 **Ref:** M333997 **Issued By:** ARRINGTON,BCSO
Court $40,000.00 SURETY
Bond: SURETY $40000.00
Remarks: $40,000.00 SURETY
Time: 07/26/2011 22:23 **Offense:** FAILURE TO STOP FOR A BLUE LIGHT **Penal Code:** 201107031724 **Ref:** 27844FQ **Issued By:** ARRINGTON,BCSO
Court $2500.00 SURETY
Bond: SURETY $2500.00
Remarks: $2500.00 SURETY
Time: 07/26/2011 11:58 **Offense:** HOLD FOR NCPD
Time: 07/26/2011 11:59 **Offense:** EVADING ARREST **Penal Code:** 201107031724 **Ref:** 27846FQ **Issued By:** ARRINGTON,BCSO
Court $1092.50 SURETY/CD 09/14/2011 @ 1500
Bond: SURETY $1092.50
Remarks: $1092.50 SURETY/CD 09/14/2011 @ 1500

Photos:



Type: FACE
Entered By: JVC BOOKING
Time: 07/26/2011 22:47

LEMS Web Messages

Menu - Refresh Screen

Check messages (3) below for: BRKSL406

	Date	Title
☐	July 28, 2011 at 10:16:10	QWA 000692E359 from NC2K
☐	July 28, 2011 at 10:16:05	ICHR 003FAC60EA from SCCH
☐	July 28, 2011 at 10:16:04	ICHR 003FAC60E9 from SCCH

Check All ⊖ Delete All Checked Messages ◉ Print All Checked Messages Submit

QWA 000692E359 from NC2K - July 28, 2011 at 10:16:10

```
BRKSL406
.QWA.000692E359.NC2K.20110728 10:16:10
  TO: BRKSL406-34763     20110728 10:16:10  000692E359
FROM:     NC2K-9626457   20110728 10:16:10
1L012CBB003BAF2QWA
SC0080015A

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
WARNING - A DETAINER HAS BEEN FILED FOR THE SUBJECT OF THIS RECORD.
PLEASE CONTACT ORI TO OBTAIN ADDITIONAL INFORMATION.
MKE/DETAINED WANTED PERSON
B - LIMITED EXTRADITION SEE MIS FIELD
CRI/SC0100800 NAM/SANDERS, JAMES ALLEN JR SEX/M RAC/W POB/SC DOB/19720619
HGT/508 WGT/200 EYE/BRO HAI/BRO FBI/406764MA9
FPC/P016132220DI15171717 SOC/251213316
OLN/0008983101 OLS/SC OLY/2021
OFF/SIMPLE ASSLT
DCW/20110725 OCA/2011026443N
WNO/M726579
MIS/WILL EXTRADITE SOUTH CAROLINA ONLY ARREST WARRANT FOR CRIMINAL DOMESTIC
MIS/VIOLENCE   OPR863
DNA/N
ORI IS NORTH CHARLESTON PD 843 745-1015
DOB/19620619
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/251213116
SOC/251213166
LOCATED/20110726 SC0080002 EXTR
DOD/20110726 DNO/2011026443N IRI/SC0080002
NIC/W533192235 DTE/20110726 0839 EDT DLU/20110726 2249 EDT
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI
```

LEMS.Web

YR 0008E5CCAE from NLETS

BRKDC400
.YR.0008E5CCAE.NLETS.20110726 22:33:46
TO: BRKDC400-89506 20110726 22:33:46 0008E5CCAE
FROM: NLETS-15060142 20110726 22:33:46
YR.SC0100800
19:32 07/26/2011 84506
19:32 07/26/2011 24508 SC0080002
TXT
****HIT CONFIRMATION RESPONSE****
THE RECORD BELOW:IS CONFIRMED
OCA/20110264443N.NIC/W533192235.
*** WANTED PERSON ***

NAM/SANDERS, JAMES ALLEN JR.
DOB/19720619.SEX/M.
NAME OF CONFIRMER: ALDRIDGE,T
CONFIRMING AGENCY: NORTH CHARLESTON PD
PHONE: (843)740-2801
REMARKS: WARRANT ACTIVE PLACE HOLD SEND LOCATE WILL PLACE A DETAINER

LEMS.Web

QWA 0006924FBF from NC2K

BRKDC400
.QWA.0006924FBF.NC2K.20110726 22:20:19
TO: BRKDC400-89505 20110726 22:20:19 0006924FBF
FROM: NC2K-9588671 20110726 22:20:19
1L01167B00D7302QWA
SC0080002

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
MKE/WANTED PERSON
B - LIMITED EXTRADITION SEE MIS FIELD
ORI/SC0100800 NAM/SANDERS, JAMES ALLEN JR SEX/M RAC/W POB/SC DOB/19720619
HGT/508 WGT/200 EYE/BRO HAI/BRO FBI/406764MA9
FPC/P016132220DI15171717 SOC/251213316
OLN/0008983101 OLS/SC OLY/2021
OFF/SIMPLE ASSLT
DOW/20110725 OCA/2011026443N
WNO/M726579
MIS/WILL EXTRADITE SOUTH CAROLINA ONLY ARREST WARRANT FOR CRIMINAL DOMESTIC
MIS/VIOLENCE OPR863
DNA/N
ORI IS NORTH CHARLESTON PD 843 745-1015
DOB/19620619
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/251213116
SOC/251213166
NIC/W533192235 DTE/20110726 0839 EDT DLU/20110726 0844 EDT
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

HILL-FINKLEA DETENTION CENTER

REQUEST FOR INMATE HOLD

HOLD IS ONLY VALID FOR 24 HOURS. IF WARRANT IS NOT SERVED WITHIN 24 HOURS, THE HOLD WILL BE REMOVED.

INMATE NAME SANDERS, JAMES

DOB 6-19-72 SSN 251-21-3516

DATE HOLD PLACED 7-26-11 TIME 2207

HOLDING AGENCY/OFFICER NCPD

OFFICER SIGNATURE X

CONTACT NUMBER (S) 745-1015

CHARGE(S) CDV

HFDC OFFICER (PRINT) D. SPORTS SIGN

DATE HOLD RELEASED 8-2-11 TIME 13:50

RELEASING OFFICER (PRINT) D. Thornton SIGN

REASON picked up

HFDC OFFICER (PRINT) Sgt Collins SIGN Sgt Collins

per LADSON will pick up 8-2-11 Sgt Collins

Berkeley County Sheriff's Office

Victim Services

300 California Avenue
Moncks Corner, SC 29461
Wayne Dewitt, Sheriff

Charleston Area
(843) 723-3800 ext. 4296

Moncks Corner Area
(843) 719-4296

St. Stephen Area
(843) 567-3136 ext. 4296

Monitor must be placed on suspect upon release from The Hill Finklea Detention Center.

Suspect's Name: James Allen Sanders, Jr

Check one of the following:

☐ Satellite Monitor

☑ GPS Monitor 3 ways - ssl ?, police, victim

☐ Electronic Monitor

8-1-11
Put on by
Marty Hauscard

Victim Notification Information
BERKELEY COUNTY SHERIFF'S OFFICE

AGENCY I.D. SC0080000

Victim Information Case # 2011-07031724

PIN: _____

Name of Victim: Jennifer Bozzard

Mailing Address: 2154 Cypress Campground Rd Pineville SC 29468

Telephone #: (H) ~~843-460-4384~~ 305-0255

Relative or Contact Person: Norma Jean Blackwell-Cruz

Mailing Address: 2650 Olympia Ave N. Chs 29405

Telephone #: (H) 843-5543436 793-8483

Suspect Name: James A. Sanders Jr.

In order for Law Enforcement to make a reasonable attempt to contact you of the arrest or detention and of the appropriate bond or other pretrial release hearing or procedure, it is your responsibility to notify the appropriate agency of any change in your address or phone number.

The information given on this form will be provided to the jail, prison, detention or holding facility having physical custody of the defendant. It will also be made available to the prosecuting agency and the Department of Juvenile Justice System, if the defendant is a juvenile.

Court Date Information (if available at time of report)

State vs. James A. Sanders Jr. Warrant #/Ticket # _____

Date and Time: TBA Location: 223 N. Live Oak Dr.

Bond hearings are held at the Hill Finklea Detention Facility Monday through Friday, 8:00 a.m. & 7:00 p.m., Saturday and Sunday, 9:00 a.m. & 7:00 p.m., and Holidays at 9:00 a.m. and 7:00 p.m.

I do ☐ I do not ☐ wish to be contacted when bond is set, anytime day or night.

I do ☐ I do not ☐ wish to be contacted when the defendant is released from jail, anytime day or night.

As a victim of crime I have received a copy of the Victim Notification Form provided to me by the Berkeley County Sheriff's Office and I agree that the victim information is correct.

X _____ 7-26-11
Signature of Person Receiving Information — Date

_____ 7-26-11
Signature of Reporting Officer — Date

Notice of Bond Hearing: The victim was notified of the bond hearing on July 27 *, 20* 11 *at* 1900 *hours.*

_____ In Person
Signature of Notifying Person — *How Notified*

Notice of Defendant's Release: The victim was notified of the defendant's release on bond on _____ *, 20* _____ *at* _____

_____ _____
Signature of Notifying Person — How Notified

STATE OF SOUTH CAROLINA)
) IN SUMMARY COURT
County of Berkeley)
) DISCHARGE
State of South Carolina)

vs.

James Allen Sanders Jr
DEFENDANT(S)

DISCHARGE

By James A Polk, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, James Allen Sanders Jr, having been committed to your custody for the charge of:

Case number	Charge	Trial Court	Bond Type	Amount
M333997	Domestic/ Criminal domestic violenceof a high and aggravated nature	General Sessions	Cash Bond	$40,000.00
			Surety Bond	$40,000.00

has posted bond of type
Surety Bond in the amount of $40,000.00 by Allstar Bonding at 1621 Cedar Ave., Moncks Corner, SC, 29461

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY July 30, 2011

(Seal)
(Judge)
Berkeley County, SC

COMMITMENT

☐ Original Commitment

☐ Additional Charge(s)

TO: Director Berkeley County Detention Center

Date: 7/27/2011

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr (Defendant's name) DOB: 06/19/1972 Race: W Sex:M

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321
(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
M333997	Domestic/ Criminal domestic violenceof a high and aggravated nature	General Sessions	Cash Bond Surety Bond	$40,000.0 $40,000.0

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

ARREST WARRANT

M-333997

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

THE STATE 2011-07031724

against

James Allen Sanders, Jr

Address: 1254 Cypress Campground Rd

Ridgeville, SC 29472-7321

Phone: SSN: 251-21-3316

Sex: M Race: W Height: 5 7 Weight: 189

DL State: SC DL #: 008983101

DOB: 6/19/1972 Agency ORI #: SC0080000

Prosecuting Agency: Berkeley County Sheriff Office

Prosecuting Officer: C. L. Arrington - 0006

Offense: Domestic/ Criminal domestic violenceof a high and aggravated nature

Offense Code: 2988

Code/Ordinance Sec: 16-25-0065

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of _____. The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant James Allen Sanders Jr. on 7/27/11

Signature of Commission/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
300 B California Avenue
PO Box 219
Moncks Corner, SC 29461

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Berkeley)

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2000 SCCA 510

Personally appeared before me the affiant C. L. Arrington who being duly sworn deposes and says that defendant James Allen Sanders, Jr did within this county and state on or about 06/26/2011 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) in the following particulars:

DESCRIPTION OF OFFENSE Domestic/ Criminal domestic violenceof a high and aggravated nature

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on or about 06-26-2011 at 1254 Cypress Campground Road, Ridgeville SC located within the County and State aforesaid the Defendant did commit the offense of Criminal Domestic Violence High and Aggravated Nature in violation of §16-25-65 of the South Carolina Code of Laws 1976, As Amended, in that the Defendant did willfully, maliciously and unlawfully assault his girlfriend. Facts to establish the aforesaid: 1) On 06-26-2011 the Berkeley County Sheriff's Office responded to Trident Hospital in reference to an assault that occurred on Cypress Campground Rd. 2) The victim had lacerations to her foot and nose and a broken nose and eye socket. 3) The victim stated the suspect hit her with a extension pole. 4) The suspect led deputies on a pursuit and admitted to striking the victim after he was arrested. This deputy is witness to prove the same. All against the peace and dignity of this State.

Signature of Affiant

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Berkeley)

Affiant's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-

Affiant's Telephone (843)719-4465

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 6/26/2011 defendant James Allen Sanders, Jr did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) as set forth below:

DESCRIPTION OF OFFENSE: Domestic/ Criminal domestic violenceof a high and aggravated nature

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me)
on 07/27/2011)

Signature of Issuing Judge)
McGregor Tuttle Dennis)
Judge Code: 5598)

Judge's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-3748

Judge's Telephone (843)719-4050

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

ORIGINAL ORIGINAL ORIGINAL

0265

orial Charging Document No.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE General Sessions

You are to have No Contact with the alleged victim or the victim's family, No Exceptions! Any violation will result in your immediate return to jail.

STATE OF SOUTH CAROLINA
v.
Sanders, James Allen Jr
NAME OF DEFENDANT

ORDER SPECIFYING CONDITIONS OF RELEASE

Offense Charged: Domestic/ Criminal domestic violenceof a high and aggravated nature-[M3339971

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on September 09, 2011 at 2:30 o' clock, PM, at General Sessions - 300 B California Avenue/PO Box 219/Moncks Corner, SC 29461 / (843) 719-4400 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐MAGISTRATE COURT ☐MUNICIPAL COURT beginning on _____ at _____ o' clock, M, at _____
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $40,000.00 (CS) or $40,000.00 (SB)

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED
Original Copy For The Trial Court - Copy For The Defendant

STATE OF SOUTH CAROLINA)
) IN E SUMMARY COURT
County of Berkeley)
) DISCHARGE
State of South Carolina)

vs.

James Allen Sanders Jr
DEFENDANT(S)

DISCHARGE

By Rad Stuart Deaton, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, James Allen Sanders Jr, having been committed to your custody for the charge of:

Case number	Charge	Trial Court	Bond Type	Amount
27844FQ	Traffic / Failure to stop for a blue light, no injury or death - 1st offense	General Sessions	Cash Bond	$2,500.00
			Surety Bond	$2,500.00

has posted bond of type
Surety Bond in the amount of $2,500.00 by Allstar Bonding at 1621 Cedar Ave., Moncks Corner, SC, 29461

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY July 30, 2011

(Seal)
(Judge)
Berkeley County, SC

COMMITMENT

☒ Original Commitment
☐ Additional Charge(s)

TO: Director Berkeley County Detention Center

Date: 7/27/2011

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr
(Defendant's name)
1254 Cypress Campground Rd
Ridgeville, SC 29472-7321
(Address)

DOB: 06/19/1972 Race: W Sex:M

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
27844FQ	Traffic / Failure to stop for a blue light, no injury or death - 1st offense	General Sessions	Cash Bond Surety Bond	$2,500.0 $2,500.0

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

Trial Charging Document No.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE General Sessions

STATE OF SOUTH CAROLINA
v.
Sanders, James Allen Jr
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Offense Charged: Traffic / Failure to stop for a blue light, no injury or death - 1st offense-(27844FQ)

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☑ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on September 09, 2011 at 2:30 o' clock, PM, at General Sessions - 300 B California Avenue/PO Box 219/Moncks Corner, SC 29461 / (843) 719-4400 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o' clock, M. at _____
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $2,500.00 (CS) or $2,500.00 (SB)

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

7/27/11
DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED
Original Copy For The Trial Court - Copy For The Defendant

STATE OF SOUTH CAROLINA)
) IN SUMMARY COURT
County of Berkeley)
)
State of South Carolina) DISCHARGE

vs.

James Allen Sanders Jr
DEFENDANT(S)

DISCHARGE

By Rad Stuart Deaton, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, James Allen Sanders Jr, having been committed to your custody for the charge of:

Case number	Charge	Trial Court	Bond Type	Amount
27846FQ	County / Evading Arrest	Central Criminal/Traffic	Cash Bond	$1,092.50
			Surety Bond	$1,092.50

has posted bond of type
Surety Bond in the amount of $1,092.50 by Allstar Bonding at 1621 Cedar Ave., Moncks Corner, SC, 29461

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY July 30, 2011

(Seal)
(Judge)
Berkeley County, SC

COMMITMENT

☒ Original Commitment

☐ Additional Charge(s)

TO: Director Berkeley County Detention Center

Date: 7/27/2011

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr
(Defendant's name)

DOB: 06/19/1972 Race: W Sex: M

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321
(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
27846FQ	County / Evading Arrest	Central Criminal/Traffic	Cash Bond Surety Bond	$1,092.5 $1,092.5

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ Berkeley County, SC

UNIFORM TRAFFIC TICKET

CITY OR COUNTY OF Berkeley — VERSUS

FIRST NAME	MIDDLE NAME	LAST NAME
James	Allen	Sanders JR.

STREET AND NO. 2154 Cypress Garden Rd. CITY Simpsonville STATE SC ZIP CODE 29483

STATE LICENSED	DRIVER'S LICENSE NO.	CDL	DRL LIC. CLASS
SC	00893101	☐ YES ☒ NO	D

VEH. LIC. NO.	STATE	MAKE OF VEH	YEAR	COM VEH	AUTO	SEMI VEH	COMB.
T19152	SC	Ford	84	HAZ. MT.	MOPED	MTRCYCL	OTHER

YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL COURT

NAME OF TRIAL COURT: TBA — STREET AND NO.: 223 N. Live Oak Dr.

DATE OF TRIAL: TBA — TIME OF TRIAL: — CITY: Moncks Corner STATE: SC ZIP CODE: 29461

VIOLATION - COURT APPEARANCE REQUIRED: YES ☐ NO ☐ — VIOLATION SECTION NO.: 56-5-750

Failure to stop for Blue Light

OWNER OF VEHICLE: Same — DATE OF ARREST: 07 / 26 / 11

ADDRESS OF OWNER: Same — DATE OF VIOLATION: 07 / 26 / 11

BAIL DEPOSITED: Jail — NAME OF ARRESTING OFFICER: J. Litchfield — RANK: Pfc

DESCRIPTION OF ACCUSED

RACE	SEX	BIRTH DATE	HT.	WGT.	HAIR	EYES
W	M	06/19/1972	5'07"	180	BRO	BRO

COUNTY: Berkeley — NUMBER: 3

DATE BAIL REC'D. / BY — BADGE: C-131 — TROOP: 6

CASE BEFORE: MAGISTRATE ☐ MUN. COURT ☐ CIRCUIT COURT ☐ FAMILY COURT ☐ FEDERAL COURT ☐

NAME OF TRIAL COURT IF DIFFERENT FROM ABOVE.

DAY	S	M	T	W	T	F	S
	1	2	3	4	5	6	7

TIME OF VIOLATION: 2119 A.M.-1 P.M.-2 — WEATHER: CLR

DISTANCE IN FEET FROM INTERSECTION OF: Poplar Grove Place AND Hwy 78

DEFENDANT: DID NOT APPEAR ☐ APPEARED ☐

DISPOSITION: NOLLE PROSSED ☐ GUILTY ☐ FORFEITED BOND ☐ PLED: NOLO CONTENDERE ☐

MILES: N 1 E 2 S 3 W 4 — HWY NO. — CITY: Summerville

TRIAL BY: TRIAL JUDGE ☐ JURY ☐

VERDICT OF TRIAL IF ANY: GUILTY ☐ NOT GUILTY ☐ — DATE OF TRIAL IF ANY: / / 20

JAIL	SUSPEND	FINE	AMT. COLLECTED	AMT. SUSPENDED

Lat: ° — Long: ° — OFFENSE CODE: 30 — R.A. LEVEL:

COMMITTED TO: — Vehicle Searched — Arrest as Result of Collision

CERTIFIED CORRECT — DATE: / / 20

27844 FQ

TRIAL COURT COPY

DOCKET NO. 2011-07031724

UNIFORM TRAFFIC TICKET

CITY OF Berkeley — VERSUS

FIRST NAME	MIDDLE NAME	LAST NAME
James	Allen	Sanders JR.

STREET AND NO. 2154 Cypress Garden Rd. CITY Simpsonville STATE SC ZIP CODE 29483

STATE LICENSED	DRIVER'S LICENSE NO.	CDL	DRL LIC. CLASS
SC	00893101	☐ YES ☐ NO	D

VEH. LIC. NO.	STATE	MAKE OF VEH	YEAR	COM VEH	AUTO	SEMI VEH	COMB.
T19152	SC	Ford	84	HAZ. MT.	MOPED	MTRCYCL	OTHER

YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL COURT

NAME OF TRIAL COURT: Mush. Judge — STREET AND NO.: 223 N. Live Oak Dr.

DATE OF TRIAL: 09/14/11 — TIME OF TRIAL: 3:00 PM — CITY: Moncks Corner STATE: SC ZIP CODE: 29461

VIOLATION - COURT APPEARANCE REQUIRED: YES ☐ NO ☐ — VIOLATION SECTION NO.: C/O 32

Evading Arrest

OWNER OF VEHICLE: Same — DATE OF ARREST: 07 / 26 / 11

ADDRESS OF OWNER: Same — DATE OF VIOLATION: 07 / 26 / 11

BAIL DEPOSITED: Jail — NAME OF ARRESTING OFFICER: J. Litchfield — RANK: Pfc

DESCRIPTION OF ACCUSED

RACE	SEX	BIRTH DATE	HT.	WGT.	HAIR	EYES
W	M	06/19/1972	5'07"	180	BRO	BRO

COUNTY: Berkeley — NUMBER: 3

DATE BAIL REC'D. / BY — BADGE: C-131 — TROOP: 6

CASE BEFORE: MAGISTRATE ☐ MUN. COURT ☐ CIRCUIT COURT ☐ FAMILY COURT ☐ FEDERAL COURT ☐

NAME OF TRIAL COURT IF DIFFERENT FROM ABOVE.

DAY	S	M	T	W	T	F	S
	1	2	3	4	5	6	7

TIME OF VIOLATION: 2119 A.M.-1 P.M.-2 — WEATHER: CLR

DISTANCE IN FEET FROM INTERSECTION OF: Poplar Grove Place AND Hwy 78

DEFENDANT: DID NOT APPEAR ☐ APPEARED ☐

DISPOSITION: NOLLE PROSSED ☐ GUILTY ☐ FORFEITED BOND ☐ PLED: NOLO CONTENDERE ☐

MILES: N 1 E 2 S 3 W 4 — HWY NO. — CITY: Summerville

TRIAL BY: TRIAL JUDGE ☐ JURY ☐

VERDICT OF TRIAL IF ANY: GUILTY ☐ NOT GUILTY ☐ — DATE OF TRIAL IF ANY: / / 20

JAIL	SUSPEND	FINE	AMT. COLLECTED	AMT. SUSPENDED

Lat: ° — Long: ° — OFFENSE CODE: 44 — R.A. LEVEL:

COMMITTED TO: — Vehicle Searched — Arrest as Result of Collision

CERTIFIED CORRECT — DATE: / / 20

27846 FQ

TRIAL COURT COPY

$1,092.50

_____ _____
Initial Charging Document No.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE Central Criminal/Traffic

STATE OF SOUTH CAROLINA
v.
Sanders, James Allen Jr
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Offense Charged: County / Evading Arrest-I27846FQ1

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☑ The release of the defendant on recognizance will not reasonably assure his appearance as required.

☑ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☐ the term of COURT OF GENERAL SESSIONS beginning on _____ at _____ o' clock, M, at _____ and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☒ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on September 14, 2011 at 3:00 o' clock, PM, at Central Criminal/Traffic - 223 N. Live Oak Drive/P O. Box 6122/Moncks Corner, SC 29461 / (843) 719-4050 If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $1,092.50 (CS) or $1,092.50 (SB)

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

7/27/11
DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED
Original Copy For The Trial Court - Copy For The Defendant

NCIC: ✓ Clear ___ Hit (KD) Operator IN-HOUSE: ✓ Clear ___ Hit Erica Operator

Sanders James Alan
NAME (Last) (First) (Middle) Cell #

251-21-3316 06-10-72 W M
SSN DOB RACE GENDER

BCSO Ric Antwine
AGENCY PHONE # SERVED
Cleared by

HILL-FINKLEA DETENTION CENTER

REQUEST FOR INMATE HOLD

HOLD IS ONLY VALID FOR 24 HOURS. IF WARRANT IS NOT SERVED WITHIN 24 HOURS, THE HOLD WILL BE REMOVED.

INMATE NAME SANDERS, JAMES

DOB 6-19-72 SSN 251-21-3316

DATE HOLD PLACED 7-26-11 TIME 2205

HOLDING AGENCY/OFFICER BCSO / ARLINGTON

OFFICER SIGNATURE [signature]

CONTACT NUMBER (S) 719-4505

CHARGE(S) CDV HRN

HFDC OFFICER (PRINT) D. SOORIS SIGN [signature]

DATE HOLD RELEASED 7/27/11 TIME 1440

RELEASING OFFICER (PRINT) L. Shayne Mayes SIGN [signature]

REASON Warrant Served

HFDC OFFICER (PRINT) Sgt Collier SIGN Sgt Collier

AGENCY I.D. SCO | DATE/TIME OF ARREST 7-26-11 2119

BOOKING REPORT

CASE NUMBER 11 G 7 0 5 1 7 2 4

PERSONAL DATA

DEFENDANT NAME (LAST, FIRST, MIDDLE)	RACE	SEX	DATE OF BIRTH	DOCKET NUMBER
[illegible]	[illegible]	M	[illegible]	

AGE	ETH.	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	NCIC	I.D. NUMBER
[illegible]	N	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	N/A		

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT	PHONE NUMBER
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

ALIAS	PLACE OF BIRTH	DRIVERS LICENSE NUMBER	STATE
N/A	[illegible]	[illegible]	[illegible]

EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (CITY AND STATE)
[illegible]	[illegible]	[illegible]

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

ARRESTEE ARMED ☐ YES ☐ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☑ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY

JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY J-This Jurisdiction. S-State. O-Out of State. U-Unknown.

ADDITIONAL CASE NUMBERS | MORE IN REMARKS ☐

BOND/CHARGE/DISPOSITION

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A,B,C

	A	B	C
CHARGE I.D.			
CHARGE	CONTEMPT	Failure to Obey Lawful	Evading Arrest C/O
STATURE	16-25-105	56-5-750	
BOND AMOUNT			
BOND TYPE			
RET. DATE			
DISPOSITION			

	A DAYS	A AMOUNT	B DAYS	B AMOUNT	C DAYS	C AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						

RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X _____ LIST ANY REMARKS BELOW

REMARKS: 11-3882

DEFENDANT'S PERSONAL PROPERTY RECEIPT | TOTAL CASH AT TIME OF ARREST → $

QUANTITY	ITEM	QUANTITY	ITEM
1	WATCH		
2	KEYS		
	DC ID		

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ _____
DEFENDANT'S SIGNATURE AT TIME OF ARREST — OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ _____

Hill-Finklea Detention Center Inmate Check-In/Check-Out List

Date 7-2-11 Pin # 17 Time 1605 Inmate Name Sanders James S

Photo ___ Fingerprints Taken: ✓ Yes ___ No If Not, Why ?_____

Currency $ 508.99 I/M Initial ✓ Cell Assigned: 1 2 3 Other _____

**AFTER RELEASE, MONIES WILL BE SENT TO THE MAILING ADDRESS GIVEN AT TIME OF BOOKING. INITIAL IF ADDRESS IS CORRECT. I/M INITAILS _____

**NOTE: POSTAGE WILL BE DEDUCTED FROM YOUR ACCOUNT FOR MAILING COSTS.

Jewelery Yes ___ No ✓ I/M Inital ✓ CO _____

Property Bag ✓ Yes ___ No Property Placed in Laundry ___ Yes ✓ No C/O _____

NCIC Check: ___ Hit ___ Clear By Operator: _____/____ Hit for Agency (s)_____

In-House Check: ___ Hit ___ Clear By Operator: _____/BCSO Hit for Agency (s)_____

All phone calls in the HFDC are recorded at all times. Inmate rules will be received at dress-out.

Inmate Signature _____

Booking Officer Signature _____ Shift Supervisor_____

Inmate Check-Out List

Transported To:_____

Date 7-3-11 Time 2040 Releasing Judge/Offical: PBLK

Clothing Received Initial: — Property Received Initial: ✓

Money Received Initial: — Jewelery Received Initial: ___ Medicine Received Initial: —

List any property not received at time of release _____

**When transported to SCDC, you have 7 days for someone to pick up your personal property. After 7 days all property will be disposed of. Pick up medications Monday thru Friday between 10:00 and 3:00, except for holidays. **

Victim Notified: BY PHONE OF RELEASE

Date 7-3-11

Inmate Signature: X _____

Releasing Officer: _____ Supervisor Signature: CPL GASKINS

Over 30 days

NCIC Check: ___ Hit ___ Clear Operator Initial: ___ In-House Check: ___ Hit ___ Clear

Agency ___ Operator _____

Used 07 1710

INMATE DATA SHEET

AGENCY ID	DATE OF ARREST	CASE NUMBER
2011003398		2011070279153

PERSONAL DATA

DEFENDENT RAW LAST, FIRST, MIDDLE:	RACE	SEX	DATE OF BIRTH	PHONE NUMBER
SANDERS, JAMES ALAN	W	M	06-19-1972	

ETH	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	FIN NUMBER
	5'07"	180	BROWN	BROWN	251213316		

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT
1254 CYPRESS CAMPGROUND RD RI	RIDGEVILLE	SO	29472	

ALIAS	PLACE OF BIRTH	DRIVER'S LICENSE NUMBER	STATE
	SOUTH CAROLINA		

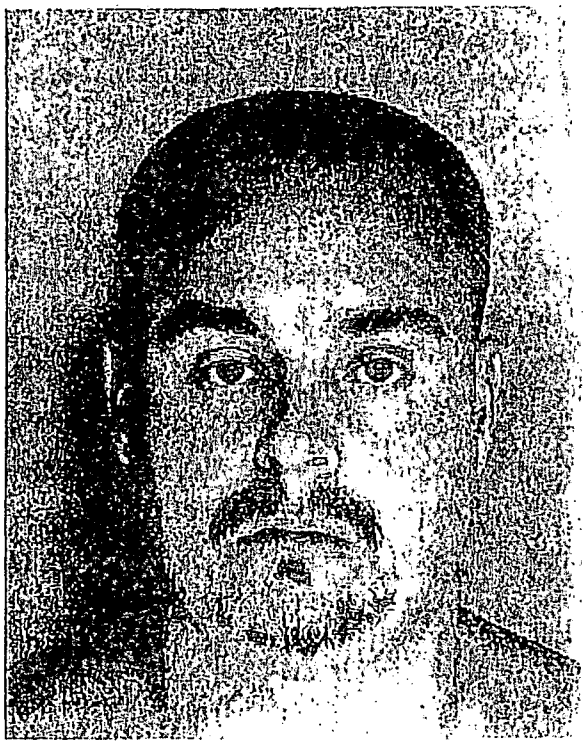
EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (STREET AND CITY)

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER
DAAB-BCSO				

TOTAL CASH AT TIME OF ARREST:

CHARGES

CHARGE ID	A	B	C
CHARGES	CRIMINAL DOMESTIC VIOLENCE 1ST OFFENSE		
STATUTE	16-25-20(A)		
CHARGE ID	D	E	F
CHARGES			
STATUTE			





COMMENTS:	PHOTO DATE:	AGE AT PHOTO:
	07-02-2011	39
	RECEIVING OFFICER:	
	X RECEIVING OFFICER'S SIGNATURE	
	X	

Victim Notification Information
BERKELEY COUNTY SHERIFF'S OFFICE

AGENCY I.D. SC0080000

Victim Information

Case # _____
PIN: _____

Name of Victim: _____

Mailing Address: _____

Telephone #: (H) _____

Relative or Contact Person: _____

Mailing Address: _____

Telephone #: (H) _____

Suspect Name: _____

In order for Law Enforcement to make a reasonable attempt to contact you of the arrest or detention and of the appropriate bond or other pretrial release hearing or procedure, it is your responsibility to notify the appropriate agency of any change in your address or phone number.

The information given on this form will be provided to the jail, prison, detention or holding facility having physical custody of the defendant. It will also be made available to the prosecuting agency and the Department of Juvenile Justice System, if the defendant is a juvenile.

Court Date Information (if available at time of report)

State vs. _____ Warrant #/Ticket # _____

Date and Time: _____ Location: _____

Bond hearings are held at the Berkeley County Detention Facility Monday through Friday, 8:00 a.m. & 6:30 p.m., Saturday and Sunday, 9:00 a.m. & 6:30 p.m., and Holidays at 9:00 a.m. and 6:30 p.m.

I do ☐ I do not ☐ wish to be contacted when bond is set, anytime day or night.

I do ☐ I do not ☐ wish to be contacted when the defendant is released from jail, anytime day or night.

As a victim of crime I have received a copy of the Victim Notification Form provided to me by the Berkeley County Sheriff's Office and I agree that the victim information is correct.

_____ _____
Signature of Person Receiving Information — Date

_____ _____
Signature of Reporting Officer — Date

Notice of Bond Hearing: The victim was notified of the bond hearing on _____, 20__ *at* _____ *hours.*

_____ _____
Signature of Notifying Person — *How Notified*

Notice of Defendant's Release: The victim was notified of the defendant's release on bond on _____, 20___ *at* _____

_____ _____
Signature of Notifying Person — How Notified

Victim Notification Information
BERKELEY COUNTY SHERIFF'S OFFICE

AGENCY I.D. SC0080000

Victim Information

Case # [illegible]

PIN: _____

Name of Victim: [illegible]

Mailing Address: [illegible]

Telephone #: (H) [illegible]

Relative or Contact Person: [illegible]

Mailing Address: [illegible]

Telephone #: (H) [illegible]

Suspect Name: [illegible]

In order for Law Enforcement to make a reasonable attempt to contact you of the arrest or detention and of the appropriate bond or other pretrial release hearing or procedure, it is your responsibility to notify the appropriate agency of any change in your address or phone number.

The information given on this form will be provided to the jail, prison, detention or holding facility having physical custody of the defendant. It will also be made available to the prosecuting agency and the Department of Juvenile Justice System, if the defendant is a juvenile.

Court Date Information (if available at time of report)

State vs. [illegible] Warrant #/Ticket # [illegible]

Date and Time: [illegible] Location: [illegible]

Bond hearings are held at the Hill Finklea Detention Facility Monday through Friday, 8:00 a.m. & 7:00 p.m., Saturday and Sunday, 9:00 a.m. & 7:00 p.m., and Holidays at 9:00 a.m. and 7:00 p.m.

I do ☐ I do not ☐ wish to be contacted when bond is set, anytime day or night.

I do ☐ I do not ☐ wish to be contacted when the defendant is released from jail, anytime day or night.

As a victim of crime I have received a copy of the Victim Notification Form provided to me by the Berkeley County Sheriff's Office and I agree that the victim information is correct.

[illegible] [illegible]
Signature of Person Receiving Information — Date

[illegible] [illegible]
Signature of Reporting Officer — Date

Notice of Bond Hearing: The victim was notified of the bond hearing on [illegible], 20[illegible] *at* [illegible] *hours.*

[illegible] [illegible]
Signature of Notifying Person — *How Notified*

Notice of Defendant's Release: The victim was notified of the defendant's release on bond on _____, 20____ *at* _____

_____ _____
Signature of Notifying Person — How Notific

STATE OF SOUTH CARO[illegible]IA)
) IN [illegible] SUMMARY COURT
County of Berkeley)
) DISCHARGE

State of South Carolina

vs.

James Allen Sanders Jr
DEFENDANT(S) DISCHARGE

By James A Polk, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, James Allen Sanders Jr, having been committed to your custody for the charge of:

Case number	Charge	Trial Court	Bond Type	Amount
68817FC	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Cash Bond	$5,242.50
			Surety Bond	$5,242.50
M325747	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Cash Bond	$5,242.50
			Surety Bond	$5,242.50

has posted bond of type
Surety Bond in the amount of $10,485.00 by Allstar Bonding at 1621 Cedar Ave., Moncks Corner, SC, 29461

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY July 03, 2011 (Seal)

(Judge)

Berkeley County, SC

0281

COMMITMENT

☑ Original Commitment
☐ Additional Charge(s)

Date: 7/3/2011

TO: Director Berkeley County Detention Center

You are hereby commanded by this Court to hold in your custody,

James Allen Sanders Jr (Defendant's name) DOB: 06/19/1972 Race: W Sex: M

1254 Cypress Campground Rd
Ridgeville, SC 29472-7321
(Address)

Bonding Company:

Case number	Charge	Trial Court	Bond Type	Amount
68817FC	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Cash Bond Surety Bond	$5,242.5 $5,242.5
M325747	Domestic / Criminal Domestic Violence - 1st offense	Central Criminal/Traffic	Cash Bond Surety Bond	$5,242.5 $5,242.5

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge _____ _____ Berkeley County, SC

Criminal Charging Document No.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE Central Criminal/Traffic

STATE OF SOUTH CAROLINA
v.
Sanders, James Alleu Jr
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Offense Charged: Domestic / Criminal Domestic Violence - 1st offense-I6B817FC, M3257471

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☐ the term of COURT OF GENERAL SESSIONS beginning on _____ at _____ o' clock, M, at _____ and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☒ the session of ☑ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on August 15, 2011 at 9:00 o' clock, AM, at Central Criminal/Traffic - 223 N. Live Oak Drive/P.O. Box 6122/Moncks Corner, SC 29461 / (843) 719-4050. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $10,485.00 (CS) or $10,485.00 (SB)

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED
Original Copy For The Trial Court - Copy For The Defendant

UNIFORM TRAFFIC TICKET

CITY OR [illegible] OF — VERSUS

FIRST NAME: James | MIDDLE NAME: Alan | LAST NAME: Sanders

STREET AND NO.: 1254 Cypress Campground Rd | CITY: Lebanon | STATE: SC | ZIP CODE: 29474

STATE LICENSED | DRIVER'S LICENSE NO. | CDL ☐ YES ☐ NO | DRI. LIC. CLASS

VEH. LIC. NO. | STATE | MAKE OF VEH | YEAR | COMM. VEH | AUTO | PASS. VEH | COMB.
HAZ. MT. | MOPED | MTRCYCL | OTHER

YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL OFFICER

NAME OF TRIAL OFFICER: Duty | STREET AND NO.: 223 N. Live Oak Dr. | CITY: Moncks Corner | STATE: SC | ZIP CODE: 29461

DATE OF TRIAL: 07/18/2011 | TIME OF TRIAL: 0900

VIOLATION - COURT APPEARANCE REQUIRED YES NO: Criminal Domestic Violence | VIOLATION SECTION NO.: 16-25-20

OWNER OF VEHICLE: n/a | DATE OF ARREST: 07/02/2011

ADDRESS OF OWNER: n/a | DATE OF VIOLATION: 07/02/2011

BAIL DEPOSITED: jail | NAME OF ARRESTING OFFICER: T. Harding | RANK: Cpl

DESCRIPTION OF ACCUSED

RACE	SEX	BIRTH DATE	HT.	HAIR	WT	EYES
W	M	[illegible]	6'0	Bld	150	Brn

DATE BAIL REC'D. | BY

COUNTY: Berkeley | NUMBER: 8

BADGE: 121 | DISTRICT: 16

DOCKET NO.

DAY	S 1	M 2	T 3	W 4	T 5	F 6	S 7

CASE BEFORE: MAGISTRATE ☐ MUN. COURT ☐ CIRCUIT COURT ☐ FAMILY COURT ☐ FEDERAL COURT ☐

TIME OF VIOLATION: 1413 A.M.-1 P.M.-2 | WEATHER: Clr

NAME OF TRIAL OFFICER IF DIFFERENT FROM ABOVE:

DISTANCE IN FEET FROM INTERSECTION OF: Cypress Campground Rd AND: Red Blossom Ln

DEFENDANT: DID NOT APPEAR ☐ APPEARED ☐

DISPOSITION

NOLLE PROSSED ☐ | GUILTY ☐
FORFEITED BOND ☐ | PLED: NOLO CONTENDERE ☐

MILES | N 1 | E 2 | S 3 | W 4

HWY NO. | CITY

TRIAL BY: TRIAL OFFICER ☐ JURY ☐

VERDICT OF TRIAL IF ANY: GUILTY ☐ NOT GUILTY ☐ | DATE OF TRIAL IF ANY: [illegible] 20

Lat

Long

JAIL	SUSPEND	FINE	AMT. COLLECTED	AMT. SUSPENDED

COMMITTED TO: | Vehicle Searched | Arrest as Result of Collision

OFFENSE CODE | B.A. LEVEL

CERTIFIED CORRECT | DATE [illegible] 20

68817FC

TRIAL OFFICER'S COPY

ARREST WARRANT

M-325747

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

THE STATE 201107027902

against

James Allen Sanders, Jr

Address: 1254 Cypress Campground Rd

Ridgeville, SC 29472-7321

Phone: (843)714-8038 SSN: 251-21-3316

Sex: M Race: W Height: 5 7 Weight: 189

DL State: SC DL #: 008983101

DOB. 6/19/1972 Agency ORI #: SC0080000

Prosecuting Agency: Berkeley County Sheriff Office

Prosecuting Officer: T M. Antwine - 0004

Offense: Domestic / Criminal Domestic Violence - 1st offense

Offense Code: 2671

Code/Ordinance Sec: 16-25-0020 (A)

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of . The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant James Allen Sanders, Jr on 7-2-2011

Tmw 1C170

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Central Criminal/Traffic
223 N. Live Oak Drive
P.O. Box 6122
Moncks Corner, SC 29461

0285

AUDIT COPY AUDIT COPY AUDIT COPY AUDIT COPY

AFFIDAVIT

AUDIT COPY

Form Approved by S.C. Attorney General April 21 2003 SCCA 510

STATE OF SOUTH CAROLINA)

[X] County/ [ ] Municipality of)

Berkeley)

Personally appeared before me the affiant T M. Antwine who being duly sworn deposes and says that defendant James Allen Sanders, Jr did within this county and state on or about 07/02/2011 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) in the following particulars:

DESCRIPTION OF OFFENSE Domestic / Criminal Domestic Violence - 1st offense

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on or about 07/02/2011 at 1254 Cypress Campground Road Ridgeville, located within the County and State aforesaid the Defendant did commit the offense of CRIMINAL DOMESTIC VIOLENCE in violation of 16-25-20. of the South Carolina Code of Laws 1976, As Amended, In that the Defendant, James Allen Sanders, Jr., did willfully and unlawfully make an assault on the Victim. Jennifer Bowzard, during a dispute. Facts to establish the aforesaid: 1) That the Defendant. and Victim formerly lived together at 1254 Cypress Campground Road. 2) That on 07/01/2011 a report was filed with the Berkeley County Sheriff's Office. 3) That the Defendant did, during a verbal argument with the victim. strike her in the face causing physical manifestation and jerked her by the arms also causing physical manifestation. 4) That the affiant observed apparent injury to the victim which was consistent with the victim's statements.

Signature of Affiant

STATE OF SOUTH CAROLINA)

[X] County/ [ ] Municipality of)

Berkeley)

Affiant's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-

Affiant's Telephone (843)719-4465

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 7/2/2011 defendant James Allen Sanders, Jr did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) as set forth below:

DESCRIPTION OF OFFENSE: Domestic / Criminal Domestic Violence - 1st offense

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me)

on 07/02/2011)

(L.S.))

Signature of Issuing Judge

James A Polk)

Judge Code: 7031)

Judge's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-1481

Judge's Telephone (843)719-4050

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

AUDIT COPY AUDIT COPY AUDIT COPY

HILL-FINKLEA DETENTION CENTER

REQUEST FOR INMATE HOLD

HOLD IS ONLY VALID FOR 24 HOURS. IF WARRANT IS NOT SERVED WITHIN 24 HOURS, THE HOLD WILL BE REMOVED.

INMATE NAME Sanders, James Alan

DOB 06-19-72 SSN 251-21-3316

DATE HOLD PLACED 07-02-11 TIME 1508

HOLDING AGENCY/OFFICER BCSO Cpl. Harding

OFFICER SIGNATURE Cpl. Harding

CONTACT NUMBER (S) _____

CHARGE(S) CDV warrant being obtained by Pfc. Antwine

HFDC OFFICER (PRINT) _____ SIGN _____

DATE HOLD RELEASED 7-2-2011 TIME 1910 hrs.

RELEASING OFFICER (PRINT) Teela Antoine SIGN Teela M

REASON Service of Warrant (M-325747)

HFDC OFFICER (PRINT) _____ SIGN _____

BOOKING REPORT

AGENCY I.D.	DATE/TI
SC0080000	7-2-1

CASE NUMBER:

DEFENDANT NAME (LAST, FIRST, MIDDLE) | RACE | SEX | DATE OF BIRTH | DOCKET NUMBER

AGE | ETH. | HEIGHT | WEIGHT | HAIR | EYES | SOCIAL SECURITY NUMBER | VISIBLE SCARS AND MARKS | NCIC | I.D. NUMBER

ADDRESS (NUMBER AND STREET) | CITY | STATE | ZIP CODE | RESIDENT | PHONE NUMBER

ALIAS | PLACE OF BIRTH | DRIVERS LICENSE NUMBER | STATE

EMPLOYER OR OCCUPATION | NEXT OF KIN | ADDRESS (CITY AND STATE)

BOOKING OFFICER'S NAME | NUMBER | ARRESTING OFFICER | AGENCY | NUMBER

ARRESTEE ARMED ☐ YES ☐ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☐ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY

JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFFERED TO OTHER AUTHORITY J-This Jurisdiction S-State, O-Out of State, U Unknown

DISPOSITION / BOND / CHARGE

	A	B	C
OCA #			
TICKET OR WARRANT #			
CHARGE			
STATUTE			
BOND AMOUNT			
BOND TYPE			
RET. DATE			
DISPOSITION			

	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						

RELEASE DATE | TIME | RELEASING OFFICER | NUMBER | AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X _____ LIST ANY REMARKS BELOW

REMARKS:

DEFENDANTS PERSONAL PROPERTY RECEIPT | TOTAL CASH AT TIME OF ARREST→ $

QUANTITY	ITEM	QUANTITY	ITEM

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ DEFENDANT'S SIGNATURE AT TIME OF ARREST

_____ OFFICER

I HEREBY STATE ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____

AGENCY I.D.
SC0080000

DATE/TIME

BOOKING REPORT 3390

CASE NUMBER

DEFENDANT NAME (LAST, FIRST, MIDDLE)

RACE | SEX | DATE OF BIRTH | DOCKET NUMBER

SEX | HEIGHT | WEIGHT | HAIR | EYES | SOCIAL SECURITY NUMBER | VISIBLE SCARS AND MARKS | NCIC | I.D. NUMBER

ADDRESS (NUMBER AND STREET) | CITY | STATE | ZIP CODE | RESIDENT | PHONE NUMBER

ALIAS | PLACE OF BIRTH | DRIVERS LICENSE NUMBER | STATE

EMPLOYER OR OCCUPATION | NEXT OF KIN | ADDRESS (CITY AND STATE)

BOOKING OFFICER'S NAME | NUMBER | ARRESTING OFFICER | AGENCY | NUMBER

ARRESTEE ARMED ☐ YES ☐ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☐ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY

JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFFERED TO OTHER AUTHORITY J-This Jurisdiction, S-State, O-Out of State, U-Unknown

BOND CHARGE DISPOSITION PERSONAL DATA

	A	B	C
OCA #			
TICKET OR WARRANT #			
CHARGE			
STATUTE			
BOND AMOUNT			
BOND TYPE			
RET. DATE			
DISPOSITION			

	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						

RELEASE DATE | TIME | RELEASING OFFICER | NUMBER | AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X _____ LIST ANY REMARKS BELOW

REMARKS:

DEFENDANTS PERSONAL PROPERTY RECEIPT | TOTAL CASH AT TIME OF ARREST→ $

QUANTITY	ITEM	QUANTITY	ITEM
1			
1			
1			
1			

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ _____ OFFICER

DEFENDANT'S SIGNATURE AT TIME OF ARREST

I HEREBY STATE ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST

X _____

STATE OF SOUTH CAROLINA)
COUNTY OF Berkeley)

STATE OF SOUTH CAROLINA)

-vs-)

James Allen Sanders Jr.)
DEFENDANT)

IN RE:)
Harry A. Dennis Jr.)
SURETY)

IN THE COURT OF
Central Criminal / Traffic

WARRANT/TICKET/
INDICTMENT # 688117FC, M325747,
27846FQ

AMOUNT OF BOND 1,577.50

SSN 251-21-3316 DOB

DATE BOND POSTED 7-3-11 and 7-30-11

MOTION TO BE RELIEVED
ON BOND

PLEASE TAKE NOTICE that Harry A. Dennis Jr.
Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit **(affidavit required)**:

☐ 1. To prevent defendant from committing an imminent violation of specific terms of the bond.

☒ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify) _____

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 22 DAY OF August, 2011

Amanda Ware
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 8/4/2016

Harry A. Dennis Jr.
SURETY

ORDER OF COURT

The above motion is hereby ☑ GRANTED ☐ DENIED.
The bond shall be set at _____ ☑ remain as is.

Defendant to be ☑ committed ☐ released under the above charge(s).

Date and Location: Berkeley County, South Carolina,

JUDGE _____

NOTICE OF HEARING
Please take notice that a hearing on the above motion is scheduled at the
Central Traffic Court
located at 223 N. Live Oak Dr.
at 10:00 o'clock on 9-2-11
If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☒ Court Copy ☐ Defendant Copy ☐ Solicitor's Copy ☐ Surety Copy

SEP 2 10:54AM
2011 AUG 22 PM 12:03

STATE OF SOUTH CAROLINA)
COUNTY OF Berkeley)

STATE OF SOUTH CAROLINA)

-vs-)

James Allen Sanders Jr.)
DEFENDANT)

IN RE:)
Harry A. Dennis Jr.)
SURETY)

IN THE COURT OF
Central Criminal/Traffic
WARRANT/TICKET/
INDICTMENT # 688117FC, M325747,
27846FQ
AMOUNT OF BOND 1,577.50

SSN 251-21-3316 DOB
DATE BOND POSTED 7-3-11 and 7-30-11

MOTION TO BE RELIEVED
ON BOND

PLEASE TAKE NOTICE that Harry A. Dennis Jr.
Surety, moves before this Court, such motion to be heard on the date and time indicated below, requesting an Order to be Relieved on the bond of the above named defendant.

Surety moves to be relieved on the bond based on the following grounds and facts as stated in the attached affidavit (**affidavit required**):

2011 AUG 22 PM 12:03

☐ 1. To prevent defendant from committing an imminent violation of specific terms of the bail bond.

☒ 2. The defendant has violated any one of the specific terms of the bond.

☐ 3. Other: (specify) _____

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 22 DAY OF August, 2011

Amanda Ware
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 8/4/2016

Harry A. Dennis Jr.
SURETY

ORDER OF COURT

The above motion is hereby ☐ GRANTED ☐ DENIED.
The bond shall be set at _____ ☐ remain as is.

Defendant to be ☐ committed ☐ released under the above charge(s).

Date and Location: _____ County, South Carolina,

JUDGE _____

NOTICE OF HEARING
Please take notice that a hearing on the above motion is scheduled at the

_____
located at _____
at _____ o'clock on _____
If you do not appear, the hearing will be held in your absence.

SCCA/635 (07/2008) ☐ **Court Copy** ☐ **Defendant Copy** ☐ **Solicitor's Copy** ☐ **Surety Copy**

STATE OF SOUTH CAROLINA)
) IN THE MUNICIPAL COURT OF THE
COUNTY OF CHARLESTON) CITY OF NORTH CHARLESTON

vs.

James Allen Sanders Jr

DEFENDANT

NOTICE OF JURY TRIAL

OCA# 2011026443
TICKET/WARRANT# M726579
CHARGE: 2011026443

Jennifer Bowzard
1254 Cypress Campground
Ridgeville, SC 29472

YOU WILL PLEASE TAKE NOTICE that the above-referenced matter is hereby set for a docket sounding and Jury Trial. A docket sounding will be held on **Friday, September 23, 2011,** at **10:00 AM.** to determine the order of cases to be called for trial. **Jury Trials will be held the following week commencing on October 11, 2011 and ending October 13, 2011.** Jury selection will commence at **11:00 a.m.** on the first day of the term. Trial will begin immediately after the completion of jury selection.

As a victim and/or witness in the above referenced matter your appearance is required in court. At the docket sounding to be held on **Friday, September 23, 2011, at 10:00 AM.** you will have an opportunity to meet with the prosecutor. Please bring any and all documents, photographs, video/audio recordings or any other evidence you believe may be relevant.

The scheduling of your case will be determined at the docket sounding and a date will be set the following week. You will be informed of the date and time of trial and what obligation you have to appear before the court.

AND IT IS SO ORDERED!

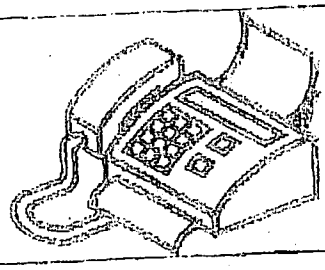
Samuel M. Coleman
Chief Municipal Judge
City of North Charleston

North Charleston, South Carolina

Date: September 14, 2011

Left # 719 4534
Sonia

fax: 740-1051
Attn: Gina
Send them something that tells them where he is and why. Sonia



A facsimile from Sonia @

Berkeley County
Central Summary Court
223 N. Live Oak Drive
Moncks Corner, SC 29461
Phone: (843) 719-4050
Fax: (843) 719-4534

To: Lt. Riley

Fax number: 4384

Date: 9/22/11

Regarding:

Comments:

Date Assigned: 11/28/2011 File: 122168

Case/Warrant#: 2011DR081439

Officer Assigned: PATRICK J A

Person to be Served/Address:
SANDERS JR., JAMES A.

BERKELEY CO DETENTION CENTER
MONCKS CORNER SC 294961

B14

Charges/Papers to be Served:
NOTICE FOR RULE TO SHOW CAUSE
RULE TO SHOW CAUSE CITATION FOR CONTEMPT OF COURT, PETITION FOR CITATION FOR CONTEMPT

Family court at 9AM Court Room Berkely county - D

Hearing Date: 11/29/2011

********** CIVIL PAPERS **********
Served On:

James A Sanders JR

Relationship:

PERSON

Date/Time:

11/28/11 1645 pm

Trips:

1

Reason Not Served:

****

Comments/Possible Where-abouts:

Officer Signature/Return Date:

11/28/11

STATE OF SOUTH CAROLINA)
) IN THE FAMILY COURT
COUNTY OF BERKELEY) 9TH JUDICIAL CIRCUIT

2011 NOV -1 PM 5:04

Jennifer Bouzard)
Petitioner,) RULE TO SHOW CAUSE
CLERK OF COURT) CITATION FOR CONTEMPT OF COURT
BERKELEY COUNTY, SC (Protection from Domestic Abuse Act)
vs.)
James Allan Sanders Jr.)
Respondent.) Docket No. 2011 - DR-08-1439

TO THE PETITIONER/RESPONDENT ABOVE-NAMED: James Allen Sanders, Jr.

Upon reading and considering the verified Petition of the Petitioner/Respondent herein dated _____ and attached hereto:

IT IS SO ORDERED that you, the Petitioner/Respondent, appear before the Family Court of the 9TH Judicial Circuit, at 9:00 (☒a.m./☐p.m.) on November 29, 2011 (date) or as soon thereafter as the matter can be heard at 300-B California Avenue, Moncks Corner, South Carolina, there and then to show cause, if any you can, why you should not be held in contempt of court for failure to abide by the provisions of the Order of Protection of the Family Court dated 8/2/4 and why such provisions of said Order should not be strictly adhered to.

AND IT IS SO ORDERED

Date October 31st, 2011
MONCKS CORNER, S.C.

FAMILY COURT JUDGE/CLERK OF COURT

SCCA 428 (12/2009)

CERTIFIED TRUE COPIES OF RECORD IN THIS COUNTY
Mary P Brown
11-2-11
DATE
CLERK OF COURT, FAMILY COURT
BERKELEY COUNTY, SOUTH CAROLINA



QWA 00069BA985 from NC2K

BRKSO438
.QWA.00069BA985.NC2K.20110819 15:09:15
TO: BRKSO438-9639 20110819 15:09:15 00069BA985
FROM: NC2K-10201477 20110819 15:09:15
1L012F4C000EB52QWA
SC0080000

***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
605 - VIOLENT TENDENCIES
ORI/SC0080000 NAM/SANDERS, JAMES A JR SEX/M RAC/W POB/SC DOB/19720619
HGT/507 WGT/150 EYE/BRO HAI/BRO FBI/406764MA9 SKN/MED
SOC/251213316
BRD/Y ISD/20110802 EXP/20120802
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/2011DR081439
NOA/N
DNA/N
ORI IS BERKELEY CO SO MONCKS CORNER 843 719-4424
PCO/07 - THE SUBJECT IS PROHIBITED FROM POSSESSING AND/OR PURCHASING A FIREARM
PCO/OR OTHER WEAPON.
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/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.
DOB/19620619
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/250213116
SOC/251213166
NIC/H597259923 DTE/20110812 1203 EDT DLU/20110813 2054 EDT

Victim Notification Record

Hill-Finklea Detention Center

Do NOT release James Allen Sanders, Jr. until contact has been made with someone in Victim Services. We have to ensure that the Victim is in a Shelter/Hotel for safety.

- It does not matter what time/day it is. Successful contact must be made before Mr. Sanders walks out the door.

Carol Grunsky (BCSO Victim Advocate)

HM# 843-567-2778

Cell# 843-209-5824

Jenny Smith (HFDC VA)

843-830-4886

Send this copy along w/ victim info. When he goes to Charleston County!!

JWS

Victim Notification Record

Hill-Finklea Detention Center

Do NOT release James Allen Sanders, Jr. until contact has been made with someone in Victim Services. We have to ensure that the Victim is in a Shelter/Hotel for safety.

- It does not matter what time/day it is. Successful contact must be made before Mr. Sanders walks out the door.

Carol Grunsky (BCSO Victim Advocate)

HM# 843-567-2778

Cell# 843-209-5824

Jenny Smith (HFDC VA)

843-830-4886

27844FQ
CRIMINAL CHARGING DOCUMENT NO.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA
v.
JAMES ALLEN SANDERS JR
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

FILED
2011 OCT 11 AM 11:12
BERKELEY COUNTY, S.C.
CLERK OF COURT

Offense Charged: FAILURE TO STOP FOR A BLUE LIGHT, NO INJURY OR DEATH-1ST OFFENSE

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

☒ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☒ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact: _____

[Considerations: Nature and circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $0.00, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $0.00 to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the State.

APPEARANCE RECOGNIZANCE WITH SURETY

☒ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $25000.00.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on Friday, December 09, 2011 at 2:30 o'clock, PM, at 300 CALIFORNIA AVE. MONCKS CORNER, SC 29461 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of MAGISTRATE COURT beginning on _____ at _____ o'clock, ____, at _____. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order

SIGNATURE OF JUDGE

DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

1779 HARRISTOWN RD
ADDRESS

[signature]
SIGNATURE OF DEFENDANT

ST. STEPHENS SC 29479 843 714 8038
CITY/STATE/ZIP TELEPHONE

10-11-11
DATE

251 21 3316
SOCIAL SECURITY NUMBER

00818301
DRIVER'S LICENSE OR ID NUMBER

CHRIS BLACKMON / JOHN SMITH
ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SPECIAL CONDITIONS OF RELEASE

a. ☐ Placement in custody. The defendant is placed in the custody of: _____
NAME OF PERSON OR ORGANIZATION

_____ _____ _____ _____
ADDRESS CITY/STATE ZIP TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

_____ _____
SIGNATURE OF CUSTODIAN (IF APPROVED) DATE

b. ☐ Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

c. ☐ Part-time Release. The defendant will be released from custody from _____ o'clock, _____ AM/PM to _____ o'clock, _____ AM/PM
TIME TIME

on _____ on condition that he return to the custody of _____
DATE(S) NAME OF PERSON OR ORGANIZATION

at _____ as designated.
LOCATION

d. ☒ Other Conditions. The defendant will comply with the following other conditions of release: BOND RETURN DATE 02-24-2012 @ 2:30PM HOUSE ARREST AND MAY LEAVE FOR WORK, SCHOOL, CHURCH, DOCTORS AND LEGAL AFFAIRS EXCEPT FOR THE FIRST 48 HRS GPS 3 WAY.

APPEARANCE RECOGNIZANCE WITH SURETY

On the 11 day of OCTOMBER, 2011, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of $40,000.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

MOSES L MANN 843 200-2992
NAME OF SURETY BONDSMAN TELEPHONE

[signature]
SIGNATURE OF SURETY BONDSMAN

1177 P.O. BOX 1177
ADDRESS OF SURETY BONDSMAN

SUMMERVILLE SC 29484-1177
CITY/STATE/ZIP

_____
SIGNATURE OF JUDGE

_____
NAME OF INSURANCE COMPANY

_____
DATE

_____
ADDRESS OF INSURANCE COMPANY

_____
CITY/STATE/ZIP

TOM RYAN
MADE 10-11-11
GPS [signature]

Form Approved by SC Attorney General
Section 17-15-40

0299

M333997
CRIMINAL CHARGING DOCUMENT NO.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA
v.
JAMES ALLEN SANDERS JR
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

2011 OCT 11 AM 11:16
BERKELEY COUNTY, SC
CLERK OF COURT

Offense Charged: DOMESTIC CRIMINAL DOMESTIC VIOLENCED OF A HIGH AND AGGRAVATED NAT

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact: _____

[Considerations: Nature and circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $0.00, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $0.00 to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the State.

APPEARANCE RECOGNIZANCE WITH SURETY

☒ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $40,000.00.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on Friday, December 09, 2011 at 2:30 o'clock, PM, at 300 CALIFORNIA AVE, MONCKS CORNER, SC 29461 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of _____ beginning on _____ at _____ o'clock, ____, at _____
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.

_____ SIGNATURE OF JUDGE

_____ DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS U

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

1229 Hamlet Town Rd
ADDRESS

[signature]
SIGNATURE OF DEFENDANT

St. Stephens SC 29479 843-714-8038
CITY/STATE/ZIP TELEPHONE

10-11-11
DATE

251-21-3316
SOCIAL SECURITY NUMBER

00698310
DRIVER'S LICENSE OR ID NUMBER

Chad Sheets / Todd Swartz
ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SPECIAL CONDITIONS OF RELEASE

a. ☐ Placement in custody. The defendant is placed in the custody of: _____
NAME OF PERSON OR ORGANIZATION

_____ _____ _____ _____
ADDRESS CITY/STATE ZIP TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

_____ _____
SIGNATURE OF CUSTODIAN (IF APPROVED) DATE

b. ☐ Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

c. ☐ Part-time Release. The defendant will be released from custody from _____ o'clock, _____ to _____ o'clock, _____
TIME AM/PM TIME AM/PM

on _____ on condition that he return to the custody of _____
DATE(S) NAME OF PERSON OR ORGANIZATION

at _____ as designated.
LOCATION

d. ☒ Other Conditions. The defendant will comply with the following other conditions of release: BOND RETURN DATE 02-24-2012 @ 2:30PM

APPEARANCE RECOGNIZANCE WITH SURETY

On the 11 day of OCTOMBER, 2011, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of $2,500.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

Mitch R Wilson 843 200 2332
NAME OF SURETY BONDSMAN TELEPHONE

[signature]
SIGNATURE OF SURETY BONDSMAN

P.O. Box 1177
ADDRESS OF SURETY BONDSMAN

Summerville SC 29484-1177
CITY/STATE/ZIP

_____
SIGNATURE OF JUDGE

_____
NAME OF INSURANCE COMPANY

_____
DATE

_____
ADDRESS OF INSURANCE COMPANY

_____
CITY/STATE/ZIP

Texas Mitch R Wilson 10-11-11 Three with GPS [signature]

Form Approved by SC Attorney General
Section 17-15-40
October 9, 2006

0301

Berkeley County Sheriff's Office

Victim Services

300 California Avenue
Moncks Corner, SC 29461
Wayne Dewitt, Sheriff

Charleston Area
(843) 723-3800 ext. 4296

Moncks Corner Area
(843) 719-4296

St. Stephen Area
(843) 567-3136 ext. 4296

Monitor must be placed on suspect upon release from The Hill Finklea Detention Center.

Suspect's Name: James A. Sandees

Type of Monitor : GPS

Specific Features Required:

- [x] Steel encased band/3 way communication
- [x] House Arrest
- [ ] Victim provided with pager/cell phone
- [ ] None (no specification required)
- [x] Alcohol/Drug Sensor

Monitoring Services Provided By:

Criminal Charging Document No.

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE General Sessions

STATE OF SOUTH CAROLINA

v.

Sanders, James Allen Jr
NAME OF DEFENDANT

ORDER SPECIFYING CONDITIONS OF RELEASE

You are to have No Contact with the alleged victim or the victim's family. NO EXCEPTIONS!
Any violation will result in your immediate return to jail.

Offense Charged: Domestic/ Criminal domestic violence of a high and aggravated nature-IM3339971

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.

☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☐ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ _____.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on September 09, 2011 at 2:30 o' clock, PM, at General Sessions - 300 B California Avenue/PO Box 219/Moncks Corner, SC 29461 / (843) 719-4400 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o' clock, M, at _____.
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $40,000.00 (CS) or $40,000.00 (SB)

INITIALS OF DEFENDANT _____

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

DATE 9/9/11

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED
Original Copy For The Trial Court - Copy For The Defendant

Berkeley County Sheriff's Office

Victim Services

300 California Avenue
Moncks Corner, SC 29461
Wayne Dewitt, Sheriff

Charleston Area
(843) 723-3800 ext. 4296

Moncks Corner Area
(843) 719-4296

St. Stephen Area
(843) 567-3136 ext. 4296

Monitor must be placed on suspect upon release from The Hill Finklea Detention Center.

Suspect's Name: James Allen Sanders, Jr

Check one of the following:

☐ Satellite Monitor

☑ GPS Monitor 3 ways - sol P, police, DSS

☐ Electronic Monitor

8-1-11
Put on by
Marty Housand

STATE OF SOUTH CAROLINA)
) IN SUMMARY COURT
County of Berkeley)
) DISCHARGE
State of South Carolina)

vs.

James Allen Sanders Jr
DEFENDANT(S)

DISCHARGE

By James A Polk, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, James Allen Sanders Jr, having been committed to your custody for the charge of:

case number	Charge	Trial Court	Bond Type	Amount
333997	Domestic/ Criminal domestic violenceof a high and aggravated nature	General Sessions	Cash Bond	$40,000.00
			Surety Bond	$40,000.00

posted bond of type
Surety Bond in the amount of $40,000.00 by Allstar Bonding at 1621 Cedar Ave., Moncks Corner, SC, 29461

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY July 30, 2011

(Seal)
(Judge)
Berkeley County, SC

STATE OF SOUTH CAROLINA)
) IN THE SUMMARY COURT
COUNTY/CITY OF BERKELEY)
) DISCHARGE

By Berkeley County/City Judge, in and for the County/City and State aforesaid:

For as much as James Allen Sanders Jr, in your custody now for want of his finding sureties to be released on the charge(s) of

Case # / Offense: M334082 Violation of court order of protection

is hereby Ordered to be RELEASED - TIME SERVED

These are, therefore, to authorize and require you that if the said James Allen Sanders Jr do remain in jail for no other cause, then you forbear to detain him any longer, but suffer him to go at large, and that upon the pain that will fall therein.

Given under my Hand and Seal, at Berkeley County/City on January 26, 2012 and in the two hundred and twenty-first year of American independence.

JUDGE

Berkeley County/City
Central Criminal/Traffic
223 N. Live Oak Drive P.O. Box 6122
Moncks Corner, SC 29461
Phone: (843) 719-4050 Fax: (843) 719-4534

MC8

CHU2012-03-00278

WITNESSES

Berkeley County Sheriff's Office

AGENCY CASE NUMBER

201201003748

ARREST WARRANT NUMBER

M325990

DATE OF ARREST

March 2, 2012

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date: 6/13/12

VERDICT

Foreperson of Petit Jury *Date:*

VERDICT

DOCKET NO. 2012-GS-08-01111

The State of South Carolina

County of Berkeley

COURT OF GENERAL SESSIONS

June Term 2012

THE STATE

Vs

JAMES ALLEN SANDERS JR
DOB: 1972-06-19
W/M

Indictment for

Escape

FILED
12 JUN 13 AM 12:18
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, S.C.

M-325990

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Berkeley

THE STATE 2012010003748

against

James Allen Sanders, Jr

Address: 1254 Cypress Campground Rd

Ridgeville, SC 29472-7321

Phone: SSN: 251-21-3316

Sex: M Race: W Height: 5 7 Weight: 189

State: SC DL #: 008983101

DOB: 6/19/1972 Agency ORI #: SC0080000

Prosecuting Agency: Berkeley County Sheriff Office

Prosecuting Officer: K A Jacumin - 0125

Offense: Escape / Escape, recapture in state

Offense Code: 1252

Code/Ordinance Sec: 24-13-0410

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of . The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
300 B California Avenue
PO Box 219
Moncks Corner, SC 29461

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

[X] County/ [ ] Municipality of)
Berkeley)

AFFIDAVIT (JAYME) ORIGINAL

Approved by S.C. Attorney General April 21, 2003 SCCA 518

Personally appeared before me the affiant K A Jacumin who being duly sworn deposes and says that defendant James Allen Sanders, Jr did within this county and state on or about 01/26/2012 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) in the following particulars:

DESCRIPTION OF OFFENSE Escape / Escape, recapture in state

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on or about 01/26/12 at 300 California Ave., Hill-Finklea Detention Center, Moncks Corner, S. C. located in the County and State aforesaid the Defendant did willfully and unlawfully commit the offense of ESCAPE in violation of section 24-13-410 of the South Carolina Code of Laws 1976, as amended. Facts to establish the same are as follows: 1) That the Defendant was incarcerated at the Hill-Finklea Detention Center for pending charges which he had not been released from. 2) That the Defendant was able to leave the secure portion of the Detention Center and flee from the area. All against the peace and dignity of this state.

Signature of Affiant

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Berkeley)

Affiant's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-

Affiant's Telephone (843)719-4465

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 1/26/2012 defendant James Allen Sanders, Jr did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Berkeley) as set forth below:

DESCRIPTION OF OFFENSE: Escape / Escape, recapture in state

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me)
on 01/26/2012)
(L.S.))
Signature of Issuing Judge)
James A Polk)
Judge Code: 7031)

Judge's Address 223 North Live Oak Drive
Moncks Corner, SC 29461-1481

Judge's Telephone (843)719-4050

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

ORIGINAL ORIGINAL ORIGINAL

0308

AGENCY I.D.	DATE/TIME OF ARREST
SC0 @ 80000	2 MAR 12 @ 1245

BOOKING REPORT

CASE NUMBER: 2012910037489

DEFENDANT NAME (LAST, FIRST, MIDDLE): Sanders Jr., James Allen

RACE	SEX	DATE OF BIRTH	DOCKET NUMBER
W	M	6-19-72	

AGE	ETH.	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS	ACIC	I.D. NUMBER
39	N	5'7	180	Bro	Bro	251-71-3316	N/A		

ADDRESS (NUMBER AND STREET)	CITY	STATE	ZIP CODE	RESIDENT	PHONE NUMBER
1254 Cypress Campground Rd	Ridgeville	SC	29472	Yes	N/A

ALIAS	PLACE OF BIRTH	DRIVERS LICENSE NUMBER	STATE
N/A	SC	00898101	SC

EMPLOYER OR OCCUPATION	NEXT OF KIN	ADDRESS (CITY AND STATE)
N/A	Joyce Thomason	165 Dewitt Rd, Bonneau, SC 29431

BOOKING OFFICER'S NAME	NUMBER	ARRESTING OFFICER	AGENCY	NUMBER
Lt. Jacumin	36	Lt. Jacumin	BCSO	36

ARRESTEE ARMED ☐ YES ☒ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☒ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY

JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY | J-This Jurisdiction. S-State. O-Out of State. U-Unknown.

ADDITIONAL CASE NUMBERS | MORE IN REMARKS ☐

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A,B,C

CHARGE I.D.	A	B	C
CHARGE	Escape		
STATURE	24-13-0410		
BOND AMOUNT			
BOND TYPE			
RET. DATE		RECEIVED MAR 05 2012	
DISPOSITION			

	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						

RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X Opl. Mooneyhan

REMARKS: LIST ANY REMARKS BELOW

M-325990 - 2012-01603748

DEFENDANT'S PERSONAL PROPERTY RECEIPT | TOTAL CASH AT TIME OF ARREST → $

QUANTITY	ITEM	QUANTITY	ITEM
	INCAR.		INCAR.

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____ DEFENDANT'S SIGNATURE AT TIME OF ARREST

_____ OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____

FORM N-141

12-03-CHU-00278

ECSO COPY/GA

AGENCY I.D.
SC0080000

INCIDENT REPORT

CASE NUMBER: 20120100374 8

HCIC NO.: N ERTO.: N

RECEIVED
FEB 01 2012

EVENT

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. ESCAPE (90Z)	☒ YES ☐ NO	☐ YES ☐ NO	Jail/Prison/Penit		☐ Individual ☐ Business ☐ Financial Inst. ☒ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
2.	☐ YES ☐ NO	☐ YES ☐ NO			
3.	☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER): 300 CALIFORNIA AVENUE, MONCKS CORNER

ZIP CODE: 29461 | WEAPON TYPE:

INCIDENT DATE	24 HR CLOCK	TO	DATE	24 HR CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK: DISP. DATE	DISP. TIME	TIME ARRIVED	CLEARED TIME	LOCATION NO.
01/26/2012	15:15		01/26/2012	15:45	01/26/12	15:45	15:45	23:15	1/142

VICTIM NO. 1

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE): JACUMIN, KRIS,
RELATIONSHIP TO SUBJECT: #1 #2 #3
RESIDENT: ☒ S O U | RACE: W | SEX: M | AGE: 37 | ETH.: N | DAYTIME PHONE: (843) 719-4792 | EVENING PHONE:

ADDRESS: 300 CALIFORNIA AVENUE | CITY: MONCKS CORNER | STATE: SC | ZIP CODE: 29461 | LOCATION NO.: 1/142

VICTIM'S NAME (LAST, FIRST, MIDDLE): HILL-FINKLEA DETENTION CENTER, ,
RELATIONSHIP TO SUBJECT: #1 #2 #3
RESIDENT: ☐ J S O U | RACE | SEX | AGE | ETH. | DAYTIME PHONE: (843) 719-4341 | EVENING PHONE:

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS: 300 CALIFORNIA AVENUE, UNIT A | CITY: MONCKS CORNER | STATE: SC | ZIP CODE: 29461 | LOCATION NO.: 1/142

VISIBLE INJURY (VICT. 1) ☐ YES NO ☒ EXPLAIN — COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES NO ☒

VICTIM (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ DRUGS: ☐ YES NO ☒ UNK ☐ TYPE:

TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/PLAINCT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ *J—This Jurisdiction S—State. O—Out of State. U—Unknown

SUBJECT NO. 1

☒ SUSPECT ☐ RUNAWAY ☒ WANTED ☒ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS

NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
SANDERS, JAMES, ALAN JR	W	M	39	N	06/19/72	507	189	BRO	BRO

FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.: SS# 251-21-3316 / SCDL# 008983101

ADDRESS: 1254 CYPRESS CAMPGROUND ROAD | CITY: RIDGEVILLE | STATE: SC | ZIP CODE: 29472 | LOCATION NO.:

SUBJECT (NO. 1) USING: ALCOHOL ☐ YES NO ☒ UNK ☐ DRUGS ☐ YES NO ☒ UNK ☐ TYPE:
ARRESTED NEAR OFFENSE SCENE ☐ YES NO ☒ TOTAL ARRESTED
DATE/TIME OF OFFENSE | DATE/TIME OF ARREST

NARRATIVE

ON THE ABOVE DATE, THE SUBJECT WAS HOUSED IN THE HILL-FINKLEA DETENTION CENTER. IT WAS BELIEVED THAT THE SUBJECT WAS READY TO BE RELEASED, BUT UPON FURTHER INVESTIGATION ANOTHER PENDING CHARGE WAS LOCATED AND THE SUBJECT COULD NOT BE RELEASED. THE SUBJECT WAS WAITING TO BE PLACED BACK INTO GENERAL POPULATION IN THE MIDDLE BOOKING AREA, AND THE SUBJECT WAS ABLE TO LOOSEN HIS HANDCUFF. THE SUBJECT WAS THEN ABLE TO LEAVE THE SECURE PORTION OF THE FACILITY THROUGH THE VISITATION DOOR, AND HE FLED THE AREA ON FOOT. A PERIMETER WAS ESTABLISHED AND A SEARCH WAS BEGAN TO ATTEMPT TO LOCATE THE SUBJECT. AFTER A LONG PERIMETER SEARCH, INFORMATION WAS GATHERED THAT THE SUBJECT WAS ABLE TO MAKE HIS WAY TO THE MUSC AREA OF DOWNTOWN CHARLESTON. SURROUNDING AGENCIES WERE ADVISED OF THE INCIDENT, AND WARRANT #M-325990 FOR ESCAPE WAS OBTAINED FOR THE SUBJECT. THE WARRANT WAS ENTERED INTO NCIC AND THE SUBJECT'S

PROPERTY EST.

	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY			JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY				
TYPE (GROUP)								TOTAL VALUE
STOLEN								
DAMAGED								
BURNED								
RECOVERED								
SEIZED								

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES NO ☐ | SUBJECT LOCATED ☐ YES NO ☒ | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH, 2. ☐ NO PROSECUTION, 3. ☐ EXTRADITION DENIED, 4. ☐ VICTIM DECLINES COOPERATION, 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
JACUMIN, KRIS	01/27/12	63	RILEY, TONY	01/27/12	34

FOLLOW-UP INVESTIGATION. ☐ YES NO ☒ OFFICER

APR 2 4 2012

AGENCY I.D.
SC0080000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER
2012010037 48

R/O/I

PC. N | ENTD. N

☑ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ ADDITIONAL ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

PAGE 2 of _____ PAGES

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT
☐ VICTIM # ____
☐ SUBJECT # ____
☐ RUNAWAY
☐ WANTED
☐ WARRANT
☐ ARREST
☐ JAIL
☐ SUMMONS
☐

NAME (LAST, FIRST, MIDDLE)

VICTIM RELATIONSHIP TO SUBJECT: #1 | #2 | #3

RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE | EVENING PHONE

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE'S PLATE ☐ ALONE

EXPLAIN:

DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES

USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT
☐ VICTIM # ____
☐ SUBJECT # ____
☐ RUNAWAY
☐ WANTED
☐ WARRANT
☐ ARREST
☐ JAIL
☐ SUMMONS
☐

NAME (LAST, FIRST, MIDDLE)

VICTIM RELATIONSHIP TO SUBJECT: #1 | #2 | #3

RESIDENT | RACE | SEX | AGE | D.O.B. | ETH.

HEIGHT | WEIGHT | HAIR | EYES | FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS | CITY | STATE | ZIP CODE | LOCATION NO. | DAY PHONE | EVENING PHONE

☐ VICTIM NO. ____: VISIBLE INJURY: ☐ NO ☐ YES | COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES | VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. | ☐ TWO-MAN VEHICLE ☐ DETECTIVE'S PLATE ☐ ALONE

EXPLAIN:

DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. | ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED

☐ SUBJECT NO. ____: USING ALCOHOL: ☐ NO ☐ YES

USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK.

NARRATIVE

INFORMATION WAS PROVIDED TO LOCAL AGENCIES.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY

JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS: ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM

TYPE: ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE

VIN AND/OR LICENSE NO. | BOAT HULL NO. AND/OR REG. NO.

SERIAL AND/OR OWNER APPLIED NO. | STATE

YEAR OF REGISTRATION | YEAR OF EXPIRATION | YEAR | MAKE | TYPE

MODEL | STYLE | COLOR | BRAND NAME | CALIBER

NIC NO. | DENOMINATION | ISSUER | SECURITIES DATE

MISCELLANEOUS

PROPERTY EST.

TYPE (GROUP)						TOTAL VALUE
STOLEN						
DAMAGED						
CURRIED						
RECOVERED						
SEIZED						

ADMINISTRATIVE

SUBJECT ID ENTERED ☑ YES ☐ NO | SUBJECT LOCATED ☐ YES ☐ NO ☑ | ☑ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
JACUMIN, KRIS	01/27/12	63	RILEY, TONY	01/27/12	34

FOLLOW-UP INVESTIGATION ☐ YES ☑ NO | OFFICER

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 2012010037 48

NCIC: INO. N | ENTD. N

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY

PAGE 1 of _____ PAGES.

NARRATIVE

DETECTIVE: J. PETERS

REFERENCE: ESCAPE

VICTIM: STATE OF SOUTH CAROLINA

INCIDENT LOCATION: 195 FARMINGTON ROAD, SUMMERVILLE

ON 2/01/2012 DETECTIVES RESPONDED TO THE GREYHOUND BUS TERMINAL LOCATED AT 195 FARMINGTON ROAD, SUMMERVILLE COUNTY OF BERKELEY IN REFERENCE TO INFORMATION ON JAMES SANDERS WHO IS WANTED BY THIS AGENCY IN REFERENCE TO AN ACTIVE ARREST WARRANT FOR ESCAPE. UPON ARRIVAL AT THE GREYHOUND BUS TERMINAL CONTACT WAS MADE WITH THE TERMINAL MANAGER STAN ADAMS AND A PASSENGER ON THE GREYHOUND BUS FREDERICK CLARK. WRITTEN VOLUNTARY STATEMENTS WERE OBTAINED FROM ADAMS AND CLARK SEE SAID STATEMENTS FOR FURTHER INFORMATION. UPON SPEAKING WITH ADAMS CONCERNING THE ABOVE INCIDENT ADAMS ADVISED DETECTIVES THAT THE PERSON HE SPOKE WITH AT THE BUS TERMINAL WAS JAMES SANDERS AND THAT SANDERS DID FLEE FROM THE BUS TERMINAL ON FOOT IN AN UNKNOWN DIRECTION. ADAMS FURTHER ADVISED THAT SANDERS WAS WEARING BAGGY STYLE BLUE JEANS, RED T SHIRT AND FLIP FLOP STYLE SHOES WHEN HE WAS LAST SEEN AT THE BUS TERMINAL.

SUSPECT: SANDERS - JAMES 39 Y.O. WM

CASE STATUS: ACTIVE

ADMINISTRATIVE

SUBJECT IDENTIFIED	SUBJECT LOCATED				
☒ YES ☐ NO	☐ YES ☒ NO	☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
PETERS, JOHN	02/02/12		MASON, MARK		21
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 2012010037 48

NCIC: INO. N | ENTD. N

☐ CRIMINAL REPORT ☑ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ VICTIMS CRIMINAL ☐ CASE/STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 2 of _____ PAGES.

NARRATIVE

DETECTIVE: MURPHY

REFERENCE: ESCAPE (902)

VICTIM: STATE OF SOUTH CAROLINA

RECEIVED FEB-0 2 2012

LOCATION: 300 CALIFORNIA AVENUE, MONCKS CORNER, SC

ON 01-30-12, SPRINT/NEXTEL RETURNED PROCESS REGARDING THE ACCOUNT BELONGING TO CELLULAR PHONE NUMBER 843-305-0255. THIS PHONE NUMBER BELONGS TO JENNIFER BOWZARD, J. SANDERS' GIRLFRIEND FOR WHOM HE HAD BEEN ARRESTED FOR CRIMINAL DOMESTIC VIOLENCE. BOWZARD HAD RECEIVED A CALL FROM A BLOCKED NUMBER DURING THE EARLY MORNING HOURS OF 01-30-12 AND THE PURPOSE OF THE SEARCH WARRANT WAS TO OBTAIN THE PHONE NUMBER ASSOCIATED WITH THE BLOCKED PHONE NUMBER WHICH ATTEMPTED TO CONTACT BOWARD. THE DOCUMENTS REVEALED THAT ORIGINATING PHONE NUMBER WAS 803-671-5146. IT APPEARED TO HAVE BEEN AN OLD ALLTEL CELLULAR PHONE ACCOUNT. ALL OF THE DOCUMENTS RECEIVED BY SPRINT/NEXTEL WERE COPIED TO A CD-ROM AND TRANSFERRED TO THE CUSTODY OF THE BCSO FORENSICS UNIT FOR SAFEKEEPING AS EVIDENCE.

ON 01-31-12, VERIZON WIRELESS RETURNED PROCESS. THE SUSPECT PHONE NUMBER, 803-671-5146, WAS NOT TRANSFERRED TO VERIZON WIRELESS WHEN A PORTION OF ALLTEL WAS PURCHASED BY VERIZON WIRELESS. THE DOCUMENTS INDICATED THAT PROCESS SHOULD BE SERVED ON ALLTEL (ALLIED TELEPHONE). VERIZON RETURNED NO DOCUMENTS OF EVIDENTIARY VALUE.

ON 02-02-12, ALLTEL RETURNED PROCESS INDICATING THE PHONE NUMBER 803-671-5146 BELONGED TO AN ACCOUNT UNDER THE NAME FRANK MORRIS, 200 CACTUS HILL, BARWELL, SC 29812. ALL OF THE DOCUMENTS RECEIVED FROM ALLTEL WERE COPIED TO A CD-ROM AND TRANSFERRED TO THE CUSTODY OF THE BCSO FORENSICS UNIT FOR SAFEKEEPING AS EVIDENCE.

SUSPECT:

SANDERS JR, JAMES ALAN / SUSPECT

ADMINISTRATIVE

SUBJECT IDENTIFIED	SUBJECT LOCATED	☑ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER
☑ YES ☐ NO	☐ YES ☑ NO			

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
MURPHY, KEVIN	02/02/12		PETERS, JOHN	02/02/12	74
			FOLLOW-UP INVESTIGATION ☐ YES ☑ NO — OFFICER		

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 2012019037 48

NCIC: IND. N | ENTD. N

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 2 of _____ PAGES

NARRATIVE

REFERENCE: ESCAPE

VICTIM: HILL FINKLEA DETENTION CENTER

INCIDENT LOCATION: 300 CALIFORNIA AVE, MONCKS CORNER

ON 01/26/12 I WAS INFORMED THAT THEIR HAS BEEN AN ESCAPE AT OUR DETENTION CENTER MYSELF AND DET B. FENTON PATROLLED THE AREA OF WHITESVILLE ROAD, AND AIRPORT ROAD. WE PASSED OUT FLYERS WITH PHOTOGRAPHS OF THE WANTED SUBJECT TO OFFICERS ON THE PERIMETER. CENTRAL DISPATCH ADVISED THAT A FEMALE WAS STANDING BY AT THE FOOD LION OFF HWY 52, MONCKS CORNER WHO ADVISED THAT SHE PROVIDED SANDERS WITH A RIDE, TO PRESIDENT STREET DOWNTOWN CHARLESTON. MYSELF AND SEVERAL ADDITIONAL DEPUTIES MET WITH MURRAY AT THE FOOD LION, SHE PROVIDED A VOLUNTARY STATEMENT. SUMMATION: MURRAY ADVISED THAT SHE WAS TRAVELLING ON WHITESVILLE ROAD WHEN SHE WAS FLAGGED DOWN BY SANDERS (BRAD GILLESPIE) WHO ADVISED THAT HIS VEHICLE HAD BROKEN DOWN, AND HIS WIFE WAS IN LABOR AT THE MEDICAL UNIVERSITY OF SOUTH CAROLINA. MURRAY ADVISED THAT SUSPECT SANDERS WAS NOT WEARING SHOES SO SHE STOPPED TO GET HIM A PAIR FROM THE FAMILY DOLLAR OFF HWY 52, GOOSE CREEK. MURRAY ADVISED SHE THEN TRAVELLED AND DROPPED SANDERS OFF AT PRESIDENT STREET DOWNTOWN CHARLESTON NEAR MUSC. MURRAY PROVIDED ME WITH THE RECEIPT FOR THE PURCHASE SHE MADE AT THE FAMILY DOLLAR.

MYSELF AND DET B. FENTON THEN TRAVELLED DOWNTOWN CHARLESTON AND MET WITH DETECTIVE YORK WITH CITY OF CHARLESTON, WE PATROLLED PARKS, COLLEGE CAMPUSES, AND LOCAL HOSPITALS FOR SANDERS TO NO AVAIL. WE PROVIDED SECURITY OFFICERS FLYERS WITH SANDERS PHOTOGRAPH TO BE ON THE LOOK FOR HIM. I OBTAINED SURVEILLANCE VIDEO FROM MUSC PUBLIC SAFETY OF THE INTERSECTION OF BEE STREET AND COURTNEY STREET. TO DATE MYSELF AND FELLOW OFFICERS HAVE CHECKED ON NUMEROUS LEADS, BUT HAVE NOT BEEN ABLE TO LOCATE SANDERS. THIS CASE IS ACTIVE

CASE STATUS: ACTIVE

SUSPECT: SANDERS, JAMES W/M 06/19/72 507/189 BRO/BRO
1254 CYPRESS CAMPGROUND ROAD, RIDGEVILLE, SC

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO | SUBJECT LOCATED ☐ YES ☒ NO | ☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED | ☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER | ☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
RAMSEY, RENEE	02/02/12		ALTERI, GENO	02/02/12	52
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO — OFFICER		

GENERAL INFORMATION

Reporting Officer: 3727
Incident No: 201201003748
Reference No. 3:

File Date: 03/02/2012
Reference No. 1:

Last Updated On: 03/02/2012
Reference No. 2:

NARRATIVE

DATE: 3/2/12
REF: ESCAPE/ESCAPE, RECAPTURE IN STATE (M-325990) STATUTE 24-13-0410
OCA: 2012-01003748
SUBJ: JAMES ALLEN SANDERS JR.
ADDRESS: N/A
SS#: 251-21-3316
SCDL: 008983101
D.O.B: 6/19/72 - W/M 507 189
AFF: DET. JACUMIN

ON 3/2/12 I SERVED A WARRANT FOR ESCAPE/ESCAPE, RECAPTURE IN STATE (M-325990) STATUTE 24-13-0410 ON JAMES ALLEN SANDERS JR. WHILE HE WAS INCARCERATED AT THE HILL-FINKLEA DETENTION CENTER. JAMES ALLEN SANDERS JR. WAS GIVEN A COPY OF THE WARRANT. I MADE COPIES OF ALL DOCUMENTS AND PLACED THEM ON DET. JACUMINS DESK.

CPL. S. MUSGRAVE
C-123

LT. A. RAMSEY
C-27

RECEIVED MAR 05 2012

AGENCY I.D.
SC0080000

SUPPLEMENTARY REPORT

CASE NUMBER: 2012010037488

NOIC: INO. N | ENTD. N

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS ☐ ADDITIONAL RECOVERED PROPERTY
PAGE 5 of _____ PAGES.

NARRATIVE:

DETECTIVE: MURPHY

REFERENCE: ESCAPE (90Z)

VICTIM: STATE OF SOUTH CAROLINA

LOCATION: 300 CALIFORNIA AVENUE, MONCKS CORNER, SC

ON 03-07-12, ALLTEL RETURNED PROCESS. ALL OF THE DOCUMENTS RECEIVED FROM ALLTEL WERE COPIED TO A CD-ROM AND TRANSFERRED TO THE CUSTODY OF THE BCSO FORENSICS UNIT FOR SAFEKEEPING AS EVIDENCE.

SUSPECT:

SANDERS JR, JAMES ALAN / SUSPECT

RECEIVED MAR 08 2012

ADMINISTRATIVE:

SUBJECT IDENTIFIED	SUBJECT LOCATED			
☒ YES ☐ NO	☒ YES ☐ NO	☒ ACTIVE ☐ ADUL CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
MURPHY, KEVIN	03/07/12		PETERS, JOHN	03/07/12	74
			FOLLOW-UP INVESTIGATION ☐ YES ☒ NO OFFICER		

```
Reference: 03EG0000G8
Msg Key  : XLIC
Date/Time: 20120126193404
Source   : DMV

03EG0000G8.DMV.XLIC.20120126193404.
  TO: BRKSO001-01400486 20120126 19:34:04   001EEB6198
FROM: DMV              20120126 19:34:04
TXLIC SC00800000920079EE4
XLIC
ID NO 0008983101
SANDERS,JAMES ALLEN JR
1254 CYPRESS CAMPGROUND RD
RIDGEVILLE        SC 294727321 BERK CNTY
SEX M HGT 5 07 WGT 189 BIRTH 06/19/1972
SSN 251-21-3316 RACE WHITE
STATUS-DL:SUSPENDED      CDL:DISQUALIFIED
DRIVER LICENSE         CLASS   D  ISSUED  06/23/2011
**** IDENTIFICATION ONLY ****     ISSUED  04/05/2001
** MORE **

********************************************************************************
```

Reference: UNKNOWN
Msg Key : QH
Date/Time: 20120126193814
Source : III

UNKNOWN.III.QH.20120126193814.
TO: BRKSO001-01400496 20120126 19:38:14 00350B267D
FROM: III 20120126 19:38:14
7L010920079EE72QH
SC0080000
THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/SANDERS,JAMES ALLEN SEX/M RAC/W DOB/19720619 SOC/251213316 PUR/C

NAME	FBI NO.	INQUIRY DATE
SANDERS,JAMES ALLEN JR	406764MA9	2012/01/26

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M	W	1972/06/19	507	150	BRO	BRO	N

BIRTH PLACE
SOUTH CAROLINA

FINGERPRINT CLASS	PATTERN CLASS
PO 16 13 22 20	UC UC UC UC UC UC UC UC UC UC
DI 15 17 17 17	UC UC UC UC UC UC UC UC UC UC
	UC UC UC UC UC UC UC UC UC UC

ALIAS NAMES

SANDERS,JAMES A	SANDERS,JAMES ALAM
SANDERS,JAMES ALAN	SANDERS,JAMES ALLEN
SANDERS,JAMES ALLEN-JR	SANDERS,JIMMY

OTHER

BIRTH DATES	SOCIAL SECURITY
1962/06/19	251-21-3116
	251-21-3166
	251-21-3316

IDENTIFICATION DATA UPDATED 2011/08/19

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
SOUTH CAROLINA - STATE ID/SC00769045

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

****

Reference: 03EG0000HF
Msg Key : QWA
Date/Time: 20120126195809
Source : NC2K

03EG0000HF.NC2K.QWA.20120126195809.
TO: BRKSO001-01400513 20120126 19:58:09 0006D9000D
FROM: NC2K 20120126 19:58:09
1L010920079EEE2QWA
SC0080000

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
MKE/WANTED PERSON - CAUTION
CMC/05 - VIOLENT TENDENCIES
EXL/1 - FULL EXTRADITION UNLESS OTHERWISE NOTED IN THE MIS FIELD
ORI/SC0080000 NAM/SANDERS, JAMES ALLEN JR SEX/M RAC/W POB/SC
DOB/19720619 HGT/507 WGT/188 EYE/BRO HAI/BRO FBI/406764MA9
SOC/251213316
OLN/0008983101 OLS/SC OLY/2012
OFF/ESCAPE SEE MIS
OOC/AGGRAV ASSLT - FAMILY-STGARM
DOW/20120126 OCA/201201003748
WNO/M325990
NOA/N
MIS/EXTRADITION NATIONWIDE ESCAPED FROM LOCAL JAIL ON CHARGE OF VIOLATION OF
MIS/PROTECTION ORDER FOR THE CHARGE OF CRIMINAL DOMESTIC VIOLENCE HIGH AND
MIS/AGGRAVATED NATURE ----------CAUTION DUE TO HISTORY OF ASSAULT AND BATTERY
MIS/ WITH INTENT TO KILL KIDNAPPING CRIMINAL SEXUAL CONDUCT RESISTING ARREST
MIS/ FAILURE TO STOP FOR BLUE LIGHT UNLAWFUL CARRYING OF WEAPON-----
DNA/N
ORI IS BERKELEY CO SO MONCKS CORNER 843 719-4424
DOB/19620619
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/251213116
SOC/251213166
NIC/W794313484 DTE/20120126 1950 EST DLU/20120126 1955 EST

****

NCIC ENTRY QUALITY CHECK

Successfully apprehending a Wanted Person, locating a Stolen Auto, Stolen articles and Missing Persons is directly attributable to the quality of data entered into the NCIC system. For this reason, it is crucial that the required fields, as well as any miscellaneous information, be both COMPLETE and ACCURATE. FBI/NCIC regulations REQUIRE that each entry be checked by a second party.

THIS FROM MUST BE COMPLETED FOR EACH ENTRY!

NIC # W794313481

CASE # M-325990

TYPE OF RECORD Wanted Person

	ACCURACY	COMPLETENESS
VIN #	☐	☐
Make	☐	☐
Model	☐	☐
Color	☐	☐
Other Mis. #	☑	☑
Date of warrant	☑	☑
Caution indicator	☑	☑
Physical description	☑	☑
Clothing description	☐	☐
Known AKA's	☑	☑
Complete name	☑	☑
Extradition limitations	☑	☑
Correct classification (missing persons)	☐	☐

REVIEWED BY [illegible]

DATE 1/27/2016

ORIGINAL OPERATOR'S NAME [illegible]

AFTER COMPLETING THIS FORM, PLEASE PLACE IT WITH THE CASE FILE.

843-810-7280
DOB 5-9-71

VOLUNTARY STATEMENT
(NOT UNDER ARREST)

I, Sean Adams, am not under arrest for, nor am I being detained for any criminal offenses concerning the events I am about to make known to Det. Riley / Sgt. Peters. Without being accused of or questioned about any criminal offenses regarding the facts I am about to state, I volunteer the following information of my own free will, for whatever purposes it may serve.

I am 40 years of age, and I live at 195 Farmington rd Summerville SC

SA Man got on Bus in Orangeburg SC. Man got off Bus here in Summerville SC. Driver stated he (Man) needed to purchase a Ticket from Orangeburg to Summerville because he didn't have a ticket and was SA (man) on the bus trying to get a free ride. The man came up to the counter with the driver and was arguing that he had a ticket and should have to long one. One the man went outside I showed the driver a picture of James Sander and realized it was the same man trying to get a free ride. I then called 911 and went to look for him and he was gone. SA

SA Man stated his name was Murray and he was headed to Charleston SC. He was wearing baggy blue jean. brown flip flops and T-shirt. Very short hair slightly gray and Brown. SA

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Dated at 195 Farmington rd this 2 day of Feb 20 12.

WITNESS: _____ Signature of person giving voluntary statement

WITNESS: _____

VOLUNTARY STATEMENT
(NOT UNDER ARREST)

I, [illegible], am not under arrest for, nor am I being detained for any criminal offenses concerning the events I am about to make known to [illegible]. Without being accused of or questioned about any criminal offenses regarding the facts I am about to state, I volunteer the following information of my own free will, for whatever purposes it may serve.

I am 57 years of age, and I live at 106 Regan [illegible]

[illegible]

I have read each page of this statement consisting of [illegible] page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Dated at 195 Fourth Rd. Sinc, this 1st day of Feb 20 17.

WITNESS: [illegible]

WITNESS: [illegible]

[illegible]
Signature of person giving voluntary statement

a 2-01003748 843-761-3749 (H) 991-0501 (C)

VOLUNTARY STATEMENT
(NOT UNDER ARREST)

12/17/12

I, LaShawn Wilson, am not under arrest for, nor am I being detained for any criminal offenses concerning the events I am about to make known to Cpl. R. Kennedy (Fernandina) Without being accused of or questioned about any criminal offenses regarding the facts I am about to state, I volunteer the following information of my own free will, for whatever purposes it may serve.

I am 39 years of age, and I live at 514 Bens Creek Manchester SC 29441

I was heading to Ft. Fred Lin. In Moncks Corner From Hillsville Rd (Airport Rd) When a Young man Flagged me down, He told me his name was Brent Gillespie and his Truck a 2010 F150 Blue Truck had broken down on Hwy 52 at the Tri River Canal and his wife was in labor and he had to get to the hospital It was 3:30pm. So I took him to Musc - President St In Downtown Chas. He Was Dressed in White Tee Shirt, Blk Shorts. Wht. Male around maybe 30 Short Dark Hair. He Stated he was a painter @ Rick Hendricks Chev on Savannah Hwy and That his father owned Gillespie Painting in Mt Pleasant - Said He had a 7yr old daughter and was Expecting a Son. We Stopped in Family Dollar in G.C. Where I got him a pair of Slippers - Black Shirt On and a Coke. I dropped him off at 4:30 PM On the Way home I began to think That things Were a little fishy and asked My Daughter to Call Rick Hendricks to Check his story She Called Me Back and told me they Never Heard of him and to Call the Police - My Friends Had called Me @ 4:19pm about the Escaped Prisoner in N.C. Which Caused me to Become Concern

I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Dated at 105 Hwy 52 Ford Hwy, this 16th day of January 20 12.

WITNESS: [signature]

WITNESS: [signature]

LaShawn C Wilson
Signature of person giving voluntary statement

PAGE 2 OF 2

— STATEMENT CONTINUATION —

CASE # _____

Q 1. Did both of you go inside the Family Dollar?

A. Yes - He went to get the Right Size. He Said He Was Wearing Flip Flops But Left them With His Truck. Then He Couldn't Get into the Navy Blue Coat and asked if He Wanted to Stop at the Family Dollar she Got a Pair of Flip Flops they didn't have any Mens - So He Got the Slippers.

Q What Street were you on when you pulled up the gentlemen that was your Victim?

A. On Whitesville Rd about two Blocks from Main St. (St Johns Academy)

I HAVE READ THE FOREGOING STATEMENT OR HAVE HAD IT READ TO ME AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HAVE GIVEN THIS STATEMENT FREELY AND VOLUNTARILY AND HAVE BEEN PROVIDED A COPY OF MY STATEMENT

WITNESS: T. Denny

WITNESS: B. Fenton-0208

SIGNATURE: Joanne A Murray

0324

688 4325
607 5432

VOLUNTARY STATEMENT
(NOT UNDER ARREST)

4-23-57

I, Ronald Greene, am not under arrest for, nor am I being detained for any criminal offenses concerning the events I am about to make known to Sgt Allen. Without being accused of or questioned about any criminal offenses regarding the facts I am about to state, I volunteer the following information of my own free will, for whatever purposes it may serve.

I am 54 years of age, and I live at 1109 Whitehouse Rd. Summerville SC.

On 1-29-12 Me and my family was at Flatsville Town Hall in that area. We play gospel music, Sing and give Free Food. We try to get kids off the Street and Preach to them. We do this in Marks Corner every third Saturday. That afternoon we started handing out Food. This guy came up to me asking what was going on and what we were doing out there. I explained to him that it was a youth Outreach trying to help kids. He was wearing a blue Shirt and Jeans (Blue). He told me that he was hungry and wanted to know if he could have a hot dog. I told him yes and he ate them real fast and asked for more. I gave him two more and a drink. When I gave him the other two he walked off. I didn't see him with anyone. nor did I see the way he left. It wasn't until today that I saw a paper with a picture of Some that had Escaped from Jail. I told my friend that works with me (Shawn Caswell) that was the guy I gave hot dogs to on Saturday. I remember. He said. There is a Store called Stitch and people stay in the woods behind it.

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Dated at Sheriff's Office. , this 1 day of Feb 20 12.

WITNESS: [signature]

[signature]
Signature of person giving voluntary statement

WITNESS: _____

12:34

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

SEARCH WARRANT

OCA: 2012-01003748

DATE: JANUARY 30TH, 2012

OFFICER: DETECTIVE CORPORAL K. P. MURPHY

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

SEARCH WARRANT

Form Approved by
S. C. Attorney General
Section 17-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR THE MUNICIPALITY OF :

It appearing from the attached affidavit that here are reasonable grounds to believe that certain property subject to seizure under provision of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing Magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Moncks Corner, SC

Jan 30th, 2012.

(L.S.)
Signature of Judge

SCCA/513
(3-78)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

AFFIDAVIT

Personally appeared before me, DETECTIVE CORPORAL K. P. MURPHY, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

SUBSCRIBER INFORMATION FOR THE SPRINT/NEXTEL ACCOUNT ASSIGNED THE CELLULAR PHONE NUMBER 843-305-0255. INCOMING/OUTGOING CALL LOGS AND TEXT MESSAGE DETAIL AND CONTENT (IF AVAILABLE) FOR THE PERIOD 1600 (EDT), 01-26-12 THROUGH 1000 (EDT), 01-30-12.

PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

-VIA FACSIMILE-
SPRINT/NEXTEL
6480 SPRINT PARKWAY
OVERLAND PARK, KS 66251
FAX: 816-600-3111

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON 01-26-12, JAMES A. SANDERS FLED FROM THE CUSTODY OF THE HILL-FINKLEA DETENTION CENTER IN MONCKS CORNER, SC. SANDERS HAS A VIOLENT CRIMINAL HISTORY, INCLUDING CRIMINAL DOMESTIC VIOLENCE, AND WAS INCARCERATED FOR A VIOLENT ASSAULT ON HIS GIRLFRIEND, JENNIFER BOWZARD. BOWZARD IS CURRENTLY IN PROTECTIVE CUSTODY PENDING SANDERS RECAPTURE. YOUR AFFIANT HAS PROBABLE CAUSE TO BELIEVE THAT SANDERS MAY HAVE CALLED BOWZARD'S CELLULAR PHONE FROM A BLOCKED PHONE NUMBER. YOUR AFFIANT IS ASKING FOR PHONE RECORDS FROM BOWZARD'S SPRINT/NEXTEL CELLULAR PHONE ACCOUNT AND BELIEVES THIS INFORMATION WILL ASSIST IN LOCATING AND APPREHENDING SANDERS AND RETURNING HIM TO JUSTICE.

Sworn to and Subscribed before me
this 30 day of JAN, 2012.

Paula McDonough (L.S.)
Signature of Judge

11:04am

AFFIANT: DETECTIVE K. P. MURPHY
223 North Live Oak Drive
Moncks Corner, SC 29461
719-4863 or 723-3800

RETURN

I received the attached Search Warrant 01-30, 2012, and have executed it as follows:

On 01-30, 2012 at 12:17 o'clock P M, I searched (the person / the premises) described in the warrant.

I left a copy of the warrant with (name of person searched or "at the place of search") Custodian of Records together with a receipt for all items seized.

The following is an inventory of property taken pursuant to the warrant: Sprint / Nextel cellular phone records for telephone number 843-305-0255.

This inventory was made in the presence of Det Cpl KP Murray and Det J. Patterson

I swear this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 30 day of June 2012, ~~2011.~~

(L.S.)
(Signature of Judge)

(Signature of Officer Executing Warrant)

Sprint
Corporate Security
Mailstop KSOPHM0206
6480 Sprint Parkway
Overland Park, KS 66251
Office: 913-315-6285 Fax: 816-600-3111
E-mail: chad.howell@sprint.com

Chad Howell
Subpoena Specialist

1/30/2012

Det. Murphy
Berkeley County Sheriff's Office
223 N Live Oak Dr
Moncks Corner, SC 29461

Your Case Number: 201201003748
Sprint Case Number: 2012-031745

Dear Det. Murphy,

Pursuant to the above-referenced case, I am enclosing the requested information for the specified time period associated with the following number(s).

Should you have any questions or further inquiries, please contact the Sprint Subpoena Compliance Group at 866-259-7534.

Sincerely,

Chad Howell
Subpoena Compliance
Sprint Corporate Security
chad.howell@sprint.com
913-315-6285

Enclosures

*Notice: If the records contained in the attached package are utilized in trial proceedings, and if you require a records custodian for authentication, be advised Sprint does not have local representatives. Sprint's Trial Team is located at our Corporate Headquarters in Overland Park, Kansas. You will need to contact the Trial Team at CSTrialTeam@Sprint.com or call our office at 913-315-8775. Our office will require at least two-weeks notice in addition to pre-paid travel arrangements by your office.

Sprint L-Site
Sprint has an interactive web tool for law enforcement known as L-Site. If you are unfamiliar with L-Site and wish to obtain further information, please send an email to: L-Site@Sprint.com.

Sprint Subscriber Information
Sprint Case #: 2012-031745
Reference Case #: 201201003748

Request Type: CDR
Date Range: 1/26/2012 4:00:00 PM to 1/30/2012 10:00:00 AM
Subject Number: 8433050255

Comments:

Please see the attached documents.

Request Type: **Direct Connect CDR**
Date Range: 1/26/2012 to 1/30/2012
Subject Number: 8433050255

Comments:

No records were found for this number during the requested time period.

Request Type: **Subscription Info (Basic)**
Date Range: 1/26/2012 4:00:00 PM to 1/30/2012 10:00:00 AM
Subject Number: 8433050255

Comments:

********** ACCOUNT DETAILS **********

Billing Account Number (BAN): 894862594
Account Establish Date: 3/6/2009
Account Expiration (Cancel) Date: Active through Date Searched

Account Billing Address(es):
Effective: 11/17/2011
JENIFER BOWZARD
2650 OLYMPIA AVE
N CHARLESTON, SC 29405

Effective: 3/6/2009
JENIFER BOWZARD
PO BOX 54988
IRVINE, CA 92619

Account Contact Numbers:
Phone: 8882667848 Active Date: 1/22/2012

********** SUBSCRIBER DETAILS **********
SubscriberID: 02134853021
Personal Telephone Number (PTN / MDN)
8433050255 Status Date: 11/14/2011 7:54:53 PM Status: A

Media Access Control Identifier
(MAC_ID) Effective

NO DATA FOUND

Urban Fleet Mobile Identifier
(UFMI) Effective
NO DATA FOUND

Non iDEN Direct Connect / Push to Talk
Effective
NO DATA FOUND

Internet Protocol (IP) Address
NO DATA FOUND

Network Access Identifier
(NAI)
JENIFERBOWZARD@MYBOOSTMOBILE.SPRINTPCS.COM Status Date: 11/14/2011 7:54:53 PM Status: A

**********EQUIPMENT**********

International Mobile Subscriber Identity(s) (IMSI)
NO DATA FOUND

Universal Integrated Circuit Card(s) (UICC)
NO DATA FOUND

Mobile Station Identification Number(s) (MSID)
000008432011333 Status Date: 11/14/2011 7:54:53 PM Status: A

Subscriber Identity Module(s) (SIM)
NO DATA FOUND

Electronic Serial Number (ESN/MSN)
268435457808927073 Effective: 11/14/2011 Expiration: Status:

International Mobile Station Equipment Identity (IMEI)
NO DATA FOUND

**********FEATURES**********
Anytime Minutes Effective: 11/14/2011 Expiration:
Basic Private Label Solut Effective: 11/14/2011 Expiration:
Caller ID Effective: 11/14/2011 Expiration:
CDMA High Speed Data Effective: 11/14/2011 Expiration:
Domestic LD Rate $0 Effective: 11/14/2011 Expiration:
International Calling Effective: 11/14/2011 Expiration:
SMS Text Messages Effective: 11/14/2011 Expiration:
Sprint 3G Data Services Effective: 11/14/2011 Expiration:
==========

Request Type: Text Historic
Date Range: 1/26/2012 4:00:00 PM to 1/30/2012 10:00:00 AM

Subject Number: 8433050255

Comments:

No records were found for this number during the requested time period.

****

*Search results indicate one or more of the numbers listed on the above-referenced legal demand may belong to Boost, a Sprint prepaid phone service. Our office maintains subscriber information for Boost accounts, but this information is often inaccurate or incomplete, as no identification is required when purchasing a Boost phone. Payment information is also available for Boost accounts. However, this information, while accurate, may not be complete. As Boost accounts are prepaid, no bill reprints are available. We are able to provide call detail records for iDEN and CDMA Boost accounts for the most recent 18-24-month period.

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

SEARCH WARRANT

OCA: 2012-01003748

DATE: JANUARY 30TH, 2012

OFFICER: DETECTIVE CORPORAL K. P. MURPHY

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

SEARCH WARRANT

Form Approved by
S. C. Attorney General
Section 17-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR THE MUNICIPALITY OF :

It appearing from the attached affidavit that here are reasonable grounds to believe that certain property subject to seizure under provision of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing Magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Moncks Corner, SC

Jan 30, 2012. Paula McElrath (L.S.)
Signature of Judge

SCCA/515
(3-78)

3:10PM

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

AFFIDAVIT

Personally appeared before me, DETECTIVE CORPORAL K. P. MURPHY, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

SUBSCRIBER INFORMATION FOR THE VERIZON WIRELESS ACCOUNT ASSIGNED THE CELLULAR PHONE NUMBER 803-671-5146. INCOMING/OUTGOING CALL LOGS AND TEXT MESSAGE DETAIL AND CONTENT (IF AVAILABLE) FOR THE PERIOD 0001 (EDT), 01-30-12 THROUGH 1500 (EDT), 01-30-12.

PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

-VIA FACSIMILE-
CELLCO PARTNERSHIP (VERIZON WIRELESS)
180 WASHINGTON VALLEY ROAD
BEDMINSTER, NJ 07921
FAX: 888-667-0028

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON 01-26-12, JAMES A. SANDERS FLED FROM THE CUSTODY OF THE HILL-FINKLEA DETENTION CENTER IN MONCKS CORNER, SC. SANDERS HAS A VIOLENT CRIMINAL HISTORY, INCLUDING CRIMINAL DOMESTIC VIOLENCE, AND WAS INCARCERATED FOR A VIOLENT ASSAULT ON HIS GIRLFRIEND, JENNIFER BOWZARD. BOWZARD IS CURRENTLY IN PROTECTIVE CUSTODY PENDING SANDERS RECAPTURE. YOUR AFFIANT HAS PROBABLE CAUSE TO BELIEVE THAT SANDERS MAY HAVE CALLED BOWZARD'S CELLULAR PHONE FROM A BLOCKED PHONE NUMBER, WHICH HAS SINCE BEEN IDENTIFIED AS 803-671-5146. YOUR AFFIANT IS ASKING FOR SUBSCRIBER INFORMATION AND PHONE RECORDS FROM VERIZON WIRELESS CELLULAR PHONE ACCOUNT AND BELIEVES THIS INFORMATION WILL ASSIST IN LOCATING AND APPREHENDING SANDERS AND RETURNING HIM TO JUSTICE.

Sworn to and Subscribed before me
this 30 day of Jan, 2012.

Signature of Judge (L.S.)

AFFIANT: DETECTIVE K. P. MURPHY
223 North Live Oak Drive
Moncks Corner, SC 29461
719-4863 or 723-3800

RETURN

I received the attached Search Warrant 01-30, 2012 and have executed it as follows:

On 01-30, 2012 at 4:39 o'clock P M, I searched (the person / the premises) described in the warrant.

I left a copy of the warrant with (name of person searched or "at the place of search") Records Custodian together with a receipt for all items seized.

The following is an inventory of property taken pursuant to the warrant: Fax w/Records from Verizon Wireless.

This inventory was made in the presence of Det KP Murphy and Det R Carlile

I swear this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 1st day of Feb 2012

Paula McElrogue (L.S.)
(Signature of Judge)

2:30 pm

R Carlile
(Signature of Officer Executing Warrant)

Verizon Wireless Workflow Manager

FAX COVER PAGE

To	Kevin Murphy
To Fax Number	8437194676
From	Jason Forman case # 1073037
From Phone Number	800-451-5242
From Fax Number	8886670028
Case ID	1073037
Analyst Name	Jason Forman

Comments:
The number belongs to an AT& T reseller called Allied Wireless, their # is 877-644-2922, it has not been ported to Verizon Wireless

Please note, VzW fax numbers have changed to:

Subpoenas: 888-667-0028
Court Orders: 888-667-0026

Please note that the time reflected on any call detail report or bill copy is reflective of the switch that processed the call, which may not be the same as the clock time at the cell site where the call was initiated.

The information contained in this message and any attachment may be proprietary, confidential and privileged or subject to the work product doctrine and thus protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by replying to this message and deleting it and all copies and backups thereof. Thank you.

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

SEARCH WARRANT

OCA: 2012-01003748

DATE: JANUARY 31ST, 2012

OFFICER: DETECTIVE CORPORAL K. P. MURPHY

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

SEARCH WARRANT

Form Approved by
S. C. Attorney General
Section 17-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR THE MUNICIPALITY OF :

It appearing from the attached affidavit that here are reasonable grounds to believe that certain property subject to seizure under provision of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing Magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Moncks Corner, SC

Jan 31, 2012. Paula McElmoyle (L.S.)
Signature of Judge

SCCA/513
(3-78)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

AFFIDAVIT

Personally appeared before me, DETECTIVE CORPORAL K. P. MURPHY, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

SUBSCRIBER INFORMATION FOR THE ALLTEL WIRELESS ACCOUNT ASSIGNED THE CELLULAR PHONE NUMBER 803-671-5146. INCOMING/OUTGOING CALL LOGS AND TEXT MESSAGE DETAIL AND CONTENT (IF AVAILABLE) FOR THE PERIOD 0001 (EDT), 01-30-12 THROUGH 1500 (EDT), 01-30-12.

PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

-VIA FACSIMILE-
ALLTEL
1001 TECHNOLOGY DRIVE
LITTLE ROCK, AR 72223
FAX: 571-434-3401

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON 01-26-12, JAMES A. SANDERS FLED FROM THE CUSTODY OF THE HILL-FINKLEA DETENTION CENTER IN MONCKS CORNER, SC. SANDERS HAS A VIOLENT CRIMINAL HISTORY, INCLUDING CRIMINAL DOMESTIC VIOLENCE, AND WAS INCARCERATED FOR A VIOLENT ASSAULT ON HIS GIRLFRIEND, JENNIFER BOWZARD. BOWZARD IS CURRENTLY IN PROTECTIVE CUSTODY PENDING SANDERS RECAPTURE. YOUR AFFIANT HAS PROBABLE CAUSE TO BELIEVE THAT SANDERS MAY HAVE CALLED BOWZARD'S CELLULAR PHONE FROM A BLOCKED PHONE NUMBER, WHICH HAS SINCE BEEN IDENTIFIED AS 803-671-5146. YOUR AFFIANT IS ASKING FOR SUBSCRIBER INFORMATION AND PHONE RECORDS FROM ALLTEL WIRELESS CELLULAR PHONE ACCOUNT AND BELIEVES THIS INFORMATION WILL ASSIST IN LOCATING AND APPREHENDING SANDERS AND RETURNING HIM TO JUSTICE.

Sworn to and Subscribed before me
this 31 day of Jan, 2012.

Paula McDonnell (L.S.)
Signature of Judge

3:30pm

AFFIANT: DETECTIVE K. P. MURPHY
223 North Live Oak Drive
Moncks Corner, SC 29461
719-4863 or 723-3800

RETURN

I received the attached Search Warrant 01-31, 2012, and have executed it as follows:

On 01-31, 2012 at 4:28 o'clock P M, I searched (the person / the premises) described in the warrant.

I left a copy of the warrant with (name of person searched or "at the place of search") Rhonda Arellano together with a receipt for all items seized.

The following is an inventory of property taken pursuant to the warrant: Cellular phone (Rhonda Arellano) from Allen on phone number 503-671-5146.

This inventory was made in the presence of DDA KP Murphy and Det. J. Potter 16-EA

I swear this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 2nd day of Feb, ~~2011~~. 2012

Paula McStay (L.S.)
(Signature of Judge)

C206
(Signature of Officer Executing Warrant)

Date: 02/01/2012
AWCC

We are a designated agent of AWCC authorized to respond to subpoenas, search warrants, and court orders for the production of customer and call detail records. We conducted a search of AWCC records in response to the lawful process you issued and served on AWCC on 02/01/2012. This letter is to advise you that the following records are enclosed in response to the attached request:

Customer Records

X Subscriber Info
__ Monthly Statements
X Incoming Calls
X Outgoing Calls
X SMS Messages
__ IP Traffic Related Content
__ Records Provided on Disk
__ MMS Messages
__ Cell Sites Info
__ Customer Notes/Comments
__ Payment Details
__ MAC Address
__ Others
__ No Records Available

Description of Records:

Target Details	Comments	Date From:	Date To:
(803)-671-5146		01/30/2012	01/30/2012

If you have any questions, please contact Luis Benevides at (571)-434-3438, between the hours of 8:30 A.M. and 5 P.M. EST/EDT. Please reference the control number LB21510 to enable us to retrieve the subpoena and letter from our files for the contact.

Yours truly,

Authorized Agent for Custodian of Records

neustar

DECLARATION OF CUSTODIAN OF RECORDS

Pursuant to 28 U.S.C. § 1746, I, the undersigned, do hereby declare:

1. My name is Luis Benevides
(Name of Declarant)

2. I am a United States citizen and over eighteen (18) years of age. I am acting in behalf of the custodian of records of the business named in the subpoena, or I am otherwise qualified as a result of my position with the business named in the subpoena to make this declaration.

3. I am in receipt of a Search Warrant served on AWCC, signed by Judge, and requesting specified records of the business named below. Attached to this declaration are records responsive to the subpoena. Pursuant to Federal Rules of Evidence Rules 803(6) (Records of regularly conducted activity) and 902(11) (Certified domestic records or regularly conducted activity), I hereby certify that the records attached to this declaration:

a) Were made at or near the time of the occurrence of the matters set forth in the records by, or from information transmitted by a person with knowledge of those matters;
b) Were kept in the course of a regularly conducted business activity; and
c) Were made by the regularly conducted activity as a regular practice.

I DECLARE under penalty of perjury that the foregoing is true and correct.

Executed on 02/01/2012

(signature of declarant)
Luis Benevides. Authorized Agent for Custodian of Records
(name and title of declarant)
Neustar, Inc.
(name of business)
46000 Center Oak Plaza
(business address)
Sterling, VA 20166

BERKELEY COUNTY SHERIFF'S OFFICE

FACSIMILE TRANSMITTAL SHEET

TO: Legal Compliance	FROM: Detective Corporal K. P. Murphy
COMPANY: AllTel Wireless	DATE: 1/31/12
FAX NUMBER: 571-434-3401	TOTAL NO. OF PAGES INCLUDING COVER: - 04 -
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: OCA: 2012-01003748
RE: SEARCH WARRANT	YOUR REFERENCE NUMBER: 803-671-5146

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

To Whom It May Concern –

This incident involves a dangerous escaped prisoner-at-large. His girlfriend is currently in protective custody pending his apprehension. If possible, we would appreciate it if you could expedite this request. Thank you!

The attached search warrant should be returned within ten (10) days. PLEASE EMAIL THE RESULTS TO SHERIFFWARRANTREPLY@berkeleycountysc.gov AND/OR FAX TO 843-719-4676.

Regards,

Kevin P. Murphy
Detective Corporal
Berkeley County Sheriff's Office
(V) 843-719-4863
(C) 843-709-0989
(F) 843-719-4676
kmurphy@berkeleycountysc.gov

The information contained in this fax is CONFIDENTIAL law enforcement information and cannot be divulged to a third party without the consent of the originator. If you feel that you have received this fax in error, please contact the Berkeley County Sheriff's Office at 843-719-4412 and ask for the Criminal Investigations Division.

Transmission Report

Date/Time	01-31-2012	05:26:04 p.m.	Transmit Header Text	BERKELEY CTY SHERIFF'S OFF CID
Local ID 1	8437194676		Local Name 1	BCSO CID

This document : Failed
(reduced sample and details below)
Document size : 8.5"x11"

BERKELEY COUNTY SHERIFF'S OFFICE

FACSIMILE TRANSMITTAL SHEET

TO: Legal Compliance	FROM: Detective Corporal K. P. Murphy
COMPANY: AllTel Wireless	DATE: 1/31/12
FAX NUMBER: 571-434-3402	TOTAL NO. OF PAGES INCLUDING COVER: - 04 -
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: OCA: 2012-01003748
RE: SEARCH WARRANT	YOUR REFERENCE NUMBER: 203-671-5146

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

To Whom It May Concern:

This incident involves a dangerous escaped prisoner at large. His girlfriend is currently in protective custody pending his apprehension. If possible, we would appreciate it if you could expedite this request. Thank you!

The attached search warrant should be returned within ten (10) days. PLEASE EMAIL THE RESULTS TO SHERIFFWARRANTREPLY@berkeleycountysc.gov AND/OR FAX TO 843-719-4679.

Regards,

Kevin P. Murphy
Detective Corporal
Berkeley County Sheriff's Office
(V) 843-719-4863
(C) 843-708-0988
(F) 843-719-4679
kmurphy@berkeleycountysc.gov

223 NORTH LIVE OAK DRIVE ◇ MONCKS CORNER, SOUTH CAROLINA 29461

The information contained in this fax is CONFIDENTIAL law enforcement information and cannot be divulged to a third party without the consent of the originator. If you feel that you have received this fax in error, please contact the Berkeley County Sheriff's Office at 843-719-4412 and ask for the Criminal Investigations Division.

Total Pages Scanned : 4 Total Pages Confirmed : 0

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	874	15714343402	05:24:58 p.m. 01-31-2012	00:00:00	0/4	1	--	HS	FA

Abbreviations:
HS: Host send
HR: Host receive
WS: Waiting send
PL: Polled local
FR: Polled remote
MS: Mailbox save
MP: Mailbox print
RP: Report
FF: Fax Forward
CP: Completed
FA: Fail
TU: Terminated by user
TS: Terminated by system
G3: Group 3
EC: Error Correct

HP Officejet Pro 8500 A909n All-in-One series

Fax Log for
BCSO
8437194962
Jan 31 2012 4:26PM

Last Transaction

Date	Time	Type	Station ID	Duration Digital Fax	Pages	Result
Jan 31	4:25PM	Fax Sent	15714343402	0:00 N/A	0	No answer

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

RE: BCSO SEARCH WARRANT - control #LB21510
Benevides, Luis to: 'sheriffwarrantreply@berkeleycountysc.gov' 02/01/2012 02:15 PM

From: "Benevides, Luis" <Luis.Benevides@neustar.biz>
To: "'sheriffwarrantreply@berkeleycountysc.gov'" <sheriffwarrantreply@berkeleycountysc.gov>

Received. I will forward to you via email as soon as we retrieve the information requested...
Thank you,
Luis
-----Original Message-----
From: sheriffwarrantreply@berkeleycountysc.gov [mailto:sheriffwarrantreply@berkeleycountysc.gov]
Sent: Wednesday, February 01, 2012 2:25 PM
To: Benevides, Luis
Subject: BCSO SEARCH WARRANT

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Attachment File Type: PDF

WorkCentre Location: Detective's Office
Device Name: XRX0000AA7B2E85

For more information on Xerox products and solutions, please visit http://www.xerox.com

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

SEARCH WARRANT

OCA: 2012-01003748

DATE: FEBRUARY 8TH, 2012

OFFICER: DETECTIVE CORPORAL K. P. MURPHY

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

SEARCH WARRANT

Form Approved by
S. C. Attorney General
Section 17-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR THE MUNICIPALITY OF :

It appearing from the attached affidavit that here are reasonable grounds to believe that certain property subject to seizure under provision of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

BETTER DESCRIBED ON THE FACE OF THE AFFIDAVIT

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing Magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Moncks Corner, SC

February 8, 2012.

Signature of Judge (L.S.)

SCCA/513
(3-78)

STATE OF SOUTH CAROLIN)
)
COUNTY OF BERKELEY)

AFFIDAVIT

Personally appeared before me, DETECTIVE CORPORAL K. P. MURPHY, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

SUBSCRIBER INFORMATION FOR THE ALLTEL WIRELESS ACCOUNT ASSIGNED THE CELLULAR PHONE NUMBER 803-300-4565. INCOMING/OUTGOING CALL LOGS AND TEXT MESSAGE DETAIL AND CONTENT (IF AVAILABLE) FOR THE PERIOD 0001 (EDT), 01-26-12 THROUGH 1240 (EDT), 02-08-12.

PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

-VIA FACSIMILE-
ALLTEL
1001 TECHNOLOGY DRIVE
LITTLE ROCK, AR 72223
FAX: 571-434-3401

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON 01-26-12, JAMES A. SANDERS FLED FROM THE CUSTODY OF THE HILL-FINKLEA DETENTION CENTER IN MONCKS CORNER, SC. SANDERS HAS A VIOLENT CRIMINAL HISTORY, INCLUDING CRIMINAL DOMESTIC VIOLENCE. SANDERS HAS OBTAINED A CELLULAR TELEPHONE AND HAS CALLED THE PHONE NUMBER "803-300-4565" FROM THAT PHONE APPROXIMATELY 93 TIMES AS OF 02-07-12. YOUR AFFIANT IS ASKING FOR SUBSCRIBER INFORMATION AND PHONE RECORDS FOR THE ALLTEL WIRELESS CELLULAR PHONE ACCOUNT BELONGING TO THAT PHONE NUMBER AND BELIEVES THIS INFORMATION WILL ASSIST IN LOCATING AND APPREHENDING SANDERS AND RETURNING HIM TO JUSTICE.

Sworn to and Subscribed before me
this 8 day of February, 2012.

(L.S.)
Signature of Judge

12:47 pm

AFFIANT: DETECTIVE K. P. MURPHY
223 North Live Oak Drive
Moncks Corner, SC 29461
719-4863 or 723-3800

RETURN

I received the attached Search Warrant 02-08, 2012, and have executed it as follows:

On 02-08, 2012 at 1:00 o'clock P M, I searched (the person/ the premises) described in the warrant.

I left a copy of the warrant with (name of person searched or "at the place of search") Records Custodian together with a receipt for all items seized.

The following is an inventory of property taken pursuant to the warrant: Subscriber Records for AllTel cellular phone number 803-300-4565.

This inventory was made in the presence of DnA KP Murphy and

I swear this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 7 day of March, 2011. 2012

(L.S.)
(Signature of Judge)

B Denton
(Signature of Officer Executing Warrant)

Berkeley County Detention Center

ACCOUNT SUMMARY

Inmate ID: 2011004253
Inmate Name: JAMES A SANDERS
Inmate Location: INTERVIEW ROOM/MAIN/Cell 10/
Report Date: 1/27/2012

Date	Amount	Description	Comment
1/10/12	-8.95	Commissary (100301)	
1/10/12	-4.72	Pre Paid Cam Debit (575301)	
1/10/12	-5.00	Pre Paid Cam Debit (575301)	
1/03/12	-5.00	Pre Paid Cam Debit (575301)	
1/03/12	-21.19	Commissary (100301)	
12/29/11	-5.00	Pre Paid Cam Debit (575301)	
12/28/11	10.00	Deposit Holding Account (100199)	from Melissa Sanders
12/28/11	10.00	Deposit Holding Account (100199)	from ??
12/28/11	-5.00	Indigent Package 1 (556301)	Repaying inmate debt
12/28/11	-5.00	Indigent Package 1 (556301)	Repaying inmate debt
12/28/11	40.00	Deposit Holding Account (100199)	from Barbara Wilson
11/15/11	-6.07	Pre Paid Cam Debit (575301)	
11/15/11	-3.93	Commissary (100301)	
11/09/11	-5.00	Pre Paid Cam Debit (575301)	
11/07/11	-5.00	Indigent Package 1 (556301)	Repaying inmate debt
11/07/11	20.00	Deposit Holding Account (100199)	barbara wilson
10/19/11	-7.01	Pre Paid Cam Debit (575301)	
10/18/11	-2.99	Commissary (100301)	
10/14/11	-5.00	Indigent Package 1 (556301)	Repaying inmate debt
10/14/11	15.00	Deposit Holding Account (100199)	CAIN
9/20/11	-6.94	Pre Paid Cam Debit (575301)	
9/20/11	-8.33	Commissary (100301)	
9/16/11	-7.00	Pre Paid Cam Debit (575301)	
9/15/11	-8.00	Pre Paid Cam Debit (575301)	
9/14/11	20.00	Deposit Holding Account (100199)	BARBARA WILSON
9/12/11	-5.00	Pre Paid Cam Debit (575301)	
9/09/11	-5.00	Pre Paid Cam Debit (575301)	
9/08/11	20.00	Deposit Holding Account (100199)	MELISSA SANDERS
9/06/11	-9.73	Commissary (100301)	
8/25/11	-10.00	Pre Paid Cam Debit (575301)	
8/24/11	-10.00	Pre Paid Cam Debit (575301)	
8/23/11	30.00	Deposit Holding Account (100199)	?
Total:	0.14		

Kris,

1. He was booked in on 8/2/11 AT 14:51 and released PR on 8/3/11 at 15:56. The address he gave at the time of arrest was, 1254 Cypress Campground Ridgeville, SC.

2. He listed the home phone as 797-3611.

3. He had no visitors while he was here.

4. Did not receive any mail.

5. He called the following telephone numbers. A) 899-7055 , 660-0730, 270-5052, 308-9000, 709-2692, 553-3464, 670-050,

V/R

Rob

BERKELEY COUNTY SHERIFF'S OFFICE

CHAIN OF CUSTODY SHEET

CHAIN OF CUSTODY SHEET MUST ACCOMPANY EVIDENCE AT ALL TIMES

SC 0080000

CASE NUMBER: 2012-01003749

CASE TYPE: Escape

EVIDENCE TAG#:

PAGE [ ] OF [ ]

ARRESTING OFFICER/ASSIGNED OFFICER NAME / BADGE: KP MURPHY 3600

DATE: 02-02-12

TIME: 1224

VICTIM/ DEFENDANT/~~OWNER~~ NAME / ADDRESS: James Alan Sanders

PROPERTY CLASSIFICATION

PLEASE CHECK APPROPRIATE BOXES

- [ ] FINGERPRINTS
- [ ] DRUGS/TESTING
- [X] HOLD FOR EVIDENCE
- [ ] FOUND PROPERTY/SAFEKEEPING RETURN TO OWNER
- [ ] TO BE DESTROYED

ITEM #	DESCRIPTION (CALIBER, BRAND, MODEL, SERIAL NUMBER, ETC.)
1	CD-Rom

PROPERTY RECEIPT (OWNER/ DEFENDANT SIGNATURE REQUIRED)

ITEM #	DATE	NAME / ORGANIZATION / SIGN RELEASED BY	NAME / ORGANIZATION / SIGN RECEIVED BY	PURPOSE
1	02-02-12	KP MURPHY BCSO [signature]		Evidence
[ ]				
[ ]				
[ ]				

EVIDENCE ROOM

BERKELEY COUNTY SHERIFF'S OFFICE

CHAIN OF CUSTODY SHEET

CHAIN OF CUSTODY SHEET MUST ACCOMPANY EVIDENCE AT ALL TIMES

SC 0080000

CASE NUMBER: 2012-01003748

CASE TYPE: Evidence

EVIDENCE TAG#: 601

PAGE 1 OF 1

ARRESTING OFFICER/ASSIGNED OFFICER NAME/BADGE: KP MURPHY 3600

DATE: 02-03-12

TIME: 1234

VICTIM/DEFENDANT/~~OWNER~~ NAME: James Alan Sanders

ADDRESS:

PROPERTY CLASSIFICATION

PLEASE CHECK APPROPRIATE BOXES

- [ ] FINGERPRINTS
- [ ] DRUGS/TESTING
- [X] HOLD FOR EVIDENCE
- [ ] FOUND PROPERTY/SAFEKEEPING RETURN TO OWNER
- [ ] TO BE DESTROYED

ITEM #	DESCRIPTION (CALIBER, BRAND, MODEL, SERIAL NUMBER, ETC.)
1	CD-ROM

RECEIVED FEB 03 2012

PROPERTY RECEIPT (OWNER/DEFENDANT SIGNATURE REQUIRED)

ITEM #	DATE	NAME RELEASED BY	NAME RECEIVED BY	PURPOSE
1	02-02-12	KP MURPHY	LOCKBOX	
		ORGANIZATION: BCSO	ORGANIZATION: FSS	Evidence
		SIGN:	SIGN:	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGN	SIGN	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGN	SIGN	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGN	SIGN	

FILE COPY

BERKELEY COUNTY SHERIFF'S OFFICE

CHAIN OF CUSTODY SHEET

CHAIN OF CUSTODY SHEET MUST ACCOMPANY EVIDENCE AT ALL TIMES

SC 0080000

CASE NUMBER: 2012010037A8

CASE TYPE: ESCAPE

EVIDENCE TAG#: 002

PAGE 1 OF 1

ARRESTING OFFICER/ASSIGNED OFFICER NAME / BADGE	DATE	TIME
OLLIE		

VICTIM/DEFENDANT/OWNER	NAME	ADDRESS
SANDERS, JAMES		1254 CYPRESS CAMPGROUND RD

PROPERTY CLASSIFICATION

PLEASE CHECK APPROPRIATE BOXES

- [ ] FINGERPRINTS
- [ ] DRUGS/TESTING
- [X] HOLD FOR EVIDENCE
- [ ] FOUND PROPERTY/SAFEKEEPING RETURN TO OWNER
- [ ] TO BE DESTROYED

ITEM #	DESCRIPTION (CALIBER, BRAND, MODEL, SERIAL NUMBER, ETC.)
	VERIZON FLIP PHONE FROM JAIL

RECEIVED MAR 0 1 2012

PROPERTY RECEIPT (OWNER/ DEFENDANT SIGNATURE REQUIRED)

ITEM #	DATE	NAME RELEASED BY / ORGANIZATION / SIGN	NAME RECEIVED BY / ORGANIZATION / SIGN	PURPOSE
	2-14-12	D. FOKINDA	EVIDENCE	HOLD

FILE COPY

BERKELEY COUNTY SHERIFF'S OFFICE

CHAIN OF CUSTODY SHEET

CHAIN OF CUSTODY SHEET MUST ACCOMPANY EVIDENCE AT ALL TIMES

SC0080000

CASE NUMBER: 2012-01003748

CASE TYPE: Escape from Jail

EVIDENCE TAG#: 005

PAGE 1 OF 1

ARRESTING OFFICER/ASSIGNED OFFICER NAME / BADGE: KP MURPHY 3640

DATE: 02-29-12

TIME: 0100

PROPERTY CLASSIFICATION

PLEASE CHECK APPROPRIATE BOXES

- [ ] FINGERPRINTS
- [ ] DRUGS/TESTING
- [X] HOLD FOR EVIDENCE
- [ ] FOUND PROPERTY/SAFEKEEPING RETURN TO OWNER
- [ ] TO BE DESTROYED

VICTIM/DEFENDANT/OWNER NAME: James A. Conklin

ADDRESS:

ITEM #	DESCRIPTION (CALIBER, BRAND, MODEL, SERIAL NUMBER, ETC.)
1	CD-Com Network Device

RECEIVED MAR 01 2012

PROPERTY RECEIPT (OWNER/ DEFENDANT SIGNATURE REQUIRED)

ITEM #	DATE	NAME RELEASED BY	NAME RECEIVED BY	PURPOSE
1	02-29-12	LP Murphy	Evid	
		ORGANIZATION: PCSU	ORGANIZATION:	Evidence
		SIGN:	SIGN:	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGN	SIGN	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGN	SIGN	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGN	SIGN	

FILE COPY

BERKELEY COUNTY SHERIFF'S OFFICE

CHAIN OF CUSTODY SHEET

CHAIN OF CUSTODY SHEET MUST ACCOMPANY EVIDENCE AT ALL TIMES

SC 0080000

CASE NUMBER: 2012-01003749

CASE TYPE: Escape from Jail

EVIDENCE TAG #:

PAGE [ ] OF [ ]

ARRESTING OFFICER/ASSIGNED OFFICER NAME / BADGE: KP MURPHY 3600

DATE: 02-23-12

TIME: 0900

VICTIM/DEFENDANT/OWNER: NAME / ADDRESS

James D. Sanders

PROPERTY CLASSIFICATION

PLEASE CHECK APPROPRIATE BOXES

- [ ] FINGERPRINTS
- [ ] DRUGS/TESTING
- [X] HOLD FOR EVIDENCE
- [ ] FOUND PROPERTY/SAFEKEEPING RETURN TO OWNER
- [ ] TO BE DESTROYED

ITEM #	DESCRIPTION (CALIBER, BRAND, MODEL, SERIAL NUMBER, ETC.)
1	CD-ROM w/Nonjail Documents

PROPERTY RECEIPT (OWNER/DEFENDANT SIGNATURE REQUIRED)

ITEM #	DATE	NAME RELEASED BY / ORGANIZATION / SIGN	NAME RECEIVED BY / ORGANIZATION / SIGN	PURPOSE
1	02-28-12	KP Murphy BCSO		Evidence

EVIDENCE ROOM

Software Solutions, LLC

Sign Out

- Booking List
- Inmate Roster
- Inmate Search

INMATE ROSTER

Search for SANDERS, JAMES A GO

Booked Date Time to

Booked By Badge All

Booked By Name All

Sex All

Race All

Ethnicity All

Birth Date to

Height to

Weight to

Hair Color All GO

1 of 1 1 Items 10 /Page GO

Booking No.	Booked Date/Time	Name	Address	Phone	Sex	Race	Ethnicity	Hgt.	Wgt.	Hair	Birth Date	SSN	Booking Officer
2011-004253	08/19/2011 12:05	SANDERS, JAMES A	1254 CYPRESS CAMPGROUND RD		M	W		507	169	BROWN	06/15/1972	251213316	GREENE O

Charges Photos Aliases Employer Next Of Kin Notes

Date Charged	Offense Code	Reference	Court	Court Date	Court Additional	Disposition	Disposition Date	Bond Type	Remarks
08/19/2011	VIOLATION OF COURT ORDER OF PROTECTION	M334092			TIME SERVED	RELEASED FROM CUSTODY	01/26/2012 09:00	SURETY	TIME SERVED/JUDGE MCELVOGUE
08/19/2011	CONTEMPT OF COURT				30 DAYS CONSEQ				30 DAYS CONSEQ
08/19/2011	BOND REVOCATION				$42,500.00 (M333997-CDVHAN, 27844FQ-FAILURE TO STOP FOR BLUE LIGHT)	RELEASED FROM CUSTODY	10/11/2011 00:00		$42,500.00 (M333997-CDVHAN, 27844FQ- FAILURE TO STOP FOR BLUE LIGHT)
08/22/2011	HOLD FOR (CHARLESTON COUNTY CHARGES)				TIME SERVED	RELEASED FROM CUSTODY	10/11/2011 00:00		TIME SERVED/CHARLESTON COUNTY
08/22/2011	BOND REVOCATION				68817FC-CDV,M325747-CDVHAN,27846-EVADING ARREST ARRESTFQ ($11,577.50)	RELEASED FROM CUSTODY	01/25/2012 00:00		68817FC-CDV,M325747-CDVHAN,27846-EVADING ARREST ARRESTFQ ($11,577.50)
09/02/2011	CDV	68817FC			TIME SERVED	RELEASED FROM CUSTODY	10/10/2011 00:00		TIME SERVED
09/02/2011	CDV	M325747			$5242.50 PR BOND(CHANGED ON 09/23/2011)				$5242.50 PR BOND(CHANGED ON 09/23/2011)
09/02/2011	EVADING ARREST	27846FQ			$1092.50 SURETY	RELEASED FROM CUSTODY	09/14/2011 00:00		TIME SERVED/MCELVOGUE
10/12/2011	BOND REVOCATION				$42,500.00 (M333997-CDVHAN, 27844FQ-FAILURE TO STOP FOR BLUE LIGHT)	RELEASED FROM CUSTODY	10/11/2011 00:00		$42,500.00 (M333997-CDVHAN, 27844FQ- FAILURE TO STOP FOR BLUE LIGHT)
10/11/2011		M333997				RELEASED	10/11/2011 00:00		DISCHARGED/M.BROWN

Copyright © 2009 J2 Software Solutions, LLC. All rights reserved.

Sign Out

Software Solutions, LLC

Booking List
Inmate Roster
Inmate Search

INMATE ROSTER

Search for SAUNDERS, JAMES A GO
Booked Date Time to
Booked By Badge All
Booked By Name All
Sex All
Race All
Ethnicity All
Birth Date to
Height to
Weight to
Hair Color All GO

1 of 1 1 Items 10 /Page GO

PHOTO

Charg Date Charg
08/19
08/19
08/19
08/22
08/22
09/02
09/02
09/02
10/12
10/11



Copyright © 2009 JZ Software Solutions, LLC. All rights reserved.

3 YEAR DRIVER RECORD



Customer No: 25406741
Name: SANDERS, JAMES ALLEN JR
Address: 1254 CYPRESS CAMPGROUND RD
City: RIDGEVILLE
County: BERKELEY
DOB: 06/19/1972

Driver License No: 8983101
State: SC **Zip:** 294727321
Sex: M **Driver Training:** N

Status - DL: SUSPENDED **CDL:** DISQUALIFIED

License Information

Type	Class	Function	Issued	Expires	First Issued	Restrictions	Endorsements
Current							
DL	D	Duplicate	06/23/2011	06/19/2020	05/10/1991	N	N
Prior							
DL	D	Renewal	07/27/2010	06/19/2020	05/10/1991	N	N
DL	D	Reissue	07/27/2010	06/19/2020	05/10/1991	N	N
DL	D	Renewal	06/14/2004	06/19/2014	05/10/1991	N	N
DL	D	Reissue	06/14/2004	06/19/2014	05/10/1991	N	N
DL	D	Duplicate	01/26/2006	06/19/2014	05/10/1991	N	N
DL	D	Duplicate	01/09/2009	06/19/2014	05/10/1991	N	N
DL	D	Returned	06/14/2004	06/19/2014	05/10/1991	N	N
DL	D	Renewal	09/12/2002	06/19/2007	05/10/1991	N	N
DL	D	Modify	10/29/2002	06/19/2007	05/10/1991	N	N
DL	D	Returned	09/12/2002	06/19/2007	05/10/1991	N	N
DL	D	Renewal	07/01/1994	06/19/1998	05/10/1991	N	N

Address Change -

Address: 165 DEWITT RD
City: BONNEAU
State: SC **Zip:** 294313293
Date Changed: 07/27/2010

Point Summary

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

3 YEAR DRIVER RECORD

Customer No: 25406741
Name: SANDERS, JAMES ALLEN JR
Driver License No: 8983101

SUSP: 097 - Failure to Pay Traffic Ticket
Ticket#: 239270E
Suspension Beg: 10/23/2011
Suspension End: INDEFINITE
Causal: 07/11/2011
Post: 10/03/2011
Ticket Paid:
Compliance Received:
ACD: D56 **Court Name:** MECKLENBURG COUNTY COURT
Court Address: 700 E 4TH ST
City: CHARLOTTE **State:** NC **Zip:** 28202
Phone No: 704-686-0400

VIOL: 560 - Failure to Pay Traffic Ticket or Appear
Ticket#: 239270E
Violation: 07/11/2011 **Conviction:** 08/31/2011
Recd: 10/03/2011 **Post:** 10/03/2011
ACD: D56 **Conviction Loc Ref:** 521
Conviction Reference:
Conviction State: NC
Court Type: UNK

VIOL: 475 - Careless or negligent driving
Ticket#: 19697FN
Violation: 05/27/2011 **Conviction:** 06/23/2011
Recd: 07/07/2011 **Post:** 07/27/2011
ACD: M81 **Conviction Loc Ref:**
Conviction Reference:
Conviction State: SC
Court Type: MUN

VIOL: 560 - Failure to Pay Traffic Ticket or Appear
Ticket#: 19697FN
Violation: 05/27/2011 **Conviction:** 06/23/2011
Recd: 07/21/2011 **Post:** 07/21/2011
ACD: D56 **Conviction Loc Ref:** 533
Conviction Reference:
Conviction State: SC
Court Type: UNK

SUSP: 097 - Failure to Pay Traffic Ticket
Ticket#: 19697FN
Suspension Beg: 08/10/2011
Suspension End: INDEFINITE
Causal: 05/27/2011
Post: 07/21/2011
Ticket Paid:
Compliance Received:
ACD: D56 **Court Name:** MONCKS CORNER MUNICIPAL COURT
Court Address: 118 CAROLINA AVENUE POST
City: MONCKS CORNER **State:** SC **Zip:** 29461
Phone No: 843-719-7918

SUSP: 042 - Cancellation of Insurance
Special Driving Privilege: NONE
Suspension Beg: 07/19/2010
Suspension End: 07/27/2010
Causal: 06/07/2010
Post: 06/10/2010
Reinstatement Requirements Met: 07/27/2010
Reinstatement Fee Paid: Y
ACD: D36 **Withdrawal Loc Ref:**
Withdrawal Reason Ref:

SC Driver License Surrendered
Posted: 04/17/2009
License Type: DL **Class:** D **Function:** Duplicate **Issued:** 06/14/2004
Date Surrendered: 04/16/2009
Duplicate DOI: 01/09/2009
Reason for Return: DRIVERS LICENSE FROM COURT
Returning State: SC

End of Report

Customer Vehicles

Customer Number: 25406741
Customer Name: SANDERS, JAMES ALLEN JR
Owner Address: 1254 CYPRESS CAMPGROUND RD RIDGEVILLE SC 294727321

VIN	Year	Make	Model	Body	Plate	Class	Type	Status	Decal Exp.	Plate Exp.
1FMYU60E81UC18859	2001	FORD	EXPLORER	SU	T19152	CUT	1	TFR	04/04/2011	03/31/2012

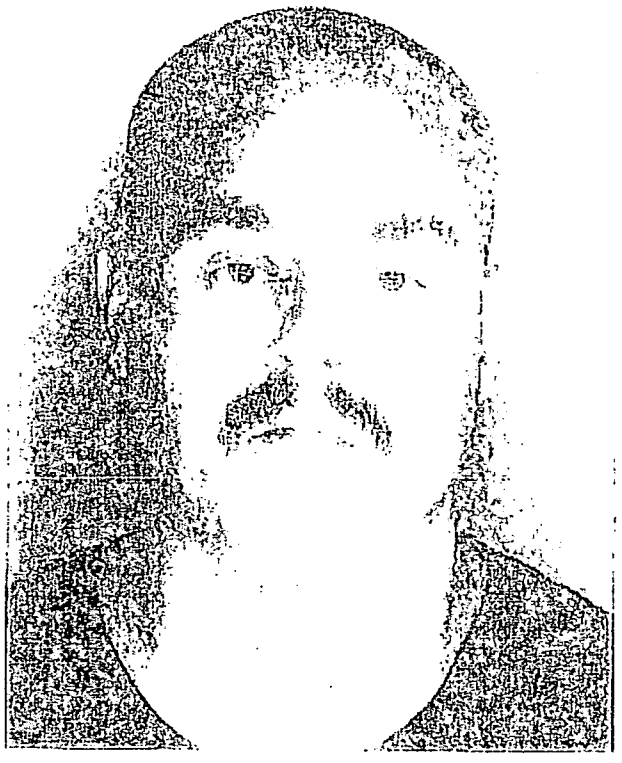
Title Number: 770850109360550
Purchase Date: 02/03/2003
Odometer: 21722
Status: CURRENT TITLE
Issue Date: 03/19/2003
Legend: ACTUAL MILEAGE
Dup: N
Salvage %: 0
Print Date: 03/24/2003

Owner Number: 25406741
Owner Name: SANDERS, JAMES ALLEN JR
Owner Address: 1254 CYPRESS CAMPGROUND RD RIDGEVILLE SC, 294727321

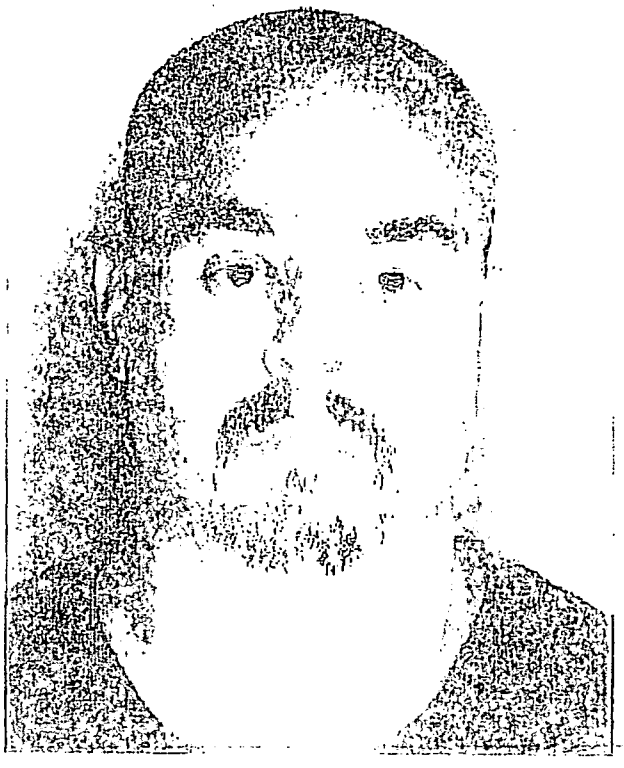
Owner Number: 24356546
Owner Name: SANDERS, MELISSA ROSE LOFTON

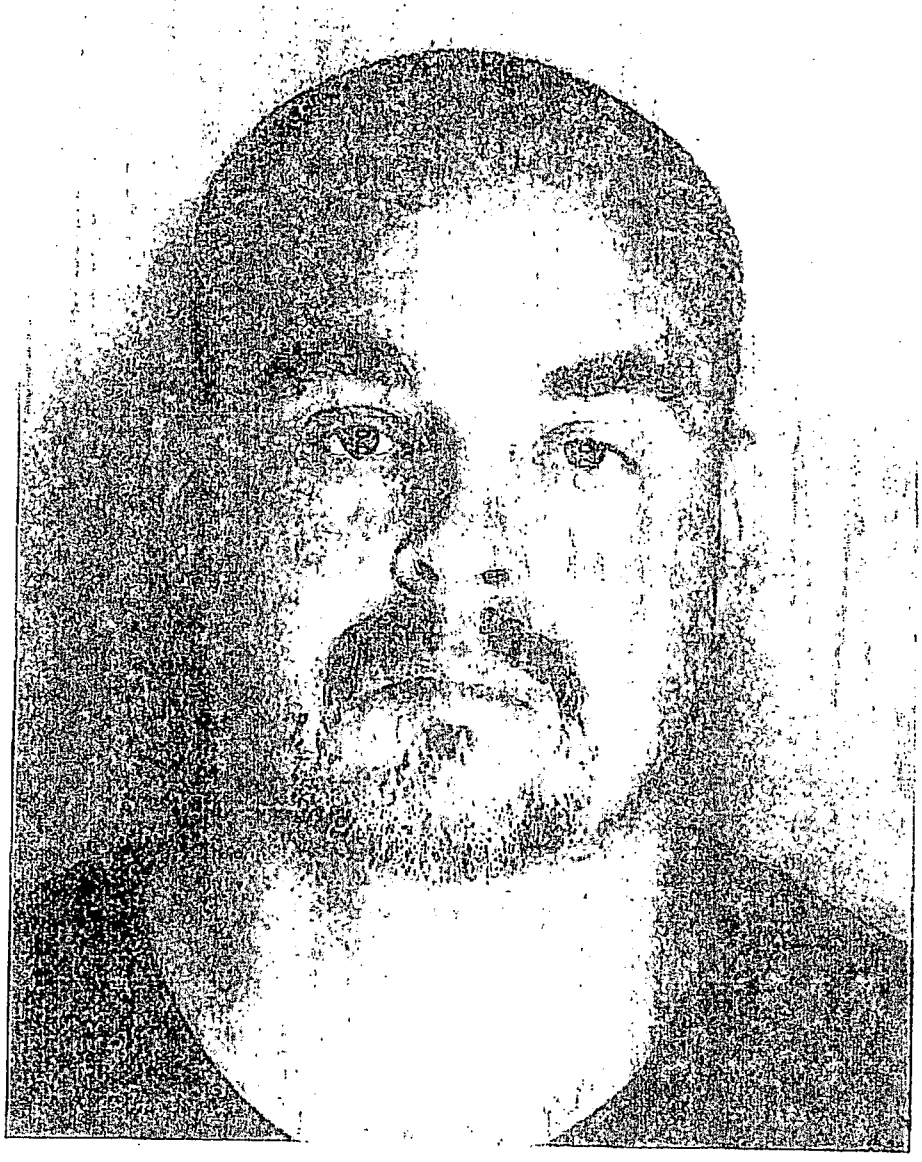
Lien No: 1
Lien Holder Name: TRANSOUTH FINANCIAL CORP
Lien Holder Address: PO BOX 998 GOOSE CREEK SC, 291630000
Lien Date: 02/03/2003
Lien Satisfaction Date:

End of Report





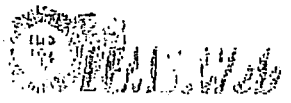




SANDERS, JAMES A

W/M, 507/189, BRN/BRN

06/19/1972



ICHR 003FBAA422 from SCCH

BRKSO446
.ICHR.003FBAA422.SCCH.20120126 17:20:50
TO: BRKSO446-668 20120126 17:20:50 003FBAA422
FROM: SCCH-12231714 20120126 17:20:50

ICHR REQUEST FOR RAP SHEET
ORI-SC0080000 FBI-406764MA9 PUR-C
ATN-201108033442

AUTHORIZED CRIMINAL JUSTICE AGENCY USE ONLY. CONTACT CONTRIBUTING AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS. BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-01/26/2012 TIME-17:18:26
REQ ORI-SC0080000 BERKELEY CNTY SO
SID-SC00768045 FBI-406764MA9
NAME-SANDERS, JAMES ALLEN JR SEX-M RACE-W
HEIGHT-507 WEIGHT-150 EYES-BRO HAIR-BRO SKIN-MED BORN-SC
FPC-PO14132119DI18161918 HENRY-14 O 5 U OOO 19
I 17 U OOO
PHOTOGRAPH AVAILABLE
1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

* DNA - TAKEN
DATE RECORD ENTERED--12/05/1990 DATE OF LAST UPDATE--11/30/2011

ADDITIONAL IDENTIFIERS NAME	BIRTH DATES	MARKS	SOC SEC	MISC NUM
SANDERS, JIMMY	06191962		251213116	
SANDERS, JAMES ALAN	06191972		251213316	
SANDERS, JAMES ALLEN				
SANDERS, JAMES A				

CONTRIBUTOR/SUBJECT	DOA/RCVD	CHARGE/DISPOSITION/ETC
SANDERS, JAMES ALLEN JR	10/19/1990	
SC0040100 ANDERSON PD		
CASE-9017301		
WARR-C738465		
		ARREST CHARGE 01-GRAND LARCEN Y
WARR-C738464		
		ARREST CHARGE 02-BURGLARY 2ND DEGREE
WARR-C738464		COURT CHARGE 01-BURGLARY
		COURT DISP-CONVICTED;15Y SUSP DURING PROBATION
WARR-C738465		COURT CHARGE 02-GRAND LARCENY
		COURT DISP-CONVICTED;10Y SUSP DURING PROBATION
SANDERS, JAMES ALLEN JR	11/26/1990	
SC0040000 ANDERSON CNTY SO		

CASE-906274
WARR-C738573

ARREST CHARGE 01-BREAKING INTO A MOTOR VEHICLE
OFFENSE DATE-11/26/1990
PHOTOGRAPH AVAILABLE

WARR-C738572

ARREST CHARGE 02-GRAND LARCENY
WARR-C738573
COURT CHARGE 01-BREAKING INTO MOTOR VEHICLE
COURT DISP-CONVICTED;5Y SUSP DURING PROBATION
WARR-C738572
COURT CHARGE 02-GRAND LARCENY
COURT DISP-CONVICTED;10Y CONSECUTIVE SUSP DURING PROBATION

SANDERS, JAMES ALAN 12/20/1990
SC0040100 ANDERSON PD

ARREST CHARGE 01-PETTY LARCENY
OFFENSE DATE-12/20/1990
COURT CHARGE 01-PETTY LARCENY
COURT DISP-CONVICTED;BAIL FORFEITED;$237

SANDERS, JAMES ALLEN 02/27/1991
SC0040000 ANDERSON CNTY SO
CASE-911184
WARR-C738826

ARREST CHARGE 01-GRAND LARCENY
OFFENSE DATE-02/27/1991
PHOTOGRAPH AVAILABLE
SC040015G CENTRAL PPP
WARR-C738826
COURT CHARGE 01-GRAND LARCENY
COURT DISP-CONVICTED;10Y SUSP DURING PROBATION

SANDERS, JAMES ALLEN JR 03/07/1991
SC0040000 ANDERSON CNTY SO
CASE-911356
WARR-D005728

ARREST CHARGE 01-BURGLARY 2ND
OFFENSE DATE-03/07/1991
PHOTOGRAPH AVAILABLE
WARR-D005728

ARREST CHARGE 02-GRAND LARCENY
SC040015G CENTRAL PPP
WARR-D005728
COURT CHARGE 01-BURGLARY
COURT DISP-CONVICTED;15Y SUSP; 5Y PROB
COURT DATE-06/03/1991
WARR-D005728
COURT CHARGE 02-GRAND LARCENY
COURT DISP-CONVICTED;10Y CONSECUTIVE SUSP DURING PROBATION

SANDERS, JAMES ALLEN 05/03/1991
SC0040100 ANDERSON PD

CASE-9107503

ARREST CHARGE 01-PETIT LARCEN
Y
OFFENSE DATE-02/25/1991
COURT CHARGE 01-PETIT LARCENY
COURT DISP-CONVICTED;30D
CONFINE; $237 FINE;CONFINE
MENT OR FINE;RESTITUTION

SANDERS, JAMES ALLEN 01/28/1992
SC0040000 ANDERSON CNTY SO
CASE-920439
WARR-D035187

ARREST CHARGE 01-GRAND LARCEN
Y
OFFENSE DATE-01/28/1992
PHOTOGRAPH AVAILABLE

SC040015G CENTRAL PPP
CIT-16-21-60
WARR-D035187

COURT CHARGE 01-TEMPORARY
USE OF VEHICLE W/OUT PERMI
SSION
COURT DISP-CONVICTED;1Y SUSP
ON TIME SERVED, 1Y PROBATI
ON
COURT DATE-02/12/1992

SC004015C PERRY RECPT & EVAL 03/24/1992 CUSTODY STATUS-RECEIVED
CASE-185199 START DATE-03/24/1992
CIT-16-11-312 FELONY

COURT CHARGE 01-BURGLARY
SECOND
COURT DISP-CONVICTED;PROBATIO
N REVOCATION 4 YEARS

SANDERS, JAMES ALLEN JR 10/29/1994
SC0040000 ANDERSON CNTY SO
CASE-945404
WARR-09628ZH

ARREST CHARGE 01-DISORDERLY
CONDUCT
OFFENSE DATE-10/29/1994
PHOTOGRAPH AVAILABLE

WARR-09628ZH

COURT CHARGE 01-DISORDERLY
CONDUCT
COURT DISP-CONVICTED;FORFEITU
RE
COURT DATE-11/18/1994

SANDERS, JAMES ALLEN JR 05/27/1995
SC0040000 ANDERSON CNTY SO
CASE-952776
WARR-D283045

ARREST CHARGE 01-BURGLARY 2ND
OFFENSE DATE-05/27/1995
PHOTOGRAPH AVAILABLE

WARR-D283046

ARREST CHARGE 02-PETTY LARCEN
Y
OFFENSE DATE-05/27/1995

CIT-16-11-312 FELONY
DOC-95GS0401517 WARR-D283045

COURT CHARGE 01-BURGLARY(NON-VIOLENT)(AFTER 6-20-1985) 2ND DEG
COURT DISP-CONVICTED;15 YEARS CONCURRENT WITH REVOCATION.
COURT DATE-01/29/1996

CIT-16-13-30 MISDEMEANOR
DOC-95GS0401518 WARR-D283046

COURT CHARGE 02-PETTY LARCENY LESS THAN $200
COURT DISP-CONVICTED;30 DAYS
COURT DATE-01/29/1996

SANDERS, JAMES ALLEN 07/04/1995
SC0260600 MYRTLE BEACH PD
CASE-04121695
WARR-E026852

ARREST CHARGE 01-UNLAWFULLY CARRYING FIREARM
OFFENSE DATE-07/03/1995
PHOTOGRAPH AVAILABLE

WARR-46526AB

ARREST CHARGE 02-DRIVING UNDER SUSPENSION
OFFENSE DATE-07/03/1995

WARR-46527AB

ARREST CHARGE 03-DISREGARDING TRAFFIC SIGNAL
OFFENSE DATE-07/03/1995

SANDERS, JAMES ALLEN JR 09/08/1995
SC0040000 ANDERSON CNTY SO
CASE-954839
WARR-D505338

ARREST CHARGE 01-ASSAULT AND BATTERY W/I TO KILL
OFFENSE DATE-09/08/1995
PHOTOGRAPH AVAILABLE

WARR-D505337

ARREST CHARGE 02-ATTEMPTED ARMED ROBBERY
OFFENSE DATE-09/08/1995

WARR-W049503 @

ARREST CHARGE 03-VIOLATION PROBATION
OFFENSE DATE-09/08/1995

CIT-16-3-620 MISDEMEANOR
DOC-00GS04 WARR-D505338

COURT CHARGE 01-ASSAULT AND BATTERY WITH INTENT TO KILL
COURT DISP-NON-CONVICTION; NOLLE PROSSED
COURT DATE-01/30/1996

CIT-16-11-330(B) FELONY
END OF PAGE 01 - PAGE 02 TO FOLLOW

ICHR 003FBAA423 from SCCH

BRKSO446
.ICHR.003FBAA423.SCCH.20120126 17:20:52
TO: BRKSO446-669 20120126 17:20:52 003FBAA423
FROM: SCCH-12231715 20120126 17:20:51

PAGE-02 DATE-01/26/2012 TIME-17:18:26
REQ ORI-SC0080000 BERKELEY CNTY SO
SID-SC00768045 FBI-406764MA9

CONTRIBUTOR/SUBJECT DOA/RCVD CHARGE/DISPOSITION/ETC

DOC-95GS0402483 WARR-D505337
COURT CHARGE 02-ATTEMPTED ARMED ROBBERY
COURT DISP-CONVICTED;5 YEARS
COURT DATE-01/29/1996

SANDERS, JAMES ALLEN JR 12/23/1995
SC0040000 ANDERSON CNTY SO
CASE-956834
WARR-E648895
ARREST CHARGE 01-KIDNAPPING
OFFENSE DATE-12/23/1995
PHOTOGRAPH AVAILABLE

WARR-E648897
ARREST CHARGE 02-MALICIOUS INJURY TO PERSONAL PROPERTY O/1000
OFFENSE DATE-12/23/1995

WARR-E648897
ARREST CHARGE 03-ASSAULT AND BATTERY
OFFENSE DATE-12/23/1995
ARREST CHARGE 04-FAILURE TO APPEAR
OFFENSE DATE-12/23/1995

CIT-16-3-910 FELONY
DOC-00GS04 WARR-E648895
COURT CHARGE 01-KIDNAPPING
COURT DISP-NON-CONVICTION; NOLLE PROSSED
COURT DATE-01/30/1996

CIT-16-11-520(B)(3) MISDEMEANOR
DOC-R84 WARR-E648897
COURT CHARGE 02-MAL INJURY TO PROPERTY, $1000 OR LESS
COURT DISP-CONVICTED;30 DAYS

SC004015C PERRY RECPT & EVAL 01/30/1996
CASE-185199
CIT-16-11-312 FELONY
CUSTODY STATUS-RECEIVED
START DATE-01/30/1996

CIT-16-11-312 FELONY
COURT CHARGE 01-BURGLARY 2ND PROBATION REVOCATION
COURT DISP-CONVICTED;15 YEARS

COURT CHARGE 02-BURGLARY 2ND

DWELLING
COURT DISP-CONVICTED;15 YEARS
CC

CIT-16-13-30 MISDEMEANOR

COURT CHARGE 03-PETTY LARCENY
COURT DISP-CONVICTED;30 DAYS
CC

CIT-16-11-330(A) FELONY

COURT CHARGE 04-ATTEMPTED
ARMED ROBBERY
COURT DISP-CONVICTED;5 YEARS
CC

SANDERS, JAMES ALLEN JR 04/07/2001
SC0040100 ANDERSON PD
CASE-01-08655
ATN-
WARR-G245547

ARREST CHARGE 01-CRIMIANL
SEXUAL CONDUCT 1ST
OFFENSE DATE-04/07/2001

WARR-G245548

ARREST CHARGE 02-KIDNAPPING
OFFENSE DATE-04/07/2001

CIT-16-3-652-FELONY
DOC-00GS04 WARR-G245547

COURT CHARGE 01-CRIMINAL
SEXUAL CONDUCT - FIRST
DEGREE
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/28/2001
ATN-

CIT-16-3-910-FELONY
DOC-00GS04 WARR-G245548

COURT CHARGE 02-KIDNAPPING
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/28/2001

SC04C055C R & E CENTER COLA 06/06/2001 CUSTODY STATUS-RECEIVED
CASE-185199
CIT-17-15-30-UNCLASSIFIED
START DATE-06/06/2001

COURT CHARGE 01-PAROLE REVOCA
TION
COURT DISP-CONVICTED;SERVING
TIME
ATN-

SANDERS, JAMES ALLEN 01/19/2006
SC0100800 NORTH CHARLESTON PD
CASE-2006002301
ATN-990000150034
WARR-11620DM
CIT-16-15-90(1)-MISDEMEANOR

ARREST CHARGE 01-PROSTITUTION
- 1ST OFFENSE
OFFENSE DATE-01/19/2006
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

SANDERS, JAMES ALAN 07/02/2011

SC0080000 BERKELEY CNTY SO
CASE-201107027902
ATN-08D000526227
WARR-M325747
CIT-16-25-20(A)-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
OFFENSE DATE-07/02/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

SANDERS, JAMES ALAN 07/26/2011
SC0080000 BERKELEY CNTY SO
CASE-201107031724
ATN-08D000526751
WARR-27846FQ
CIT-16-9-320(A)-MISDEMEANOR

ARREST CHARGE 01-RESISTING
ARREST
OFFENSE DATE-07/26/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

WARR-27844FQ
CIT-56-5-750(B)(1)-MISDEMEANOR

ARREST CHARGE 02-FAIL TO
STOP FOR BLUE LIGHT
OFFENSE DATE-07/26/2011

WARR-M333997
CIT-16-25-65-FELONY

ARREST CHARGE 03-CRIMINAL
DOMESTIC VIOLENCE HIGH &
AGGRAVATED
OFFENSE DATE-07/26/2011

SANDERS, JAMES ALLEN JR 08/02/2011
SC0100800 NORTH CHARLESTON PD
CASE-2011026443
ATN-10D100654952
WARR-M726579
CIT-16-25-20(A)-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
OFFENSE DATE-08/02/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

CIT--MISDEMEANOR
DOC-10 WARR-M726579

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
COURT DISP-CONVICTED;Time
Served
COURT DATE-10/11/2011
ATN-10D100654952

SANDERS, JAMES A 08/19/2011
SC0080000 BERKELEY CNTY SO
CASE-201108033442
ATN-08D000527200

WARR-M334082
CIT-16-25-20(E)-MISDEMEANOR

ARREST CHARGE 01-VIOLATION
OF COURT ORDER OF PROTECTI
ON
OFFENSE DATE-08/05/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

@ - WARRANT OCCURS WITH MORE THAN ONE SID NUMBER

BASED ON SEARCH OF SCLED CJIS CCH FILE USING FBI/406764MA9
REQUESTED FOR CRIMINAL JUSTICE PURPOSES

SCLED CJIS RECORD INDICATES SUBJECT HAS NO OUT-OF-STATE ARREST INFORMATION

INQUIRY WILL BE FORWARDED TO: N C I C W A N T E D P E R S O N S

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING HANDGUN IN
SOUTH CAROLINA

INFORMATION SUBMITTED TO SLED CCH PURSUANT TO 16-23-10 (C) AND 23-31-110 (C) OF THE SOUTH CAROLINA CODE OF LAWS INDICATES THIS INDIVIDUAL HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AND IS NOT PERMITTED TO POSSESS OR ACQUIRE A HANDGUN.

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS. THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS DEFINED BY THE GUN CONTROL ACT OF 1968 (18.USC 922(G)).

** S C CJIS END OF RECORD **

LEMS.Web

ICHN 003FBAA41E from SCCH

BRKSO446
.ICHN.003FBAA41E.SCCH.20120126 17:19:55
TO: BRKSO446-667 20120126 17:19:55 003FBAA41E
FROM: SCCH-12231710 20120126 17:19:55
CCH NAME SEARCH USING:SANDERS, JAMES/M/W/19720619

NAME	SEX	RAC	DOB	SID	FBI	PRIMARY
SANDERS, JAMES A	M	W	06/19/1972	SC00768045	406764MA9	5/17
SANDERS, JAMES A	M	W	06/19/1962	SC00768045	406764MA9	5/17
SANDERS, JAMES A	M	W	06/19/1972	SC00768045	406764MA9	5/17
SANDERS, JAMES A	M	W	06/19/1962	SC00768045	406764MA9	5/17
SANDERS, JAMES ALAN	M	W	06/19/1972	SC00768045	406764MA9	5/17
SANDERS, JAMES ALAN	M	W	06/19/1962	SC00768045	406764MA9	5/17
SANDERS, JAMES ALLEN	M	W	06/19/1972	SC00768045	406764MA9	5/17
SANDERS, JAMES ALLEN	M	W	06/19/1962	SC00768045	406764MA9	5/17
SANDERS, JAMES ALLEN JR	M	W	06/19/1972	SC00768045	406764MA9	5/17
SANDERS, JAMES ALLEN JR	M	W	06/19/1962	SC00768045	406764MA9	5/17

*** END OF SEARCH ***

LEMS.Web

QWA 0006D8F43A from NC2K

BRKSO446
.QWA.0006D8F43A.NC2K.20120126 17:20:56
TO: BRKSO446-670 20120126 17:20:56 0006D8F43A
FROM: NC2K-14218298 20120126 17:20:56
1L01335700024O2QWA
SC0080000

***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
CMC/05 - VIOLENT TENDENCIES
ORI/SC0080000 NAM/SANDERS, JAMES A JR SEX/M RAC/W POB/SC
DOB/19720619 HGT/507 WGT/150 EYE/BRO HAI/BRO FBI/406764MA9
SKN/MED
SOC/251213316
BRD/Y ISD/20110802 EXP/20120802
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/2011DRO81439
NOA/N
DNA/N
ORI IS BERKELEY CO SO MONCKS CORNER 843 719-4424
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/07 - THE SUBJECT IS PROHIBITED FROM POSSESSING AND/OR PURCHASING A FIREARM
PCO/OR OTHER WEAPON.
DOB/19620619
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/250213116
SOC/251213166
NIC/H597259923 DTE/20110812 1203 EDT DLU/20110813 2054 EDT



Menu - Refresh Screen

Check messages (3) below for: BRKSL406

	Date	Title
[ ]	March 6, 2012 at 11:25:31	QWA 0006E92D16 from NC2K
[ ]	March 6, 2012 at 11:25:30	ICHR 003FBDE158 from SCCH
[ ]	March 6, 2012 at 11:25:29	ICHR 003FBDE156 from SCCH

Check All ( ) Delete All Checked Messages (•) Print All Checked Messages Submit

QWA 0006E92D16 from NC2K - March 6, 2012 at 11:25:31

```
BRKSL406
.QWA.0006E92D16.NC2K.20120306 11:25:31
  TO: BRKSL406-48108      20120306 11:25:31  0006E92D16
FROM:      NC2K-15281430  20120306 11:25:31
1L012CBB004D1F2QWA
SC008015A

***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
CMC/05 - VIOLENT TENDENCIES
ORI/SC0080000 NAM/SANDERS, JAMES A JR SEX/M RAC/W POB/SC
DOB/19720619 HGT/507 WGT/150 EYE/BRO HAI/BRO FBI/406764MA9
SKN/MED
SOC/251213316
BRD/Y ISD/20110802 EXP/20120802
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/2011DR081439
DNA/N
ORI IS BERKELEY CO SO MONCKS CORNER 843 719-4424
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/07 - THE SUBJECT IS PROHIBITED FROM POSSESSING AND/OR PURCHASING A FIREARM
```

PCO/OR OTHER WEAPON.
DOB/19620619
AKA/SANDERS, JAMES A
AKA/SANDERS, JAMES ALAM
AKA/SANDERS, JAMES ALAN
AKA/SANDERS, JAMES ALLEN
AKA/SANDERS, JIMMY
SOC/250213116
SOC/251213166
NIC/H597259923 DTE/20110812 1203 EDT DLU/20110813 2054 EDT

Top of page or Menu

Delete | Copy | Print

ICHR 003FBDE158 from SCCH - March 6, 2012 at 11:25:30

BRKSL406
.ICHR.003FBDE158.SCCH.20120306 11:25:30
TO: BRKSL406-48107 20120306 11:25:30 003FBDE158
FROM: SCCH-12443992 20120306 11:25:30

PAGE-02 DATE-03/06/2012 TIME-11:22:29
REQ ORI-SC008015A NINTH JUDICIAL CIRCU
SID-SC00768045 FBI-406764MA9

CONTRIBUTOR/SUBJECT DOA/RCVD CHARGE/DISPOSITION/ETC

CIT-16-11-330(B) FELONY
DOC-95GS0402483 WARR-D505337 COURT CHARGE 02-ATTEMPTED ARMED ROBBERY
COURT DISP-CONVICTED;5 YEARS
COURT DATE-01/29/1996

SANDERS, JAMES ALLEN JR 12/23/1995
SC0040000 ANDERSON CNTY SO
CASE-956834
WARR-E648895
ARREST CHARGE 01-KIDNAPPING
OFFENSE DATE-12/23/1995
PHOTOGRAPH AVAILABLE

WARR-E648897
ARREST CHARGE 02-MALICIOUS INJURY TO PERSONAL PROPERT Y U/1000
OFFENSE DATE-12/23/1995

WARR-E648897
ARREST CHARGE 03-ASSAULT AND BATTERY
OFFENSE DATE-12/23/1995
ARREST CHARGE 04-FAILURE TO APPEAR
OFFENSE DATE-12/23/1995

CIT-16-3-910 FELONY
DOC-00GS04 WARR-E648895 COURT CHARGE-01-KIDNAPPING

```
                                        COURT DISP-NON-CONVICTION;
                                           NOLLE PROSSED
                                           COURT DATE-01/30/1996
CIT-16-11-520(B)(3) MISDEMEANOR
DOC-R84 WARR-E648897                    COURT CHARGE 02-MAL INJURY
                                           TO PROPERTY, $1000 OR LESS
                                        COURT DISP-CONVICTED;30 DAYS
                              ----------
SC004015C  PERRY RECPT & EVAL   01/30/1996 CUSTODY STATUS-RECEIVED
CASE-185199                                START DATE-01/30/1996
CIT-16-11-312 FELONY
                                        COURT CHARGE 01-BURGLARY 2ND
                                           PROBATION REVOCATION
                                        COURT DISP-CONVICTED;15 YEARS
CIT-16-11-312 FELONY
                                        COURT CHARGE 02-BURGLARY 2ND
                                           DWELLING
                                        COURT DISP-CONVICTED;15 YEARS
                                            CC
CIT-16-13-30 MISDEMEANOR
                                        COURT CHARGE 03-PETTY LARCENY
                                        COURT DISP-CONVICTED;30 DAYS
                                           CC
CIT-16-11-330(A) FELONY
                                        COURT CHARGE 04-ATTEMPTED
                                           ARMED ROBBERY
                                        COURT DISP-CONVICTED;5 YEARS
                                           CC
                              ----------
SANDERS, JAMES ALLEN JR         04/07/2001
SC0040100 ANDERSON PD
CASE-01-08655
ATN-
WARR-G245547
                                        ARREST CHARGE 01-CRIMIANL
                                           SEXUAL CONDUCT 1ST
                                           OFFENSE DATE-04/07/2001
WARR-G245548
                                        ARREST CHARGE 02-KIDNAPPING
                                           OFFENSE DATE-04/07/2001
CIT-16-3-652-FELONY
DOC-00GS04 WARR-G245547                 COURT CHARGE 01-CRIMINAL
                                           SEXUAL CONDUCT - FIRST
                                           DEGREE
                                        COURT DISP-NON-CONVICTION;
                                           NOLLE PROSSED
                                           COURT DATE-09/28/2001
                                        ATN-
CIT-16-3-910-FELONY
DOC-00GS04 WARR-G245548                 COURT CHARGE 02-KIDNAPPING
                                        COURT DISP-NON-CONVICTION;
                                           NOLLE PROSSED
                                           COURT DATE-09/28/2001
                              ----------
SC040055C R & E CENTER COLA     06/06/2001 CUSTODY STATUS-RECEIVED
CASE-185199                                START DATE-06/06/2001
CIT-17-15-30-UNCLASSIFIED
                                        COURT CHARGE 01-PAROLE REVOCA
                                           TION
```

COURT DISP-CONVICTED;SERVING TIME
ATN-

SANDERS, JAMES ALLEN 01/19/2006
SC0100800 NORTH CHARLESTON PD
CASE-2006002301
ATN-990000150034
WARR-11620DM
CIT-16-15-90(1)-MISDEMEANOR

ARREST CHARGE 01-PROSTITUTION - 1ST OFFENSE
OFFENSE DATE-01/19/2006
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

SANDERS, JAMES ALAN 07/02/2011
SC0080000 BERKELEY CNTY SO
CASE-201107027902
ATN-08D000526227
WARR-M325747
CIT-16-25-20(A)-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL DOMESTIC VIOLENCE 1ST OFFENSE
OFFENSE DATE-07/02/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

SANDERS, JAMES ALAN 07/26/2011
SC0080000 BERKELEY CNTY SO
CASE-201107031724
ATN-08D000526751
WARR-27846FQ
CIT-16-9-320(A)-MISDEMEANOR

ARREST CHARGE 01-RESISTING ARREST
OFFENSE DATE-07/26/2011
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

WARR-27844FQ
CIT-56-5-750(B)(1)-MISDEMEANOR

ARREST CHARGE 02-FAIL TO STOP FOR BLUE LIGHT
OFFENSE DATE-07/26/2011

WARR-M333997
CIT-16-25-65-FELONY

ARREST CHARGE 03-CRIMINAL DOMESTIC VIOLENCE HIGH & AGGRAVATED
OFFENSE DATE-07/26/2011

SANDERS, JAMES ALLEN JR 08/02/2011
SC0100800 NORTH CHARLESTON PD
CASE-2011026443
ATN-10D100654952
WARR-M726579
CIT-16-25-20(A)-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL

```
                                        DOMESTIC VIOLENCE 1ST
                                        OFFENSE
                                        OFFENSE DATE-08/02/2011
                                        PHOTOGRAPH AVAILABLE
                                        PALM PRINTS AVAILABLE
CIT--MISDEMEANOR
DOC-10 WARR-M726579                   COURT CHARGE 01-CRIMINAL
                                        DOMESTIC VIOLENCE 1ST
                                        OFFENSE
                                      COURT DISP-CONVICTED;Time
                                        Served
                                        COURT DATE-10/11/2011
                                      ATN-10D100654952
                          ----------------------
SANDERS, JAMES A              08/19/2011
SC0080000 BERKELEY CNTY SO
CASE-201108033442
ATN-08D000527200
WARR-M334082
CIT-16-25-20(E)-MISDEMEANOR
                                      ARREST CHARGE 01-VIOLATION
                                        OF COURT ORDER OF PROTECTI
                                        ON
                                        OFFENSE DATE-08/05/2011
                                        PHOTOGRAPH AVAILABLE
                                        PALM PRINTS AVAILABLE
                          ----------------------
BOWZARD, ALLEN THOMAS         03/02/2012
SC0260600 MYRTLE BEACH PD
CASE-12003568
ATN-261600038202
WARR-50305GD
CIT-16-13-30(A)-MISDEMEANOR
                                      ARREST CHARGE 01-PETTY LARCEN
                                        Y
                                        OFFENSE DATE-03/02/2012
                                        PHOTOGRAPH AVAILABLE
                                        PALM PRINTS AVAILABLE
                          ----------------------
SANDERS, JAMES               A03/02/2012
SC0080000 BERKELEY CNTY SO
CASE-201201003748
ATN-08D000531055
WARR-M325990
CIT-N/A MISDEMEANOR
                                      ARREST CHARGE 01-ESCAPE
                                        OFFENSE DATE-03/02/2012
                                        PHOTOGRAPH AVAILABLE
                                        PALM PRINTS AVAILABLE

@ - WARRANT OCCURS WITH MORE THAN ONE SID NUMBER


BASED ON SEARCH OF SCLED CJIS CCH FILE USING FBI/406764MA9
REQUESTED FOR CRIMINAL JUSTICE PURPOSES

SCLED CJIS RECORD INDICATES SUBJECT HAS NO OUT-OF-STATE ARREST INFORMATION

INQUIRY WILL BE FORWARDED TO:  N C I C  W A N T E D  P E R S O N S
```

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING HANDGUN IN SOUTH CAROLINA

INFORMATION SUBMITTED TO SLED CCH PURSUANT TO 16-23-10 (C) AND 23-31-110 (C) OF THE SOUTH CAROLINA CODE OF LAWS INDICATES THIS INDIVIDUAL HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AND IS NOT PERMITTED TO POSSESS OR ACQUIRE A HANDGUN.

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS. THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS DEFINED BY THE GUN CONTROL ACT OF 1968 (18.USC 922(G)).

** S C CJIS END OF RECORD **

Top of page or Menu

Delete | Copy | Print

ICHR 003FBDE156 from SCCH - March 6, 2012 at 11:25:29

BRKSL406
.ICHR.003FBDE156.SCCH.20120306 11:25:29
  TO: BRKSL406-48105   20120306 11:25:29 003FBDE156
FROM: SCCH-12443990 20120306 11:25:29

ICHR REQUEST FOR RAP SHEET
ORI-SC008015A FBI-406764MA9 PUR-C
ATN-MORTON

AUTHORIZED CRIMINAL JUSTICE AGENCY USE ONLY. CONTACT CONTRIBUTING AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS. BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-03/06/2012 TIME-11:22:29
REQ ORI-SC008015A NINTH JUDICIAL CIRCU
SID-SC00768045 FBI-406764MA9
NAME-SANDERS, JAMES ALLEN JR   SEX-M RACE-W
HEIGHT-507 WEIGHT-150 EYES-BRO HAIR-BRO SKIN-MED BORN-SC
FPC-PO14132119DI18161918   HENRY-14 O 5 U   COO 19
                                           I 17 U   COO
PHOTOGRAPH AVAILABLE
1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

* DNA - TAKEN
DATE RECORD ENTERED--12/05/1990   DATE OF LAST UPDATE--03/05/2012

ADDITIONAL-IDENTIFIERS-   -BIRTH-

NAME	DATES	MARKS	SOC SEC	MISC NUM
SANDERS, JIMMY	06191962		251213116	
SANDERS, JAMES ALAN	06191972		251213316	
SANDERS, JAMES ALLEN				
SANDERS, JAMES A				
BOWZARD, ALLEN THOMAS	07271971		251210476	
SANDERS, JAMES				

CONTRIBUTOR/SUBJECT	DOA/RCVD	CHARGE/DISPOSITION/ETC
SANDERS, JAMES ALLEN JR SC0040100 ANDERSON PD CASE-9017301 WARR-C738465	10/19/1990	ARREST CHARGE 01-GRAND LARCENY
WARR-C738464		ARREST CHARGE 02-BURGLARY 2ND DEGREE
WARR-C738464		COURT CHARGE 01-BURGLARY COURT DISP-CONVICTED;15Y SUSP DURING PROBATION
WARR-C738465		COURT CHARGE 02-GRAND LARCENY COURT DISP-CONVICTED;10Y SUSP DURING PROBATION
SANDERS, JAMES ALLEN JR SC0040000 ANDERSON CNTY SO CASE-906274 WARR-C738573	11/26/1990	ARREST CHARGE 01-BREAKING INTO A MOTOR VEHICLE OFFENSE DATE-11/26/1990 PHOTOGRAPH AVAILABLE
WARR-C738572		ARREST CHARGE 02-GRAND LARCENY
WARR-C738573		COURT CHARGE 01-BREAKING INTO MOTOR VEHICLE COURT DISP-CONVICTED;5Y SUSP DURING PROBATION
WARR-C738572		COURT CHARGE 02-GRAND LARCENY COURT DISP-CONVICTED;10Y CONSECUTIVE SUSP DURING PROBATION
SANDERS, JAMES ALAN SC0040100 ANDERSON PD	12/20/1990	ARREST CHARGE 01-PETTY LARCENY OFFENSE DATE-12/20/1990
		COURT CHARGE 01-PETTY LARCENY COURT DISP-CONVICTED;BAIL FORFEITED;$237
SANDERS, JAMES ALLEN SC0040000 ANDERSON CNTY SO CASE-911184 WARR-C738826	02/27/1991	

		ARREST CHARGE 01-GRAND LARCEN Y OFFENSE DATE-02/27/1991 PHOTOGRAPH AVAILABLE
SC040015G CENTRAL PPP WARR-C738826		COURT CHARGE 01-GRAND LARCENY COURT DISP-CONVICTED;10Y SUSP DURING PROBATION
SANDERS, JAMES ALLEN JR SC0040000 ANDERSON CNTY SO CASE-911356 WARR-D005728	03/07/1991	
		ARREST CHARGE 01-BURGLARY 2ND OFFENSE DATE-03/07/1991 PHOTOGRAPH AVAILABLE
WARR-D005728		ARREST CHARGE 02-GRAND LARCEN Y
SC040015G CENTRAL PPP WARR-D005728		COURT CHARGE 01-BURGLARY COURT DISP-CONVICTED;15Y SUSP; 5Y PROB COURT DATE-06/03/1991
WARR-D005728		COURT CHARGE 02-GRAND LARCENY COURT DISP-CONVICTED;10Y CONSECUTIVE SUSP DURING PROBATION
SANDERS, JAMES ALLEN SC0040100 ANDERSON PD CASE-9107503	05/03/1991	
		ARREST CHARGE 01-PETIT LARCEN Y OFFENSE DATE-02/25/1991
		COURT CHARGE 01-PETIT LARCENY COURT DISP-CONVICTED;30D CONFINE; $237 FINE;CONFINE MENT OR FINE;RESTITUTION
SANDERS, JAMES ALLEN SC0040000 ANDERSON CNTY SO CASE-920439 WARR-D035187	01/28/1992	
		ARREST CHARGE 01-GRAND LARCEN Y OFFENSE DATE-01/28/1992 PHOTOGRAPH AVAILABLE
SC040015G CENTRAL PPP CIT-16-21-60 WARR-D035187		COURT CHARGE 01-TEMPORARY USE OF VEHICLE W/OUT PERMI SSION
		COURT DISP-CONVICTED;1Y SUSP ON TIME SERVED, 1Y PROBATI ON COURT DATE-02/12/1992
SC004015C PERRY RECPT & EVAL CASE-185199 CIT-16-11-312 FELONY	03/24/1992	CUSTODY STATUS-RECEIVED START DATE-03/24/1992

COURT CHARGE 01-BURGLARY SECOND
COURT DISP-CONVICTED;PROBATION REVOCATION 4 YEARS

SANDERS, JAMES ALLEN JR 10/29/1994
SC0040000 ANDERSON CNTY SO
CASE-945404
WARR-09628ZH

ARREST CHARGE 01-DISORDERLY CONDUCT
OFFENSE DATE-10/29/1994
PHOTOGRAPH AVAILABLE
WARR-09628ZH
COURT CHARGE 01-DISORDERLY CONDUCT
COURT DISP-CONVICTED;FORFEITURE
COURT DATE-11/18/1994

SANDERS, JAMES ALLEN JR 05/27/1995
SC0040000 ANDERSON CNTY SO
CASE-952776
WARR-D283045

ARREST CHARGE 01-BURGLARY 2ND
OFFENSE DATE-05/27/1995
PHOTOGRAPH AVAILABLE
WARR-D283046

ARREST CHARGE 02-PETTY LARCENY
OFFENSE DATE-05/27/1995

CIT-16-11-312 FELONY
DOC-95GS0401517 WARR-D283045

COURT CHARGE 01-BURGLARY(NON-VIOLENT)(AFTER 6-20-1985) 2ND DEG
COURT DISP-CONVICTED;15 YEARS CONCURRENT WITH REVOCATION.
COURT DATE-01/29/1996

CIT-16-13-30 MISDEMEANOR
DOC-95GS0401518 WARR-D283046

COURT CHARGE 02-PETTY LARCENY LESS THAN $200
COURT DISP-CONVICTED;30 DAYS
COURT DATE-01/29/1996

SANDERS, JAMES ALLEN 07/04/1995
SC0260600 MYRTLE BEACH PD
CASE-04121695
WARR-E026852

ARREST CHARGE 01-UNLAWFULLY CARRYING FIREARM
OFFENSE DATE-07/03/1995
PHOTOGRAPH AVAILABLE
WARR-46526AB

ARREST CHARGE 02-DRIVING UNDER SUSPENSION
OFFENSE DATE-07/03/1995
WARR-46527AB

ARREST CHARGE 03-DISREGARDING TRAFFIC SIGNAL

OFFENSE DATE-07/03/1995

SANDERS, JAMES ALLEN JR 09/08/1995
SC0040000 ANDERSON CNTY SO
CASE-954839
WARR-D505338

ARREST CHARGE 01-ASSAULT AND
BATTERY W/I TO KILL
OFFENSE DATE-09/08/1995
PHOTOGRAPH AVAILABLE

WARR-D505337

ARREST CHARGE 02-ATTEMPTED
ARMED ROBBERY
OFFENSE DATE-09/08/1995

WARR-W049503 @

ARREST CHARGE 03-VIOLATION
PROBATION
OFFENSE DATE-09/08/1995

CIT-16-3-620 MISDEMEANOR
DOC-00GS04 WARR-D505338

COURT CHARGE 01-ASSAULT AND
BATTERY WITH INTENT TO
KILL
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-01/30/1996

END OF PAGE 01 - PAGE 02 TO FOLLOW

Top of page or Menu

Delete Copy Print

Rick Hendrick's
TOYOTA
OF NORTH CHARLESTON

7151 RIVERS AVENUE • N. CHARLESTON, SC 29406 • (843) 797-8000

February 3, 2012

RE: Jennifer Bowzard

To Whom It may concern,

This letter is to acknowledge Jennifer's work schedule for the week of Jan 26 - 31st.. On Thursday, Jan. 26th her schedule was (10 to 7), she left at 3:45, therefore loosing 3 hours . On Friday Jan. 27th, she was scheduled (9 to 5) loosing 8 hours, and Monday Jan 30th she was scheduled to work from (7 to 3), loosing again 8 hours . Jennifer returned to work on January 31, 2012, resulting in a total loss of 19 hours. Jennifer's hourly rate is $10.00. If I can be of any further assistance in this matter - please feel free to call me at 843-813-6382.

Sincerely,

Yvonne Hill

Accounting Manager

102 01-31-12

berkeley county Moncks Corner SC 29461 US	Folio No.	: 64829	Room No.	:	212
	A/R Number	:	Arrival	:	01-26-12
	Group Code	:	Departure	:	01-31-12
	Company	: Berkeley County Sherriff's Dept.	Conf. No.	:	64138641
	Membership No.	:	Rate Code	:	IMGOV
	Invoice No.	:	Page No.	:	1 of 2

Date	Description		Charges	Credits
01-26-12	*Accommodation		85.00	
01-26-12	Bed/Occupancy Room Tax		3.40	
01-26-12	State Tax - Room		5.10	
01-26-12	City Tax - Room		1.70	
01-27-12	*Accommodation		85.00	
01-27-12	Bed/Occupancy Room Tax		3.40	
01-27-12	State Tax - Room		5.10	
01-27-12	City Tax - Room		1.70	
01-28-12	*Accommodation		85.00	
01-28-12	Bed/Occupancy Room Tax		3.40	
01-28-12	State Tax - Room		5.10	
01-28-12	City Tax - Room		1.70	
01-29-12	*Accommodation		85.00	
01-29-12	Bed/Occupancy Room Tax		3.40	
01-29-12	State Tax - Room		5.10	
01-29-12	City Tax - Room		1.70	
01-30-12	*Accommodation		85.00	
01-30-12	Bed/Occupancy Room Tax		3.40	
01-30-12	State Tax - Room		5.10	
01-30-12	City Tax - Room		1.70	
01-31-12	MasterCard	XXXXXXXXXXXX0602		476.00

Holiday Inn Express

102 01-31-12

berkeley county	Folio No.	: 64829	Room No.	:	212
Moncks Corner SC 29461	A/R Number	:	Arrival	:	01-26-12
US	Group Code	:	Departure	:	01-31-12
	Company	: Berkeley County Sheriff's Dept.	Conf. No.	:	64138641
	Membership No.	:	Rate Code	:	IMGOV
	Invoice No.	:	Page No.	:	2 of 2

Date	Description	Charges	Credits
	Total	476.00	476.00
	Balance	0.00	

Guest Signature: _____

I have received the goods and / or services in the amount shown heron. I agree that my liablity for this bill is not waived and agree to be held personally liable in the event that the indicated person, company, or associate fails to pay for any part or the full amount of these charges. If a credit card charge, I further agree to perform the obligations set forth in the cardholder's agreement with the issuer.

Holiday Inn Express Moncks Corner
505 R.C. Dennis Blvd., Moncks Corner, SC 29461 Telephone: (843) 761-5900 Fax: (843) 761-7509
Toll Free (800) 774-0600

[redacted] 960

BERKELEY COUNTY SHERIFFS OFFICE

DATE 4-19-12

PAY TO THE ORDER OF Jennifer C Bowland $ 190.00/xx

One Hundred Ninety Dollars & 00/xx DOLLARS

[redacted]

MEMO Applicator Certification Victim

OCAN 2012010033446

[redacted]

0000435

LAW OFFICES
PETERS, MURDAUGH, PARKER, ELTZROTH & DETRICK
PROFESSIONAL ASSOCIATION
101 MULBERRY STREET EAST
P.O. BOX 457
HAMPTON, SOUTH CAROLINA
29924-0457

JOHN E. PARKER
*CLYDE A. ELTZROTH, JR.
J. PAUL DETRICK
DANIEL E. HENDERSON
MARK D. BALL
RANDOLPH MURDAUGH, IV
RONNIE L. CROSBY
R. ALEXANDER MURDAUGH
BERT G. UTSEY, III
RANDOLPH MURDAUGH, III
GRAHAME E. HOLMES
LEE D. COPE
MATTHEW V. CREECH
LEAGUE B. CREECH
STEVEN D. MURDAUGH
WILLIAM F. BARNES, III
AUSTIN H. CROSBY
*INACTIVE

RANDOLPH MURDAUGH, SR.
(1887-1940)
RANDOLPH MURDAUGH, JR.
(1915-1988)
J. ROBERT PETERS, JR.
(1927-2008)

TELEPHONE
(803) 943-2111
TOLL FREE
(866) 943-2113
FACSIMILE
(803) 943-3943
(803) 914-2014
WEBSITE
www.pmped.com
William F. Barnes, III
Direct Dial: (803) 914-6702
Email: wbarnes@pmped.com
Asst Email: mdavis@pmped.com

June 26, 2013

Ms. Deborah Garrison
Post Office Box 901
Johns Island, SC 29457

Re: Jennifer Bowzard v. Sheriff DeWitt, et al.
Civil Action No.: 2012-CP-08-1283

Dear Deb:

Defendant's Motion for Summary Judgment was heard April 16, 2013 before Judge Dennis. As the court reporter for this hearing, we would appreciate you furnishing us with a copy of the complete transcript as soon as conveniently possible. If you need any additional information, please let us know.

With kind regards, I am

Sincerely,

William F. Barnes, III

WFB/mcd

cc: Honorable Jenny Abbott Kitchings, SC Court of Appeals
SC Court Administration
Lawrence C. Kobrovsky, Esquire
Sandra J. Senn, Esquire
Robin Jackson, Esquire

LAW OFFICES
PETERS, MURDAUGH, PARKER, ELTZROTH & DETRICK
PROFESSIONAL ASSOCIATION
101 MULBERRY STREET EAST
P.O. BOX 457
HAMPTON, SOUTH CAROLINA
29924-0457

JOHN E. PARKER
* CLYDE A. ELTZROTH, JR.
J. PAUL DETRICK
DANIEL E. HENDERSON
MARK D. BALL
RANDOLPH MURDAUGH, IV
RONNIE L. CROSBY
R. ALEXANDER MURDAUGH
BERT G. UTSEY, III
RANDOLPH MURDAUGH, III
GRAHAME E. HOLMES
LEE D. COPE
MATTHEW V. CREECH
LEAGUE B. CREECH
STEVEN D. MURDAUGH
WILLIAM F. BARNES, III
AUSTIN H. CROSBY
* INACTIVE

RANDOLPH MURDAUGH, SR.
(1887-1940)
RANDOLPH MURDAUGH, JR.
(1915-1998)
J. ROBERT PETERS, JR.
(1927-2008)

TELEPHONE
(803) 943-2111
TOLL FREE
(866) 943-2113
FACSIMILE
(803) 943-3943
(803) 914-2014
WEBSITE
www.pmped.com
William F. Barnes, III
Phone: (803) 914-6702
Email: wbarnes@pmped.com
Asst Email: mdavis@pmped.com

June 24, 2013

The Honorable Mary P. Brown
Berkeley County Clerk of Court
P.O. Box 219
Moncks Corner, SC 29461

Re: Jennifer Bowzard v. Sheriff DeWitt, et al.
Civil Action No.: 2012-CP-08-1283

Dear Ms. Brown:

Enclosed for filing in your office are two copies of the Notice of Appeal in the above entitled matter. Please return a copy of the same marked filed in the envelope provided. The original Notice of Appeal has been filed with the SC Court of Appeals.

With kind regards, I am

Sincerely,

William F. Barnes, III

WB, III/mcd
Enclosures as stated

cc: Sandra J. Senn, Esquire/Robin L. Jackson, Esquire

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283

Jennifer D. Bowzard, ... Appellant,

-v-

Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office, ... Respondents.

NOTICE OF APPEAL

Jennifer Bowzard, appeals the Order of the Honorable R. Markley Dennis, Jr. filed June 13, 2013. Appellant received written notice of the Order on June 18, 2013.

Respectfully submitted,

Lawrence C. Kobrovsky
Attorney at Law
123 Meeting Street
Charleston, SC 29401
Phone: (843) 853-3703

-And-

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

June 19, 2013
Hampton, South Carolina

BY: _____

John E. Parker
William F. Barnes, III
101 Mulberry Street, East
P.O. Box 457
Hampton, SC 29924
Phone: (803) 943-2111

ATTORNEYS FOR APPELLANT

Other Counsel of Record:

Sandra J. Senn
Robin L. Jackson
SENN LEGAL, LLC
Attorneys at Law
3 Wesley Drive
P. O. Box 12279
Charleston, SC 29422
Phone: 843-556-4045

ATTORNEYS FOR RESPONDENTS
Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office

LAW OFFICES
PETERS, MURDAUGH, PARKER, ELTZROTH & DETRICK
PROFESSIONAL ASSOCIATION
101 MULBERRY STREET EAST
P.O. BOX 457
HAMPTON, SOUTH CAROLINA
29924-0457

JOHN E. PARKER
* CLYDE A. ELTZROTH, JR.
J. PAUL DETRICK
DANIEL E. HENDERSON
MARK D. BALL
RANDOLPH MURDAUGH, IV
RONNIE L. CROSBY
R. ALEXANDER MURDAUGH
BERT G. UTSEY, III
RANDOLPH MURDAUGH, III
GRAHAME E. HOLMES
LEE D. COPE
MATTHEW V. CREECH
LEAGUE B. CREECH
STEVEN D. MURDAUGH
WILLIAM F. BARNES, III
AUSTIN H. CROSBY
* INACTIVE

RANDOLPH MURDAUGH, SR.
(1887-1940)
RANDOLPH MURDAUGH, JR.
(1915-1993)
J. ROBERT PETERS, JR.
(1927-2005)

TELEPHONE
(803) 943-2111
TOLL FREE
(855) 943-2113
FACSIMILE
(803) 943-3343
(803) 914-2014
WEBSITE
www.pmped.com

June 26, 2013

William F. Barnes, III
Phone: (803) 914-6702
Email: wbarnes@pmped.com
Paralegal Email: mdavis@pmped.com

The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals Clerk of Court
P.O. Box 11629
Columbia, SC 29211-1629

Re: Jennifer Bowzard v. Sheriff DeWitt, et al.
Civil Action No.: 2012-CP-08-1283

Dear Ms. Kitchings:

Please find enclosed for filing in your office the original and two copies of the Notice of Appeal in the above entitled matter along with the following:

1. Proof of Service of the Notice of Appeal on the respondents and the Clerk of Court for Berkeley County;
2. The June 13, 2013 Order of the Honorable R. Dennis Markley, Jr., filed June 13, 2013 which is being challenged on appeal; and
3. Our check in the amount of $100.00 for the filing fee.

Please return a copy of the filed documents in the envelope provided.

By copy of this letter a copy of the Notice of Appeal and Proof of Service is being served on the Clerk of Court for Berkeley County and a copy served on counsel for the respondents, Sandra J. Senn, Esquire and Robin L. Jackson, Esquire, SENN LEGAL, LLC, Attorneys at Law, Post Office Box 12279, Charleston, South Carolina 29422.

With kind regards, I am

Sincerely,

William F. Barnes, III

WFB/mcd
Enclosures as stated

cc: Sandra J. Senn, Esquire/Robin L. Jackson, Esquire

The Honorable Mary P. Brown
Berkeley County Clerk of Court
P.O. Box 219
Moncks Corner, SC 29461

LAW OFFICES
PETERS, MURDAUGH, PARKER, ELTZROTH & DETRICK
PROFESSIONAL ASSOCIATION
101 MULBERRY STREET EAST
P.O. BOX 457
HAMPTON, SOUTH CAROLINA
29924-0457

JOHN E. PARKER
* CLYDE A. ELTZROTH, JR.
J. PAUL DETRICK
DANIEL E. HENDERSON
MARK D. BALL
RANDOLPH MURDAUGH, IV
RONNIE L. CROSBY
R. ALEXANDER MURDAUGH
BERT G. UTSEY, III
RANDOLPH MURDAUGH, III
GRAHAME E. HOLMES
LEE D. COPE
MATTHEW V. CREECH
LEAGUE B. CREECH
STEVEN D. MURDAUGH
WILLIAM F. BARNES, III
* INACTIVE

RANDOLPH MURDAUGH, SR.
(1887-1940)
RANDOLPH MURDAUGH, JR.
(1915-1998)
J. ROBERT PETERS, JR.
(1927-2008)

TELEPHONE
(803) 943-2111
TOLL FREE
(866) 943-2113
FACSIMILE
(803) 943-3943
(803) 914-2014
WEBSITE
www.pmped.com

July 16, 2013

William F. Barnes, III
Phone: (803) 914-6702
Email: wbarnes@pmped.com
Assistant Email: dmann@pmped.com

The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals Clerk of Court
P.O. Box 11629
Columbia, SC 29211-1629

Re: ***Jennifer Bowzard v. Sheriff DeWitt, et al.***
Civil Action No.: 2012-CP-08-1283
Appellate Case No. 2013-001482

Dear Ms. Kitchings:

The transcript of the hearing ordered from Deborah Garrison, the court reporter who covered the motion for summary judgment hearing in the matter, was received from her on July 11, 2013.

With kind regards, I am

Sincerely,

William F. Barnes, III

WFB/dlm

cc: Sandra J. Senn, Esquire/Robin L. Jackson, Esquire

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283

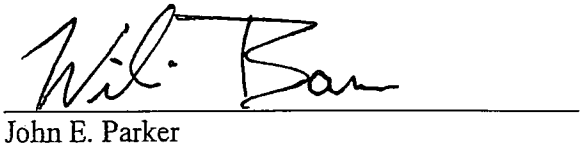
Jennifer D. Bowzard, ... Appellant,

-v-

Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office, ... Respondent.

CERTIFICATE OF COUNSEL

The Undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.



John E. Parker
William F. Barnes, III
PETERS, MURDUAGH, PARKER, ELTZROTH,
& DETRICK, P.A.
101 Mulberry Street, East
Post Office Box 457
Hampton, SC 29924
Phone: (803) 943-2111

-And-

Lawrence C. Kobrovsky
123 Meeting Street
Charleston, SC 29401
Phone: (843) 853-3703
ATTORNEYS FOR APPELLANT

February 18, 2014

The South Carolina Court of Appeals

Jennifer D. Bowzard, Appellant,

v.

Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Respondents.

Appellate Case No. 2013-001482

The Honorable The Honorable R. Markley Dennis, Jr.
Berkeley County
Trial Court Case No. 2012CP0801283

FILED
2014 APR 24 P 10:09
CLERK OF COURT
BERKELEY COUNTY, SC

ORDER

Pursuant to Rule 210(f) of the South Carolina Appellate Court Rules, it is ordered that the Clerk of Court for Berkeley release:

Plaintiff's non-paper Exhibit 29: CD containing video clip of escape

Defendant's non-paper Exhibit: CD containing audio recordings - Do Not Have - Not Entered

to an employee of the law firm Peters, Murdaugh, Parker, Elzroth & Detrick for transportation to the South Carolina Court of Appeals for consideration in the above referenced matter.

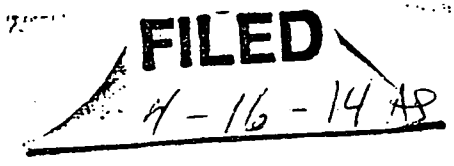
Date: 4/29/14
Exhibit(s) Delivered By: Dawn Buchanan
Exhibit(s) Received By: Carter
Verified By: Stormy Falin

Received Plaintiff's non-paper Exhibit 29 only. - Carter

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina



cc:
William Franklin Barnes, III, Esquire
John E. Parker, Esquire
Lawrence C. Kobrovsky, Esquire
Sandra J. Senn, Esquire
Robin Lilley Jackson, Esquire

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283

Jennifer D. Bowzard, ... Appellant,

-v-

Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office, ... Respondent.

APPELLANT'S BRIEF

Lawrence C. Kobrovsky
123 Meeting Street
Charleston, SC 29401
Phone: (843) 853-3703

-And-

John E. Parker
William F. Barnes, III
PETERS, MURDUAGH, PARKER, ELTZROTH,
& DETRICK, P.A.
101 Mulberry Street, East
Post Office Box 457
Hampton, SC 29924
Phone: (803) 943-2111
ATTORNEYS FOR APPELLANT

TABLE OF CONTENTS

TABLE OF AUTHORITIES iii

STATEMENT OF ISSUES ON APPEAL 1

STATEMENT OF THE CASE 2

FACTS 4

I. THE SHERIFF'S OFFICE KNOWLEDGE OF SANDERS' CRIMINAL DOMESTIC VIOLENCE HISTORY TOWARD BOWZARD 4

II. SANDERS CONTINUED COMMUNICATIONS FROM HILL-FINKLEA IN VIOLATION OF THE FAMILY COURT ORDER 6

III. THE NUMBEROUS VIOLATIONS OF SHERIFF'S OFFICE POLICIES THAT ALLOWED SANDERS TO WALK OUT OF THE HILL-FINKLEA JAIL 7

ARGUMENTS

I. THE IMMUNITY PROVISIONS OF THE TORT CLAIMS ACT DO NOT AFFORD RESPONDENTS COMPLETE IMMUNITY AS THE EVIDENCE PRESENTS A QUESTION OF FACT REGARDING GROSS NEGLIGENCE 14

A. Section 15-78-60(3) Cannot Be a Basis for Summary Judgment Because Appellant's Action is Not Based on the Execution, Enforcement or Implementation of a Court Order 18

B. Section 15-78-60(4) Cannot Be a Basis for Summary Judgment Because The Evidence Supports an Inference that Respondents were Negligent in Allowing Sanders to Walk Out of the Jail 20

C. Section 15-78-60(5) Cannot Be a Basis for Summary Judgment Because There Is No Evidence That Supports an Inference Respondents Weighed Competing Considerations Using Professional Standards 21

D. Section 15-78-60(6) Cannot Be a Basis for Summary Judgment Because Appellant's Action is Not Based on Failing to Provide Bowzard Police Protection.....23

E. Respondents Are Not Entitled to Complete Immunity for the Criminal Acts of Sanders and are Instead Liable for Their Own Negligence.....25

F. The Evidence Supports an Inference that Respondents Were Grossly Negligent Allowing Sanders to Walk Out of the Berkeley County Jail.....27

II. SANDERS CALLS AND LETTERS TO BOWZARD WHILE INCARCERATED PROXIMATELY CAUSED HER DAMAGES.....28

III. THE RESPONDENTS ARE LIABLE FOR SANDERS BEING ALLOWED TO WALK OUT OF THE HILL-FINKLEA JAIL PURSUANT TO S.C. CODE ANN. §§ 23-15-50 AND 23-17-70 AS HE HAD NOT BEEN DISCHARGED FROM CONFINEMENT AND WAS STILL BEING HELD ON A CIVIL CHARGE.....29

CONCLUSION 33

TABLE OF AUTHORITIES

CASES

Allen v. Marion Sch. Dist. One,
307 S.C. 297, 414 S.E.2d 794 (Ct. App. 1992) 25, 27

Bayle v. S.C. Dep't of Transp.,
344 S.C. 115, 542 S.E.2d 736 (Ct. App. 2001) 14

Clark v. S.C. Dept. of Public Safety,
353 S.C. 291, 578 S.E.2d 16 (Ct. App. 2002) aff'd, 362 S.C. 377, 608 S.E.2d 573 (2005) 21, 24

Faile v. S.C. Dep't of Juvenile Justice,
350 S.C. 315, 566 S.E.2d 536 (2002) 24

Gist v. Berkeley County Sheriff's Dept.,
336 S.C. 611, 521 S.E.2d 163 (Ct. App. 1999) 19

Greenville Mem'l Auditorium v. Martin,
301 S.C. 242, 391 S.E.2d 546 (1990) 26

Hancock v. Mid-S. Mgmt. Co., Inc.,
381 S.C. 326, 673 S.E.2d 801 (2009) 13

Koester v. Carolina Rental Ctr.,
313 S.C. 490, 443 S.E.2d 392 (1994) 13

Liberty Mut. Ins. Co. v. S.C Second Injury Fund,
363 S.C. 612, 611 S.E.2d 297 (Ct. App. 2005) 17

Madison ex rel. Bryant v. Babcock Ctr., Inc.,
371 S.C. 123, 638 S.E.2d 650 (2006) 13

Murphy v. Tyndall,
384 S.C. 50, 681 S.E.2d 28 (Ct. App. 2009) 14

Pike v. S.C. Dep't of Transp.,
343 S.C. 224, 540 S.E.2d 87 (2000) 22

Steinke v. S.C. Dep't of Labor, Licensing & Regulation,
336 S.C. 373, 520 S.E.2d 142 (1999) ..... passim

Washington v. Lexington County Jail,
337 S.C. 400, 523 S.E.2d 204 (1999) 30

STATUTES

S.C. Code Ann. § 15-78-10 13

S.C. Code Ann. § 15-78-20 15

S.C. Code Ann. § 15-78-40 ..... 13, 14

S.C. Code Ann. § 15-78-60 ..... 15, 16, 17

S.C. Code Ann. § 15-78-60(3) 17, 18, 19, 20

S.C. Code Ann. § 15-78-60(4) 17, 20, 21

S.C. Code Ann. § 15-78-60(5) 21

S.C. Code Ann. § 15-78-60(6) 18, 23, 24

S.C. Code Ann. § 15-78-60(20) 18, 25, 26

S.C. Code Ann. § 15-78-60(21) 18, 27, 28

S.C. Code Ann. § 15-78-60(25) 16, 18, 24, 33

S.C. Code Ann. § 23-15-50 ..... 30, 33

S.C. Code Ann. § 23-17-70 ..... passim

OTHER AUTHORITIES

Rule 56(c), SCRCP 13

Rule 56(e), SCRCP 31

Rule 6(d), SCRCP 31

STATEMENT OF ISSUES ON APPEAL

I. **DID THE TRIAL COURT ERR IN GRANTING RESPONDENTS' SUMMARY JUDGMENT MOTION ON THE BASIS THAT RESPONDENTS ARE IMMUNE FROM LIABILITY PURSUANT TO THE SOUTH CAROLINA TORT CLAIMS ACT?**

II. **DID THE TRIAL COURT ERR IN HOLDING SANDERS' CALLS, LETTERS, AND THREATS FROM THE BERKELEY COUNTY JAIL IN VIOLATION OF A COURT ORDER COULD NOT BE A PROXIMATE CAUSE OF BOWZARD'S DAMAGES?**

III. **DID THE TRIAL COURT ERR IN GRANTING THE SUMMARY JUDGMENT MOTION ON THE BASIS THAT RESPONDENTS ARE NOT LIABLE FOR BOWZARD'S DAMAGES PURSUANT TO S.C. CODE ANN. §§ 23-15-50 AND 23-17-70?**

STATEMENT OF THE CASE

This negligence action arises out of the actions of the Berkeley County Sheriff's Office ("Sheriff's Office") which led to James A. Sanders, Jr. ("Sanders") walking out of the Berkeley County jail (the Hill-Finklea Detention Center) even though there were pending charges which required Sanders' detention and the Sheriff's Office knew he was not to be released. Sanders was incarcerated for criminal domestic violence of a high and aggravated nature (CDVHAN) involving his former girlfriend, Jennifer Bowzard ("Bowzard"). During his incarceration Sanders frequently called, wrote, harassed, and threatened Bowzard, despite a family court restraining order in place and Bowzard's several reports to the Sheriff's Office complaining about the repeated contact. Upon learning of Sanders leaving the Berkeley County jail, Bowzard required medical care to cope with this fear because of the extensive history of domestic abuse she previously sustained from Sanders. Bowzard filed a complaint against Berkeley County Sheriff Wayne Dewitt and the Berkeley County Sheriff's Office on April 30, 2012 in the Berkeley County Court of Common Pleas. (R. pp. 12-15). Bowzard's negligence action alleges that the employees of the Sheriff's Office were grossly negligent which proximately caused Bowzard's injuries and damages. (R. p. 14, ¶¶ 15-16). Specifically, the Complaint alleges the Respondents were grossly negligent in the following nine particulars:

a) In allowing James Sanders to contact Ms. Bowzard from jail in violation of the court's order;

b) In failing to prevent James Sanders from contacting Ms. Bowzard from jail after notice of the harassment;

c) In releasing James Sanders from confinement when the file on James Sanders clearly showed he was not eligible to be released;

d) In failing to follow the policies and established procedures for the release of detainees at the Detention Center;

e) In failing to read the file on James Sanders before releasing him;

f) In failing to timely act on the notification that he was not to be released;

g) In allowing Mr. Sanders to leave the detention center through the wrong door;

h) In violating § 23-15-50, South Carolina Code (1976); and

i) In violating § 23-17-70, South Carolina Code (1976).

(R. p. 14, ¶ 15). The Complaint seeks damages for Bowzard's serious and severe mental anguish, medical expenses, and lost income from her employment. (R. p. 14, ¶ 16).

Respondents' Answer dated September 21, 2012 asserts seven affirmative defenses, including the exceptions to the waiver of immunity under the South Carolina Tort Claims Act." (R. p. 18, ¶ 21).

Respondents moved for summary judgment on February 20, 2013, contending seven different bases as reasons summary judgment was appropriate. (R. pp. 20-21). The trial court held a hearing on Respondents' motion for summary judgment on April 16, 2013 at the Berkeley County Courthouse. (R. p. 38). After hearing oral argument from counsel and reviewing the parties' submissions, the trial court granted Respondents' motion in an order filed June 13, 2013. (R. pp. 5-10). The trial court found Respondents immune from liability based on several statutory provisions of the Tort Claims Act – S.C. Code Ann. §§ 15-78-60(3), (4), (5), (6), (20), and (21). The trial court also found the phone calls from Hill-Finklea could not have been a proximate cause of Bowzard's damages, and found Respondents are not liable for Bowzard's injuries arising out of

violations of S.C. Code Ann. § 23-15-50 and S.C. Code Ann. § 23-17-70. (R. pp. 7-9). Upon receipt of the trial court's order, Bowzard filed the Notice of Appeal with this Court on July 2, 2013 (R. pp. 393-394), and contends the trial court erred in granting summary judgment in favor of the Respondents. For the reasons set forth below, the granting of summary judgment should be reversed.

FACTS

I. THE SHERIFF'S OFFICE KNOWLEDGE OF SANDERS' CRIMINAL DOMESTIC VIOLENCE HISTORY TOWARD BOWZARD

Bowzard and Sanders previously had a romantic relationship and around June 2010, Sanders moved into Bowzard's residence located in Ridgeville ("Bowzard residence"). (R. pp. 77-78). Sanders vacated the residence in April 2011. (R. pp. 77-78). On May 14, 2011, law enforcement responded to the Bowzard residence for a report of criminal domestic violence. (R. pp. 77-78). Bowzard informed the officers that she wished to seek a restraining order against Sanders for her protection. (R. pp. 77-78). On July 2, 2011, at approximately 3:23 a.m. officers returned to the Bowzard residence in response to another report of criminal domestic violence. (R. pp. 82-86). Bowzard reported to the officers that Sanders had been assaulting and controlling her for a while. (R. pp. 82-86). She did not call for help because she feared for her life and was terrified of Sanders. (R. pp. 82-86). She appeared skittish and shaky. (R. pp. 82-86). One deputy observed bruising under and around Bowzard's left eye, red marks on both arms in around the inner-biceps. (R. pp. 82-86). There also appeared to be red marks on Bowzard's neck. (R. pp. 82-86). The bruising to Bowzard's eye occurred a week earlier during a verbal argument with Sanders. (R. pp. 82-86).

Bowzard also reported that earlier that day Sanders started an argument about Bowzard's cell phone ringing. (R. pp. 82-86). She left to go to a friend's house down the road at which time Sanders began chasing her in his vehicle. (R. pp. 82-86). Upon Bowzard arriving at her friend's house, Sanders came to her vehicle, grabbed her by the arms, and drug her out of the vehicle in an attempt to take her cell phone. (R. pp. 82-86).

Later on July 2, 2011 at approximately 12:54 p.m., officers again responded to the Bowzard residence in regards to a complaint of criminal domestic violence. (R. pp. 82-86). At that time, the Sheriff's Office arrested Sanders for criminal domestic violence. (R. pp. 82-86).

On July 18, 2011, after Sanders posted bond on the July 2, 2011 arrest, the Sheriff's Office again responded to the Bowzard residence for a domestic dispute involving Sanders. (R. pp. 87-89). Sanders fled the scene before officers arrived. (R. pp. 87-89). Bowzard attempted to work things out with Sanders but after leaving, Sanders called Bowzard to tell her that she ruined his life and that he was going to kill her. (R. pp. 87-89). Bowzard collected her belongings and went to stay with a friend due to the fear of Sanders returning. (R. pp. 87-89).

On July 26, 2011, at approximately 6:45 p.m., Sheriff's Office deputies responded to the Trident Medical Center Emergency Room after Sanders had again assaulted Bowzard. (R. pp. 90-93). On that day, Sanders had tried to call Bowzard but she did not answer because she was on the phone. (R. pp. 87-89). After being unable to reach Bowzard by phone, Sanders went to the Bowzard residence. (R. pp. 87-89). He was irate. (R. pp. 87-89). Bowzard ran outside and Sanders struck her with a paint roller extension pole. (R. pp. 87-89). Only after the neighbors yelled at him to stop attacking her did he

flee in his truck. (R. pp. 87-89). The Sheriff's Office arrested Sanders for criminal domestic violence of a high and aggravated nature as a result of his physically assaulting Bowzard. Bowzard's eye socket was fractured and her nose was broken, requiring stiches. (R. pp. 87-89; p. 12, ¶ 3; p. 94; pp. 95-96). Sanders' attack also injured Bowzard's foot. (R. p. 12, ¶ 3). During this attack, Sanders threatened to kill Bowzard, telling her "You are going to die." (R. p. 12, ¶ 3).

On July 30, 2011, Sanders was released from the Hill-Finklea Detention Center ("Hill-Finklea"), which is operated by Sheriff Dewitt and the Berkeley County Sheriff's Office, on a $40,000.00 surety bond. (R. pp. 12-13, ¶¶ 3-4; p. 100). As one of the conditions of his bond, Sanders was required to be on good behavior, wear an ankle bracelet, and was placed on house arrest. (R. pp. 12-13, ¶ 4). Despite these conditions and after being released from Hill-Finklea, Sanders continued to threaten Bowzard. (R. pp. 12-13, ¶ 4).

On August 2, 2011, the Berkeley County Family Court, finding that Sanders presented a credible threat to Bowzard, issued an order restraining Sanders from having any contact with Bowzard. (R. p. 13, ¶ 5). Bowzard contacted the Sheriff's Office on August 5, 2011 to report that Sanders had attempted six times to contact her by telephone after the family court order. (R. p. 109).

Ten days later on August 15, 2011, Bowzard made a statement to the Sheriff's Office regarding Sanders' threats since the August 2, 2011 order. (R. p. 110). Despite the family court order, Sanders continued to tell Bowzard he was going to abuse and/or kill her, and even threatened to burn her house down. (R. p. 110).

II. SANDERS CONTINUED COMMUNICATIONS FROM HILL-FINKLEA IN VIOLATION OF THE FAMILY COURT ORDER

On August 19, 2011, Sanders was arrested for violating the family court's August 2, 2011, restraining order. (R. pp. 104-107; p. 13, ¶ 6). The Berkeley County Sheriff's Office once again detained Sanders at Hill-Finklea. (R. p. 13, ¶ 6). Once incarcerated, the Sheriff's Office employees at Hill-Finklea allowed Sanders to continue calling and writing Bowzard, in violation the August 2, 2011 order. (R. p. 13, ¶ 8). Sanders continued to threaten Bowzard and specifically repeated his threats to kill her. (R. p. 13, ¶ 7).

On October 13, 2011, the bond on the charges against Sanders for criminal domestic violence of a high and aggravated nature was revoked. (R. p. 13, ¶ 9).

Bowzard filed a petition on October 31, 2011 with the Berkeley County Family Court alleging Sanders was in contempt of court for his repeated communications despite his incarceration. (R. pp. 113-115). The Verification to the Petition stated: "James Sanders has called my work from the jail over & over and also still writing me letter over & over[.] I have called many times & talked w/ Jenny to have this stopped[.]" (R. pp. 113-115). Jenny Smith was Bowzard's victim advocate. In addition to talking with Jenny, Bowzard also put in the petition that she called the Captain at the jail on October 31, 2011 and talked with him about the repeated communications from Sanders in violation of the court order. (R. pp. 113-115).

III. THE NUMEROUS VIOLATIONS OF SHERIFF'S OFFICE POLICIES THAT ALLOWED SANDERS TO WALK OUT OF THE HILL-FINKLEA JAIL

On January 26, 2012, the Sheriff's Office employees at Hill-Finklea allowed Sanders to walk out of the jail through an improper door, even though there were pending charges which required his detention. The Sheriff's Office knew Sanders was not to be

released. (R. p. 13, ¶ 10). Sanders exit from the Hill-Finklea jail was captured by video cameras. (R. p. 149).[1]

The review of Sanders' file on the day he walked out involved numerous employees who were confused about his status. Following the above described events, the Sheriff's Office compiled an Internal Affairs Administrative Investigation Report which detailed the events of January 26, 2012. (R. pp. 124-129). Lieutenant Tony Riley, Sergeant Rosemary Sanders, Sergeant Patricia Diane Collins, and Tyler McWethy were all Sheriff's Office employees who were involved in allowing Sanders to walk out of the jail. (R. pp. 124-129). On January 26, 2012, Sanders went to court for a hearing on the charge for contempt that he violated the family court order. (R. p. 150, ¶ 3). The family court sentenced Sanders to time served. (R. p. 150. ¶ 4). Upon returning from court after receiving the sentence for time served, Lt. Riley went through Sanders' file and it appeared to him that all charges had been resolved. (R. p. 126). Sanders was not placed in a holding cell but was instead left unsupervised and handcuffed to a bench in middle booking. (R. p. 120). Lt. Riley then gave Sanders' file to Sgt. Collins for her to review and to coordinate Sanders' release with the Victim's Advocate, Jenny Smith. (R. p. 126). When Sgt. Sanders received the file, she was told to "kick the man out of the jail." (R. p. 124). Sanders was handcuffed to the bench for approximately thirty minutes when a problem with his paperwork became apparent, after Jenny Smith contacted Bowzard to let her know that Sanders was scheduled to be released later in that afternoon. (R. p. 124; p. 127). Bowzard advised Smith that there was still a pending charge against Sanders and

[1] The video of Sanders walking out the door to the jail are submitted to the Court and included with the Record on Appeal.

that he should not be released. (R. p. 124). Smith advised Bowzard that she would look into the situation. (R. p. 127). Smith contacted Lt. Riley to see what was going on while she and Sgt. Collins kept looking through the file. (R. p. 127).

At approximately 2:30 p.m. on January 26, 2012, Victim Advocate Carole Grunsky received a call from Bowzard regarding Sanders' impending release. (R. pp. 127-128). Grunsky called the jail and asked to speak with Lt. Riley or Jenny Smith. (R. p. 128). Smith advised Ms. Grunsky that Lt. Riley was looking at the paperwork and telling her that Sanders' bond had been met. (R. p. 128). Grunsky advised Smith that was not accurate and they should not let Sanders out of the jail. (R. p. 128). After Grunsky advised Smith, Smith agreed to get the situation resolved. (R. p. 128).

In response to the concerns raised by Grunsky and Smith, Lt. Riley looked at Sanders' file again and concluded the dates did not match. (R. p. 126). He checked with the Clerk of Court, got Sanders paperwork, and noticed the CDVHAN charge was still pending due to bond revocation. (R. p. 126).

Pfc. McWethy and Sgt. Collins both worked in middle booking at Hill-Finklea on the day of Sanders was permitted to walk out. (R. p. 124). Lt. Riley gave Pfc. McWethy, Sanders' file and said Sanders had just come back from court and was ready to be released. (R. p. 124). Pfc. McWethy gave Sanders' file to Sgt. Collins and told her Lt. Riley had reviewed it and dropped it off. (R. p. 124). During the time the Sheriff's Office was reviewing the file, Sanders told Pfc. McWethy his handcuffs were tight and Pfc. McWethy loosened them. (R. p. 124; p. 149).

Once the handcuffs were loosened on Sanders right hand, he was able to slide his hand out as shown on the video surveillance. (R. p. 149). After remaining on the bench

for a short period of time, Sanders got up and walked to a door that leads outside but was locked electronically. (R. p. 149; p. 125). At that time, Sgt. Sanders was going to pick up the car wash crew. (R. p. 125). She walked past Sanders but was not at first able to exit because the door had to be opened electronically by the front desk. (R. p. 149; p. 125). Once the door was opened she exited, with Sanders immediately following her. (R. p. 149; p. 125). Once outside, she asked Sanders about his wrist band that inmates at Hill-Finklea wear. (R. p. 125). Sanders came back gave Sgt. Sanders the wrist band. He was then allowed to walk away. (R. p. 125). By the time Pfc. McWethy came outside and asked about James Sanders, Sgt. Sanders was already in her vehicle. (R. p. 125).

About thirty minutes after their last conversation, Jenny Smith called Victim Advocate Grunsky and told her that Sanders had been allowed to walk out of Hill-Finklea. (R. p. 128). Grunsky called Bowzard to tell her that Sanders was no longer in custody at Hill-Finklea. (R. p. 128). Upon learning this, Bowzard drove herself to the Sheriff's Office for protection. (R. p. 128). The Sheriff's Office determined the situation was extremely dangerous and took Bowzard into protective custody for fear of her life. (R. p. 14, ¶ 12). In addition to the repeated harassment by Sanders while he was incarcerated, Bowzard suffered extreme fear and mental anguish due to Sanders no longer being in custody. Bowzard sought and received medical care to cope with the fear and mental anguish she continued to suffer, and was diagnosed with post-traumatic stress disorder. (R. p. 14, ¶ 12; pp. 143-147).

On January 26, 2012 prior to Sanders being allowed to walk away, Jenny Smith argued with Lt. Riley and asked him to keep Sanders incarcerated due to a perceived mistake in the paperwork that needed to be investigated. (R. p. 128). Smith confirmed

that she had to use "persuasion" with Sgt. Collins to get her to look further into Sanders release. Sgt. Collins initially told her "We have the discharge paper, we can't keep him here forever, it is what it is." (R. p. 128).

The Investigation Report highlights the following regarding the actions of Lt. Riley, Sgt. Collins, Sgt. Sanders, and Pfc. McWethy on January 26, 2012:

> Lt. Riley ordered the release of inmate Sanders without sufficiently checking the file, there was paperwork already in the file showing inmate Sanders was not eligible for release. Sgt. Collins at first took it at face value that inmate Sanders was to be released without checking the file thoroughly, and put up some resistance with the Victims Advocate when she was trying to point out a problem. Sgt. Sanders didn't question inmate Sanders about being released out the wrong door and let him leave without further checking. Pfc. McWethy failed to handcuff inmate Sanders properly.

(R. p. 129).

Following the internal investigation, Sheriff Wayne Dewitt terminated Sgt. Collins on February 1, 2012 because as a supervisor she "should have read James Sanders' complete file prior to his release." (R. p. 120). Sheriff Dewitt demoted Lt. Riley to the rank of Sergeant based on his "failure to read the complete file. . . ." (R. p. 121). Sgt. Sanders and Pfc. McWethy were each suspended one week without pay for policy violations. (R. pp. 122-123).

In opposition to Respondents' summary judgment motion, Appellant submitted the Affidavit of Richard Thomas Dixon. (R. pp. 118-119). Dixon served in the U.S. Army Military Police from 1982-1985. (R. p. 118, ¶ 2). During this time he "was trained in the proper use and procedures to handcuff a prisoner and to maintain custody of prisoners." (R. p. 118, ¶ 2). Following his service in the Army, Dixon was employed by the South Carolina Highway Patrol from 1985-2011. (R. p. 118, ¶ 3). He started his

career as a Trooper and retired in 2011 as a Lieutenant. (R. p. 118, ¶ 3). While employed by the South Carolina Highway Patrol, he had additional training "in the use and proper procedures to handcuff and maintain custody of prisoners." (R. p. 118, ¶ 3). Dixon testified that "[t]he officer of the Berkeley County Sheriff's Office who handcuffed Mr. Sanders to a bench failed to follow established handcuffing procedures for handcuffing a prisoner and in handcuffing Mr. Sanders to a bench." (R. p. 118, ¶ 5). Additionally, "[t]he officer who loosened the handcuffs in the video also failed to follow established and recognized procedures in loosening handcuffs so that Sanders could easily and without difficulty slip his hand out of the handcuff." (R. pp. 18-119, ¶ 7).

After being allowed to walk out of the Hill-Finklea jail, local newspapers and television stations picked up the story. Security cameras spotted Sanders at MUSC after law enforcement received a tip that Sanders was picked up and taken to MUSC after walking out of the jail. *Timeline of James Sanders' escape and capture*, available at http://berkeleycounty.live5news.com/news/news/66493-timeline-james-sanders-escape-and-capture. On February 29, 2012, representatives from America's Most Wanted talked with the Berkeley County Sheriff's Office and U.S. Marshall's Office regarding a segment of the show it planned to run on Sanders. Finally, on March 1, 2012, Myrtle Beach Police arrested Sanders when he allegedly stole a woman's wallet. Sanders had been posing as the brother of a comatose patient at a Myrtle Beach hospital.

STANDARD OF REVIEW

The standard governing summary judgment is well established, and appellate courts apply the same standard as the trial court. Summary judgment is only appropriate where there is no genuine issue of material fact and it is clear the moving party is entitled

to a judgment as a matter of law. Rule 56(c), SCRCP. In determining whether any triable issues of fact exist, the evidence and all inferences which can be reasonably drawn from the evidence must be viewed in the light most favorable to the nonmoving party. Koester v. Carolina Rental Ctr., 313 S.C. 490, 493, 443 S.E.2d 392, 394 (1994). On a motion for summary judgment, "the non-moving party is only required to submit a mere scintilla of evidence in order to withstand a motion for summary judgment." Hancock v. Mid-S. Mgmt. Co., Inc., 381 S.C. 326, 330, 673 S.E.2d 801, 803 (2009). "Because it is a drastic remedy, summary judgment should be cautiously invoked so no person will be improperly deprived of a trial of the disputed factual issues." Murphy v. Tyndall, 384 S.C. 50, 54, 681 S.E.2d 28, 30 (Ct. App. 2009).

GROSS NEGLIGENCE AND THE SOUTH CAROLINA TORT CLAIMS ACT

In this negligence action, the plaintiff must show that (1) the defendant owes a duty of care to the plaintiff, (2) the defendant breached the duty by a negligent act or omission, (3) the defendant's breach was the actual and proximate cause of the plaintiff's injury, and (4) the plaintiff suffered an injury or damages. Madison ex rel. Bryant v. Babcock Ctr., Inc., 371 S.C. 123, 135, 638 S.E.2d 650, 656 (2006). "An affirmative legal duty may be created by statute, a contractual relationship, status, property interest, or some other special circumstance." Id. at 136, 638 S.E.2d at 656-57.

The South Carolina Tort Claims Act governs tort claims against governmental entities. S.C. Code Ann. § 15-78-10, *et seq.* Section 15-78-40 provides: "The State, an agency, a political subdivision, and a governmental entity are liable for their torts in the same manner and to the same extent as a private individual under like circumstances, subject to the limitations upon liability and damages, and exemptions from liability and

damages, contained herein." S.C. Code Ann. § 15-78-40. In other words, if a private individual would be liable under like circumstances then the governmental entity is also liable, subject to the limitations and exemptions to liability afforded to the governmental entity by the Tort Claims Act. The trial court's order filed June 13, 2013 does not hold that the Respondents did not owe a duty to Bowzard, or that the Respondents did not breach that duty. Instead, the trial court's order finds that the Respondents are immune from liability based on several statutory provisions of the Tort Claims Act – S.C. Code Ann. §§ 15-78-60(3), (4), (5), (6), (20), and (21), and its findings that the phone calls from Hill-Finklea could not have been a proximate cause of Bowzard's damages. The trial court further found Respondents are not liable for Bowzard's injuries arising out of violations of S.C. Code Ann. § 23-15-50 and S.C. Code Ann. § 23-17-70.

ARGUMENT

I. THE IMMUNITY PROVISIONS OF THE TORT CLAIMS ACT DO NOT AFFORD RESPONDENTS COMPLETE IMMUNITY AS THE EVIDENCE PRESENTS A QUESTION OF FACT REGARDING GROSS NEGLIGENCE

In the order filed June 13, 2013, the trial court holds the Respondents are immune from liability pursuant to several provisions of the South Carolina Torts Claims Act – specifically S.C. Code Ann. §§ 15-78-60(3), (4), (5), (6), (20), and (21). (R. pp. 7-9). "The burden of establishing a limitation upon liability or an exception to the waiver of immunity under the Tort Claims Act is upon the governmental entity asserting it as an affirmative defense." Steinke v. S.C. Dep't of Labor, Licensing & Regulation, 336 S.C. 373, 393, 520 S.E.2d 142, 152 (1999). "The cardinal rule of statutory construction is to ascertain and effectuate the intent of the legislature." Bayle v. S.C. Dep't of Transp., 344 S.C. 115, 122, 542 S.E.2d 736, 739 (Ct. App. 2001). "Where the statute's language is

plain and unambiguous, and conveys a clear and definite meaning, the rules of statutory interpretation are not needed and the court has no right to impose another meaning." Id. What the legislature says in the text of a statute is considered the best evidence of the legislative intent or will. Id.

The Tort Claims Act contains multiple layers as it involves the waiver of sovereign immunity by governmental entities. First, the South Carolina Tort Claims Act waives sovereign immunity. S.C. Code Ann. § 15-78-20. Second, the Tort Claims Act contains forty exceptions to the waiver of immunity. S.C. Code Ann. § 15-78-60. Third, and finally, there are exceptions to the exceptions to the waiver of immunity. Some of the exceptions to the waiver of immunity provide that the exception does not apply when a governmental entity is deemed to be grossly negligent. Others contain no exception for gross negligence. Under this scenario, a governmental entity could argue it is immune from liability based on exceptions contained in § 15-78-60, but would be liable if the jury found the governmental entity acted in a grossly negligent manner. A conflict arises within § 15-78-60 when under the facts of a case an action would be barred by an exception which would be applicable while another applicable exception provides that the exception does not apply if the governmental entity acted in a grossly negligent manner.

The Supreme Court in Steinke v. S.C. Dep't of Labor, Licensing & Regulation, 336 S.C. 373, 395, 520 S.E.2d 142, 153 (1999) resolved this dilemma when it noted that "when a governmental entity asserts various exceptions to the waiver of immunity, [the court] is to read exceptions that do not contain the gross negligence standard in light of exceptions that do contain the standard." According to the Supreme Court "[i]t would

make no sense to say Department may be found grossly negligent in a licensing decision, yet allow Department to escape liability because the inspection powers exception does not contain a gross negligence standard." Id. at 396, 520 S.E.2d at 154.

One of the clearest applicable subsections to the facts of this case is S.C. Code Ann. § 15-78-60(25) which provides that the governmental entity is not liable for a loss resulting from "***responsibility or duty including*** but not limited to supervision, protection, control, confinement, or custody of any student, patient, ***prisoner***, ***inmate***, or client of any governmental entity, ***except when the responsibility or duty is exercised in a grossly negligent manner*** . . . ." (emphasis added). Subsection (25) would afford the governmental entity immunity related to a responsibility or duty related to the custody or confinement of a prisoner except when it is found to have acted in a grossly negligent manner.

Although subsection (25) is clearly applicable to the facts of this case because the allegations in the complaint and evidence pertain to the custody of a prisoner, the Respondents did not assert it was immune from liability based on subsection (25). Subsection (25) would provide liability in this case if the jury found the Respondents acted in a grossly negligent manner. Respondents attempt to avoid the intent of the Tort Claims Act by only asserting exceptions of § 15-78-60 that do not contain a gross negligence exception should be to no avail. Appellant contends the Court should "interpolate" a gross negligence exception into all of Respondents' asserted defenses, as mandated by Steinke. It is illogical to permit a governmental entity to omit a particular applicable subsection even though it is applicable to the facts of the case because it may be liable if the jury finds it is grossly negligent. See Steinke, 336 S.C. 373, 397, 520

S.E.2d 142, 154 ("we conclude the better practice is to allow the government to assert all relevant exceptions, and apply the gross negligence standard to all when it is contained in one applicable exception"). Moreover, the exceptions to the waiver of immunity – contained in S.C. Code Ann. § 15-78-60 – which is the affirmative defense must be read as a whole. Liberty Mut. Ins. Co. v. S.C Second Injury Fund, 363 S.C. 612, 622, 611 S.E.2d 297, 302 (Ct. App. 2005) ("Statutes must be read as a whole and sections which are part of the same general statutory scheme must be construed together and given effect, if it can be done by any reasonable construction."). Since subsection (25) is applicable to the facts of this case and Respondents may be liable if found to be grossly negligent related to the custody and care of a prisoner, Appellants contend all other subsections of the Tort Claims Act relied upon by the Respondents must also be read with a gross negligence exception.

None of the six subsections of § 15-78-60 that form the basis of the order granting summary judgment are applicable when the evidence is viewed in a light most favorable to Bowzard as the non-moving party. Section 15-78-60(3) cannot be a basis for summary judgment as Appellant is not seeking to hold Respondents liable for the execution, enforcement, or implementation of a court order or other lawful process. Subsection (4) is not applicable because violations of internal policies do not afford the governmental entity immunity under S.C. Code Ann. § 15-78-60(4). Subsection (5) – discretionary immunity – is not applicable because there is no evidence that the Respondents weighed competing considerations and utilized accepted professional standards before loosening Sanders' handcuffs or allowing Sanders to walk away after asking for his wrist band. Subsection (6) is not applicable because Appellant does not contend she was injured by

Respondents' failure to provide police protection. Subsection (20) is not applicable because the governmental entity is still liable for its own negligence although it cannot be liable for the criminal acts of third parties. Subsection (21) is not applicable because Sanders was not released or escaped from the Respondents' custody but was instead allowed to walk out of the jail.

The only subsection that may be applicable is subsection (25) which was not raised as a defense because it contained a gross negligence standard even though it relates to the custody, confinement, and control of prisoners and inmates. Appellant contends Sanders did not escape from the Hill-Finklea Detention Center but was instead allowed to walk out a door he could not otherwise walk out of. However, Should the Court deem Sanders escaped from Hill-Finklea on January 26, 2013, Respondents would still be liable pursuant to S.C. Code Ann. § 23-17-70 because the evidence supports an inference that Sanders was still being detained on a civil charge as he had not been released from custody.

A. *Section 15-78-60(3) Cannot Be a Basis for Summary Judgment Because Appellant's Action is Not Based on the Execution, Enforcement or Implementation of a Court Order*

Respondents argued and the trial court held that the Respondents are immune from liability pursuant to S.C. Code Ann. § 15-78-60(3). Subsection (3) provides that the governmental entity is not liable for a loss resulting from "execution, enforcement, or implementation of the orders of any court or execution, enforcement, or lawful implementation of any process . . . ." In her Complaint, Appellant alleged Respondents were negligent in nine specific allegations. (R. p. 14, ¶ 15). Viewing the allegations and evidence presented in a light most favorable to the Appellant, § 15-78-60(3) cannot be a

basis for summary judgment as Appellant is not seeking to hold Respondents liable for the execution, enforcement, or implementation of a court order or other lawful process. At the hearing on Respondents motion for summary judgment, counsel for Appellant argued that the provisions of subsection (3) are not applicable to this action. (R. p. 67, lines 17-19).

Even viewing the nine specific allegations of negligence in a light most favorable to Respondents – which is contrary to the summary judgment standard – only one could plausibly be related to an alleged violation of a court order. Paragraph fifteen subparagraph (A) alleges that the Respondents were negligent "[i]n allowing James Sanders to contact Ms. Bowzard from jail in violation of the court's order . . . ." (R. p. 14, ¶ 15(A)). This specific allegation, however, contends that the Respondents were negligent in allowing Sanders to contact Bowzard from jail in violation of the court's order, and not based on the execution, enforcement, or implementation of a court order or other lawful process.

Based on the plain language of § 15-78-60(3), Appellant contends the legislature intended to provide a defense to a governmental entity when it was executing, enforcing, or implementing a court order or other lawful process. Basically, one could not assert the government entity was negligent when it was following the directive of a court order or other lawful process. Even when the governmental entity is following lawful process, however, § 15-78-60(3) may not apply. In Gist v. Berkeley County Sheriff's Dept., 336 S.C. 611, 521 S.E.2d 163 (Ct. App. 1999), the Court of Appeals addressed a governmental entity's liability even while following a magistrate's court order. In that case, Anthony Gist sued the Berkeley County Sheriff's Department alleging false arrest

and imprisonment. Id. at 613, 521 S.E.2d at 164. The Sheriff's Department moved for summary judgment and the trial court ruled that the Sheriff's Department "could not be held liable for damages because there was a neutral and detached magistrate's determination of probable cause." Id. at 614, 521 S.E.2d at 165. In reversing the summary judgment, this Court ruled that "the Sheriff's Department's liability does not arise from the 'execution, enforcement, or implementation' of the magistrate's court order. It arises from allegedly securing the warrant without probable cause." Id. at 166-67, 521 S.E.2d at 617.

In the instant case, § 15-78-60(3) cannot be a basis for summary judgment because Appellant's allegations are not based on the execution, enforcement, or implementation of any court order or lawful process the Respondents were instructed to follow.

B. *Section 15-78-60(4) Cannot Be a Basis for Summary Judgment Because The Evidence Supports an Inference that Respondents were Negligent in Allowing Sanders to Walk Out of the Jail*

As another ground for summary judgment, the trial court held that Respondents were immune from liability based on S.C. Code Ann. § 15-78-60(4). (R. p. 7). Subsection (4) provides that the governmental entity is not liable for a loss resulting from "adoption, enforcement, or compliance with any law or failure to adopt or enforce any law, whether valid or invalid, including, but not limited to, any charter, provision, ordinance, resolution, rule, regulation, or written policies . . . ." Reasonably construing the statute's plain language, subsection (4) only affords a defense when the action is based on the governmental entity adopting, enforcing, or complying with any law, or where the allegations seek liability for the government failing to adopt or enforce a law.

The nine specific allegations of negligence pled in the Complaint do not seek to hold Respondents liable because they complied with a law. Instead, several of the allegations assert that Respondents were negligent in failing to act reasonably and in violating their own internal policies and procedures. The violation of internal policies does not afford the governmental entity immunity under S.C. Code Ann. § 15-78-60(4). Clark v. S.C. Dept. of Public Safety, 353 S.C. 291, 307, 578 S.E.2d 16, 24 (Ct. App. 2002) aff'd, 362 S.C. 377, 608 S.E.2d 573 (2005) ("As noted by Clark, the Pursuit Policy was merely a statement of generally accepted law enforcement guidelines. This broad provision is not the kind of written policy that should be afforded the protection of absolute immunity under the Tort Claims Act.").

The violations of policies and procedures in this case were confirmed by the Respondents own Internal Investigation which resulted in Respondents disciplining several employees. (R. p. 129). As a result, subsection (4) should not be a basis for summary judgment since the policies at issue here do not fall under the gambit of subsection (4).

C. *Section 15-78-60(5) Cannot Be a Basis for Summary Judgment Because There Is No Evidence That Supports an Inference Respondents Weighed Competing Considerations Using Professional Standards*

The trial court held Respondents were immune from liability, at the summary judgment stage, pursuant to S.C. Code Ann. § 15-78-60(5). Subsection (5) provides that the governmental entity is not liable for a loss resulting from "the exercise of discretion or judgment by the governmental entity or employee or the performance or failure to perform any act or service which is in the discretion or judgment of the governmental entity or employee. . . ." To establish discretionary immunity, the governmental entity

must "prove that the governmental employees, faced with alternatives, actually weighed competing considerations and made a conscious choice." Pike v. S.C. Dep't of Transp., 343 S.C. 224, 230, 540 S.E.2d 87, 90 (2000). "The governmental entity must show that in weighing the competing considerations and alternatives, it utilized accepted professional standards appropriate to resolve the issue before them. Id.

Here, there is no evidence that the Respondents weighed competing considerations and utilized accepted professional standards before loosening Sanders' handcuffs or allowing Sanders to walk away from the jail after asking for his wrist band. The governmental entity cannot satisfy its burden of discretionary immunity merely by saying a decision was made therefore its immune from all liability. Pike requires more: "It is not enough to say the defect was noted and a decision was made not to repair it." Id. at 224, 540 S.E.2d at 90-91.

Even if merely making a decision is sufficient, the evidence still presents a question of fact which warrants denial of summary judgment. The affidavit submitted of Richard Thomas Dixon supports an inference that Respondents did not exercise any discretion during these events. Dixon testified that "[t]he officer of the Berkeley County Sheriff's Office who handcuffed Mr. Sanders to a bench failed to follow established handcuffing procedures for handcuffing a prisoner and in handcuffing Mr. Sanders to a bench." (R. p. 118, ¶ 5). Additionally, "[t]he officer who loosened the handcuffs in the video also failed to follow established and recognized procedures in loosening handcuffs so that Sanders could easily and without difficulty slip his hand out of the handcuff." (R. pp. 118-119, ¶ 7).

In addition to Mr. Dixon's testimony, the Internal Investigation Report and subsequent discipline supports an inference that the Sheriff's Office employees did not weigh competing considerations or utilize accepted professional standards before allowing Sanders to walk out of the jail. This testimony presents a question of fact as to whether Respondents exercised discretion before allowing Sanders to walk out of the jail. As a result, summary judgment on subsection (5) is inappropriate and should be reversed.

D. *Section 15-78-60(6) Cannot Be a Basis for Summary Judgment Because Appellant's Action is Not Based on Failing to Provide Bowzard Police Protection*

Another subsection of the Tort Claims Act that the trial court found immunizes Respondents from liability is S.C. Code Ann. § 15-78-60(6). (R. p. 7). As Appellant's complaint does not seek to hold the Respondents liable for failing to provide police protection, subsection (6) cannot be a basis to hold Respondents are immune from liability. Subsection (6) provides that the governmental entity is not liable for a loss resulting from "civil disobedience, riot, insurrection, or rebellion or the failure to provide the method of providing police or fire protection. . . ." This action does not seek to hold Respondents liable for "civil disobedience, riot, insurrection, or rebellion" or the failure to provide police protection. The trial court notes in the Order that Respondents are immune from liability pursuant to subsection (6) because "they are not required to provide police protection to [Bowzard]." (R. p. 7).

Contrary to the order, Appellant's allegations of negligence and the evidence presented to the trial court do not contend Respondents are liable for failing to properly protect the Appellant from Sanders. The evidence when viewed in a light most favorable to the Appellant supports an inference that Respondents were negligent in failing to

follow department procedures that allowed Sanders to walk out of the Hill-Finklea jail that caused damages to Appellant. Reading subsection (6) to include anything related to police conduct and those that may be foreseeably be injured due to negligent conduct would eliminate any liability for law enforcement. Clark v. S.C. Dept. of Public Safety, 353 S.C. 291, 578 S.E.2d 16 (Ct. App. 2002) *aff'd* 362 S.C. 377, 608 S.E.2d 573 (2005) (noting law enforcement officer is not entitled to discretionary immunity for the decision on whether to begin or continue the immediate pursuit of a suspect). Appellants contend subsection (6) only pertains to allegations of failing to provide police protection, not for other acts of law enforcement negligence.

Another consideration related to the subsection (6) is its interplay with subsection (25). Subsection (6) may afford immunity for allegations related to police protection but subsection (25) provides liability related to the control, custody, and confinement of a prisoner or inmate if the police conduct is found to be grossly negligent. Several scenarios exist where subsection (6) would afford immunity if police protection was broadly construed but subsection (25) would provide liability if found to be grossly negligent. This conflict was addressed and resolved in Steinke. As a result, subsection (6) should also be read to contain a gross negligence standard, and based on the evidence before the Court it should be for the jury to determine whether the Respondents acted in a grossly negligent manner. A determination of gross negligence is a mixed question of law and fact whose determination best rests with the jury. Faile v. S.C. Dep't of Juvenile Justice, 350 S.C. 315, 332, 566 S.E.2d 536, 545 (2002) ("In most cases, gross negligence is a factually controlled concept whose determination best rests with the jury."). For these reasons, summary judgment on this ground should be reversed.

E. *Respondents Are Not Entitled to Complete Immunity for the Criminal Acts of Sanders and are Instead Liable for Their Own Negligence*

The trial court held that summary judgment was appropriate and Respondents were immune from liability based on S.C. Code Ann. § 15-78-60(20). (R. pp. 7-8). Subsection (20) provides that the governmental entity is not liable for a loss resulting from "an act or omission of a person other than an employee including but not limited to the criminal actions of third persons . . . ." The trial court held that "[b]y violating the court order prohibiting his harassing phone calls, Mr. Sanders was engaging in a criminal act." (R. p. 7). Also, "by failing to remain in the Detention Center as originally ordered, Mr. Sanders committed a criminal act" for which the Respondents are not liable. (R. p. 8). Based on the plain language of the statute and existing case law, subsection (20) only affords a defense when the governmental entity is alleged to be responsible for the acts or omissions of a person other than an employee – akin to the government entity being vicariously liable for a non-employee including non-employees committing criminal acts. The governmental entity is still liable for its own negligence committed by its employees, and is not immune from all liability because of criminal acts of a third party.

In Allen v. Marion Sch. Dist. One, 307 S.C. 297, 414 S.E.2d 794 (Ct. App. 1992), the Court of Appeals stated that subsection (20) does not absolve all liability against a governmental entity merely because of the criminal act of a third party. Allen as guardian *ad litem* for Woodell, alleged that Woodell was assaulted at school by another student during school hours. Id. The complaint alleged the school district was grossly negligent in supervising both Woodell and her assailant. Id. The trial court granted the school district's motion to dismiss and held subsection (20) immunized the school district from liability for a loss caused by a third party's criminal action. In reversing the order

granting the motion to dismiss, the Court noted that subsection (20) does not completely immunize a government entity from liability merely because of the criminal acts of a third party: "Here, the complaint does not seek to pin liability on the school district because of the alleged criminal action of the other student; rather, as we noted above, it focuses on the school district's alleged gross negligence in supervising Woodell and the student who allegedly attacked Woodell." Id.

Greenville Mem'l Auditorium v. Martin, 301 S.C. 242, 391 S.E.2d 546 (1990) also holds that a governmental entity may be liable for its own negligence even if its negligence concurs with a criminal act of a third party to cause harm. In that case, Thomas Martin filed an action against Greenville Memorial Auditorium for injuries he received as a result of being struck by a glass bottle which was thrown by an unknown third party from the auditorium's balcony during a concert. Id. at 243, 391 S.E.2d at 547. The complaint alleged that the auditorium was negligent in securing the premises during the concert that created an unreasonable risk of harm that caused Martin's injuries. Id. After a jury verdict in favor of Martin, the auditorium contended the trial court erred in not dismissing the action pursuant to S.C. Code Ann. § 15-78-60(20) because Martin's injuries "were caused by the criminal acts of a third person." Id. at 246, 391 S.E.2d at 548. In affirming the trial court's decision not to dismiss the action pursuant to subsection (20), the Supreme Court noted that "Appellant cannot successfully defend that [Martin's] injuries were caused by the wrongful criminal act of a third party, where the very basis upon which appellant is claimed to be negligent created a reasonably foreseeable risk of such third party conduct." Id. at 247, 391 S.E.2d at 549.

Allen and Martin stand for the proposition that the governmental entity is liable for its own negligence but cannot be held liable for the actions of a non-employee, including the criminal acts of third parties. In this case, each of the nine specific allegations of negligence do not seek to hold the Respondents liable for the actions of Sanders, but instead for the Respondents own negligence. As a result, subsection (20) cannot be a basis for summary judgment in favor of Respondents.

F. *The Evidence Supports an Inference that Respondents Were Grossly Negligent Allowing Sanders to Walk Out of the Berkeley County Jail*

The trial court also held Respondents were immune from liability pursuant to S.C. Code Ann. § 15-78-60(21). Subsection (21) provides that the governmental entity is not liable for a loss resulting from "the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity, including but not limited to a prisoner, inmate, juvenile, patient, or client or the escape of these persons . . . ." Subsection (21) is not applicable to the facts of this case because Sanders was not released nor did he escape from Respondents' custody. He was allowed to walk out of a door that was locked electronically and had to be unlocked by the front desk. He was asked and returned to Sgt. Sanders to return his wrist band, and was then allowed to walk away from Respondents' custody. The evidence is also conflicting as to whether Sanders was released on January 26, 2012. In Sheriff Wayne Dewitt's termination of Sgt. Collins on February 1, 2012 he wrote that as a supervisor she "should have read James Sanders' complete file prior to his release." (R. p. 120). Contrary to Sheriff Dewitt's termination memo to Sgt. Collins, Lt. Jacumin testified that "[a]t no time on January 26, 2012, was James Sanders 'released' by the jail. (R. p. 150, ¶ 10). Viewing

this evidence in a light most favorable to the Appellant, Sanders was not released nor did he escape because he was permitted to walk out of the jail.

As with subsection (6), subsection (21) also presents a conflict with subsection (25). While subsection (25) provides liability if the governmental entity acts in a grossly negligent manner, subsection (21) may take the liability away for grossly negligent conduct. Based on Steinke, subsection (21) should also be read with a gross negligence standard. The Internal Investigation Report and the affidavit of Mr. Dixon, among other evidence, present a question of fact as to whether Respondents acted in a grossly negligent manner. As a result, the trial court's grant of summary judgment on this ground should be reversed.

Additionally, should the Court deem Sanders escaped on January 26, 2012, subsection (21) conflicts with S.C. Code Ann. § 23-17-70 which provides liability because Sanders was still detained on a civil charge. The statute - § 23-17-70 – was passed by the Legislature to specifically create liability when an individual escapes would be eliminated if § 15-78-60(21) was read broadly. As § 15-78-60(21) is not applicable because the Respondents did not formally release Sanders nor did he escape, summary judgment on this ground should be reversed.

II. SANDERS CALLS AND LETTERS TO BOWZARD WHILE INCARCERATED PROXIMATELY CAUSED HER DAMAGES

The trial court held that Respondents are not liable for injury resulting from Sanders' phone calls from the jail to Plaintiff. (R. pp. 7-8). Despite being arrested on August 19, 2011 for violating the family court's August 2, 2011 Order, Sanders continued to frequently call and write Bowzard from within the jail. (R. pp. 104-107; p. 13, ¶ 6). The order notes that Bowzard had the option to refuse or block Sanders' calls.

Instead of doing so, "she talked to Sanders multiple times for the full 15 minutes that inmate calls were permitted and spoke with him every time he called her, in violation of her own restraining order." (R. p. 8). There is no evidence before the Court that Bowzard spoke to Sanders every time he called. Instead, Bowzard filed a petition for citation for contempt on October 31, 2011 in the Berkeley County Family Court against Sanders for the repeated communications despite his incarceration at Hill-Finklea and in violation of the family court order. (R. pp. 113-115). The Verification to the Petition stated: "James Sanders has called my work from the jail over & over and also still writing me letter over & over[.] I have called many times & talked w/ Jenny to have this stopped[.]" (R. pp. 113-115). In addition to talking with Ms. Smith, Bowzard also put in the petition that she called the Captain at the jail on October 31, 2011 and talked with him about the repeated communications from Sanders in violation of the court order. (R. p. 113-115).

At the time Sanders was incarcerated a restraining order was in place. Despite this order, Sanders was continually allowed to call, write, harass, and threaten Bowzard from Hill-Finklea. The Complaint alleges that the grossly negligent conduct of Respondents caused Bowzard to suffer serious and severe mental anguish. (R. p. 14, ¶ 16). After the events of January 26, 2012, Bowzard suffered extreme fear and mental anguish which required medical care for her condition. (R. p. 14, ¶ 12). The calls, letters, and threats prior to January 26th and Sanders walking out on January 26th caused Bowzard mental anguish. This evidence when viewed in a light most favorable to the Appellant warrants reversal of summary judgment on this ground.

III. THE RESPONDENTS ARE LIABLE FOR SANDERS BEING ALLOWED TO WALK OUT OF THE HILL-FINKLEA JAIL PURSUANT TO S.C. CODE ANN. §§ 23-15-50 AND 23-17-70 AS HE HAD NOT BEEN

DISCHARGED FROM CONFINEMENT AND WAS STILL BEING HELD ON A CIVIL CHARGE.

The Respondents are liable for Sanders being allowed to walk out of the Hill-Finklea jail pursuant to S.C. Code Ann. §§ 23-15-50 and 23-17-70 as he had not been discharged from confinement and was still being held on a civil charge. Section 23-15-50 provides:

> The sheriff or his deputy shall arrest all persons against whom process for that purpose shall issue from any competent authority commanding such person to be taken into custody or requiring him to give bond, with security. If the party so arrested, being entitled to bail, shall give it or shall give the bond with security required, such person shall be released; ***and if not, he shall be kept in custody until discharged from confinement according to law.***

S.C. Code Ann. § 23-15-50 (emphasis added).

Strictly construing the plain language of 23-15-50, an arrested party is deemed to be in custody until discharged from confinement. Section 23-17-70 provides that sheriffs are to be liable for the negligent escape of a prisoner: "The sheriff shall be liable for the negligent escape of any prisoner on mesne or final process to such damages as the plaintiff may have sustained." This Court in Washington v. Lexington County Jail, 337 S.C. 400, 523 S.E.2d 204 (1999) noted that liability pursuant to § 23-17-70 arises "when a prisoner escapes the sheriff's custody after the prisoner has been committed to custody of the sheriff in a civil action and not a criminal action." Id. at 407, 523 S.E.2d at 207.

In support of the summary judgment motion, Respondents submitted the Affidavit of Lt. Kris Jacumin who is a lieutenant with the Berkeley County Sheriff's Office working within the Hill-Finklea Detention Center. (R. p. 150, ¶ 1). Lt. Jacumin testified by affidavit that on January 26, 2012, "Sanders went to court for a hearing on the charge that he violated the family court order." (R. p. 150, ¶ 3). The family court sentenced

Sanders to time served. (R. p. 150, ¶ 4). Upon returning to the jail, Sanders was no longer held on the family court charge. (R. p. 150, ¶ 5). If Sanders' criminal domestic violence charge had not been outstanding, he would have been released that day. (R. p. 150, ¶ 6).

Lt. Jacumin's affidavit is dated Friday, April 12, 2013 and was produced prior the hearing held on Tuesday, April 16, 2013. Pursuant to Rule 6(d), SCRCP, affidavits that support a motion must be "served with the motion." Since Respondents did not serve Lt Jacumin's affidavit with the motion it should not be the basis for any evidence properly before the trial court on the summary judgment motion. As a result of receiving Lt. Jacumin's affidavit only a few days before the hearing, Appellant had to quickly obtain the affidavit of Mr. Dixon which is dated Monday, April 15, 2013. Also, Lt. Jacumin's affidavit does not comply with Rule 56(e), SCRCP because it does not state it is not based on personal knowledge, state his personal knowledge of the events of January 26, 2012, or that he was on duty on January 26, 2012 when these events occurred. Lt. Jacumin's name is not listed in the Internal Investigation Report as being someone with knowledge of these events.

Contrary to Lt. Jacumin's affidavit the evidence before the court presents a question of fact as to whether Sanders was still being held on a civil charge at the time he was allowed to walk out of the jail. Even though the family court sentenced him to time served on January 26, 2012, Sanders was still not "released" by the sheriff because he was still in custody. Assuming there were no other pending charges he would not have been released on the civil charge until he was free to leave the jail. The mere sentence of time served would not have ended the detention as he was still in custody. When these

events occurred, he was in middle booking being prepared for release on the civil charge and was still in custody by being handcuffed to the bench. Had he escaped at that point – while handcuffed to the bench and no other pending charges – he would still have been in the sheriff's custody on a civil charge.

This distinction is important because the evidence supports an inference that Respondents were still detaining Sanders on the civil charge and had not made a definitive determination Sanders was still being detained for other outstanding criminal charges. In Sheriff Wayne Dewitt's termination of Sgt. Collins on February 1, 2012 he wrote that as a supervisor she "should have read James Sanders' complete file prior to his release."[2] (R. p. 120). One inference to be drawn from that is that at that time he was still being detained on a civil charge because Sgt. Collins did not know there were other pending charges that required continued incarceration.

Victim Advocate, Jenny Smith had to use "persuasion" with Sgt. Collins to look further into Sanders' release, and that Sgt. Collins initially told her "We have the discharge paper, we can't keep him here forever, it is what it is." (R. p. 128). Pfc. McWethy gave Sanders' file to Sgt. Collins and told her Lt. Riley had reviewed it and dropped it off. (R. p. 124). At that time, it appeared Sanders was ready to be released. During this time, Sanders told Pfc. McWethy his handcuffs were tight so Pfc. McWethy loosened them. (R. p. 124).

This evidence in a light most favorable to Appellant supports an inference is that at the time Sanders slipped his hand out of the handcuffs and walked out of the jail, he

[2] Contrary to Sheriff Dewitt's termination memo to Sgt. Collins, Lt. Jacumin testified that "[a]t no time on January 26, 2012, was James Sanders 'released' by the jail. (R. p. 150, ¶ 10).

was still being held on a civil charge. There is no other evidence to support an inference that Sanders was released other than Lt. Jacumin's affidavit which states that when Sanders returned to the jail he was no longer being held on the civil charge. Lt. Jacumin's conclusion is without any evidentiary support and should not be given any weight by the Court. The officers present in middle booking intended to release Sanders later that day and were contacting Bowzard to let her know of his release. For these reasons, the evidence viewed in a light most favorable to Appellant, supports an inference that at the time Sanders managed to slip out of the handcuffs, he was still being held on a civil charge, which warrants the reversal of summary judgment based on S.C. Code Ann. §§ 23-15-50 and 23-17-70.

CONCLUSION

Based on the conflicting evidence and when viewed in a light most favorable to the Appellant, summary judgment is not warranted. Subsection (25) of the Tort Claims Act provides that the governmental entity may be liable if exercising gross negligence relating to the control, custody, and confinement of a prisoner or inmate. As a result of Steinke, all other subsections of the Tort Claims Act must also be read with a gross negligence exception. Additionally, there is conflicting evidence of whether Sanders was still being held on a civil charge at the time he left the prison, which may provide liability pursuant to S.C. Code Ann. §§ 23-15-50 and 23-17-70 if the jury so finds. For these reasons, the trial court's decision to grant summary judgment should be reversed.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

Lawrence C. Kobrovsky, Esquire
LAWRENCE C. KOBROVSKY, P.A.
123 Meeting Street
Charleston, SC 29401
Phone: (843) 853-3703

-And-

PETERS, MURDAUGH, PARKER, ELTZROTH & DETRICK, P.A.

February 18, 2014
Hampton, South Carolina

BY: 

John E. Parker
William F. Barnes, III
101 Mulberry Street, East
Post Office Box 457
Hampton, SC 29924
Phone: (803) 943-2111
ATTORNEYS FOR APPELLANT

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283

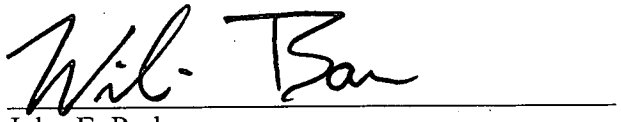
Jennifer D. Bowzard, ... Appellant,

-v-

Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office, ... Respondent.

CERTIFICATE OF COUNSEL

The Undersigned hereby certifies that the Final Brief complies with Rule 211(b), SCACR.



John E. Parker
William F. Barnes, III
PETERS, MURDUAGH, PARKER, ELTZROTH,
& DETRICK, P.A.
101 Mulberry Street, East
Post Office Box 457
Hampton, SC 29924
Phone: (803) 943-2111

-And-

Lawrence C. Kobrovsky
123 Meeting Street
Charleston, SC 29401
Phone: (843) 853-3703
ATTORNEYS FOR APPELLANT

February 18, 2014

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283
Appellate Case No.: 2013-001482

Jennifer Bowzard, ...Appellant

v.

Berkeley County Sheriff's Office
and Sheriff Wayne DeWitt, ...Respondents

RESPONDENTS' FINAL BRIEF

ROBIN L. JACKSON
Senn, Legal, LLC
P.O. Box 12279
Charleston, SC 29422
843-556-4045
Attorney for Respondents

Other Counsel of Record:
John E. Parker
William F. Barnes, III
Peters, Murdaugh, Parker, Eltzroth & Detrick
P.O. Box 457
Hampton, SC 29924-0457
Attorneys for Appellant

and

Lawrence C. Kobrovsky
123 Meeting Street
Charleston, SC 29401

Attorney for Appellant

TABLE OF CONTENTS

Table of Authorities iii

Statement of Issues on Appeal v

Statement of the Case 1

Statement of the Facts 1

Standard of Review 3

Argument 4

I. **DID THE TRIAL COURT PROPERLY GRANT SUMMARY JUDGMENT WHEN RESPONDENTS ARE ENTITLED TO IMMUNITY PURSUANT TO THE PLAIN LANGUAGE OF THE SOUTH CAROLINA TORT CLAIMS ACT?** 4

A. **WHEN NOT PLED, THE GROSS NEGLIGENCE STANDARD IS NOT TO BE INTERPOLATED INTO THOSE TORT CLAIMS ACT EXCEPTIONS NOT CONTAINING SUCH A STANDARD .** 5

B. **S.C. CODE §§15-78-60 (3), (20) AND (21) ARE APPLICABLE TO THE FACTS OF THIS CASE AND ENTITLE THE DEFENDANTS TO SUMMARY JUDGMENT .** 6

1. **TELEPHONE CALLS** 7

2. **ESCAPE** 9

C. **RESPONDENTS ARE ALSO ENTITLED TO IMMUNITY UNDER SUBSECTIONS 15-78-60 (4), (5) AND (6).** 10

1. **THE FAILURE TO PROVIDE OR METHOD OF PROVIDING POLICE PROTECTION** 10

2. AS THERE IS EVIDENCE OF THE WEIGHING OF COMPETING CONSIDERATIONS, THE "DISCRETIONARY IMMUNITY" PROVISION ALSO APPLIES. 11

3. THE FAILURE TO ENFORCE RULES, REGULATIONS OR WRITTEN POLICIES IS INCLUDED IN THE SUBSECTION (4) IMMUNITIES TO WHICH THE RESPONDENTS ARE ENTITLED. 13

II. DID THE TRIAL COURT PROPERLY GRANT SUMMARY JUDGMENT ON THE ADDITIONAL GROUND THAT PLAINTIFF'S ALLEGED DAMAGES COULD NOT HAVE BEEN PROXIMATELY CAUSED BY SANDERS' TELEPHONE CALLS TO HER PRIOR TO HIS ESCAPE? 14

III. DID THE TRIAL COURT PROPERLY GRANT SUMMARY JUDGMENT SINCE S.C. CODE §23-15-50 AND §23-17-70 ARE INAPPLICABLE WHERE NO CIVIL DETAINER IS IN PLACE? 15

Conclusion 17

Certificate of Counsel 18

Certificate of Service 19

TABLE OF AUTHORITIES

CASE LAW

Allen v. Marion Sch. Dist. One, 307 S.C. 297, 414 S.E.2d 794 (Ct. App. 1992)	9, 11
Clark v. S.C. Dept. Of Public Safety, 353 S.C. 291, 307, 578 S.E.2d 16, 24 (Ct. App. 2002) *aff'd* 362 S.C. 377, 608 S.E. 2d 572 (2005)	13, 14
Curiel v. Hampton County E.M.S., 401 S.C. 646, 649, 737 S.E.2d 854, 855 (Ct. App. 2012)	3
Fleming v. Rose, 350 S.C. 488, 493, 567 S.E.2d 857, 860 (2002)	3
George v. Fabri, 345 S.C. 440, 452, 548 S.E. 2d 868, 874 (2001)	3
Greenville Mem'l Auditorium v. Martin, 301 S.C. 242, 391 S.E.2d 546 (1990).	7, 9
I'On, L.L.C. v. Town of Mt. Pleasant, 338 S.C. 406, 419, 526 S.E.2d 716, 723 (2000)	3, 4, 16
Jones v. Lott, 387 S.C. 339, 692 S.E.2d 900 (Ct. App. 2010)	6, 9, 11
Kerr v. Richland Memorial Hosp., 678 S.E.2d 809, 811, 383 S.C. 146, 149 (S.C. 2009)	4
Mid-State Auto Auction of Lexington, Inc. v. Altman, 324 S.C. 65, 69, 476 S.E.2d 690, 692 (1996)	4
Pike v. S.C. Dep't of Transp., 343 S.C. 224, 230, 540 S.E.2d 87, 90 (2000)	11
Proctor v. Dep't of Health and Envtl. Control, 368 S.C. 279, 311, 628 S.E.2d 496, 513 (Ct. App. 2006)	5
Quesinberry v. Rouppasong, 331 S.C. 589, 503 S.E.2d 717 (1998)	12
Rayfield v. S.C. Dep't of Corrs., 297 S.C. 95, 105, 374 S.E.2d 910, 916 (Ct. App. 1988)	5
Steinke v. S.C. Dep't of Labor, Licensing & Regulation, 336 S.C. 373, 393, 520 S.E.2d 142, 152 (1999)	5

Washington v. Lexington County Jail, 337 S.C. 400, 523 S.E.2d 204 (1999) 16

STATUTES

S.C. Code Ann.§15-78-60 (3) 6, 7

S.C. Code Ann.§15-78-60 (4) 6, 10, 13, 14

S.C. Code Ann.§15-78-60 (5) 6, 10, 11, 13

S.C. Code Ann.§15-78-60 (6) 6, 10, 11

S.C. Code Ann.§15-78-60 (20) 6, 7, 10

S.C. Code Ann.§15-78-60 (21) 6, 7, 10

S.C. Code Ann.§15-78-60(25) 6, 10

S.C. Code Ann.§15-78-200 4

S.C. Code Ann.§23-15-50 15, 16

S.C. Code Ann.§23-17-70 15, 16

OTHER AUTHORITIES

Rule 56(c), SCRCP 3

Rule 220(c), SCACR 4, 16

STATEMENT OF ISSUES ON APPEAL

I. DID THE TRIAL COURT PROPERLY GRANT SUMMARY JUDGMENT WHEN RESPONDENTS ARE ENTITLED TO IMMUNITY PURSUANT TO THE PLAIN LANGUAGE OF THE SOUTH CAROLINA TORT CLAIMS ACT?

II. DID THE TRIAL COURT PROPERLY GRANT SUMMARY JUDGMENT ON THE ADDITIONAL GROUND THAT PLAINTIFF'S ALLEGED DAMAGES COULD NOT HAVE BEEN PROXIMATELY CAUSED BY SANDERS' TELEPHONE CALLS TO HER PRIOR TO HIS ESCAPE?

III. DID THE TRIAL COURT PROPERLY GRANT SUMMARY JUDGMENT SINCE S.C. CODE §23-15-50 AND §23-17-70 ARE INAPPLICABLE WHERE NO CIVIL DETAINER IS IN PLACE?

STATEMENT OF THE CASE

On April 30, 2012, Plaintiff-Appellant filed this action alleging gross negligence against Sheriff Wayne DeWitt and the Berkeley County Sheriff's Office. Respondents filed their Answer, denying the allegations of gross negligence and asserting as affirmative defenses various provisions of the South Carolina Tort Claims Act, on September 21, 2012.

Respondents moved for summary judgment on February 20, 2013. On April 16, 2013, the Honorable R. Markley Dennis, Jr., heard the summary judgment arguments. By Order dated June 13, 2013, Judge Dennis granted Defendants' Motion for Summary Judgment. (R. p. 5-10). Appellant filed her Notice of Appeal on July 2, 2013. (R. p. 393-394).

STATEMENT OF THE FACTS

On July 26, 2011, James Sanders was arrested for Criminal Domestic Violence of a High and Aggravated Nature after assaulting Jennifer Bowzard (hereinafter "Plaintiff"). (R. p. 100). Sanders was placed in the Hill-Finklea Detention Center (hereinafter "Detention Center"), which is operated by and under the jurisdiction of the Defendants, Sheriff Wayne DeWitt and the Berkeley County Sheriff's Office.

On July 30, 2011, Mr. Sanders was released from the Detention Center under a $40,000.00 surety bond. (R. p. 305). The conditions of the bond included requirements for Mr. Sanders to be on good behavior, to wear an ankle bracelet, and to be on house arrest.(R. p. 302, 304). However, after his release on bond, he continued to have contact with the Appellant. (R. p. 109).

On August 2, 2011, the Berkeley County Family Court issued a restraining order, proscribing Mr. Sanders from having any contact with Appellant. (R. p. 104). On August 19, 2011, Mr. Sanders was arrested for violating the August 2nd court order, and he was returned to the Detention Center. (R. p. 150 ¶2). There, he continued to violate the restraining order by contacting Appellant by telephone. Though he was not permitted to contact the Appellant and her number was blocked for his inmate ID, he used other inmates to contact her. (R. p. 113). Appellant did not seek to block her phone number or to restrict access to it by callers from the Detention Center in general. (R. Telephone calls). She did, however, report some of these contacts to the Berkeley County Sheriff's Office. She further accepted the "other inmate" calls and spoke to Sanders for the maximum time permitted for inmate phone calls on several occasions. (R. Telephone calls).

On October 13, 2011, the bond on Mr. Sanders was revoked. On January 26, 2012, Mr. Sanders went before the Family Court and the court sentenced him to time served for violating the Family Court order. (R. p. 150 ¶¶3-4). If that had been the only reason for his imprisonment, Sanders would have been released on January 26, 2012. (R. p. 150 ¶¶5-6). However, because the criminal bond had been revoked, Sanders was not eligible for release. (R. p. 150 ¶¶6-7). Upon his return from court on the 26th, as his pending criminal charges were being checked, Sanders managed to slip his hand out of the handcuff holding him to the bench in the booking area. (R. p.150 ¶¶8-9). He hid the hand until an employee opened a door to the outside. Sanders then jumped up, followed the employee outside, and escaped custody. (R. p. 150 ¶9). Appellant was immediately notified of his escape and was promptly taken into protective custody. (R. p. 387, 388-9). She was reimbursed for missed work while

remaining in protective custody. (R. p. 387, 390). She was never contacted or harmed by Mr. Sanders during the time she was in protective custody, nor was she contacted or harmed by Mr. Sanders after she declined further protective custody.

Mr. Sanders was captured on March 1, 2012, in Myrtle Beach, South Carolina. On April 26, 2012, Plaintiff filed this lawsuit.

STANDARD OF REVIEW

The purpose of summary judgment is to expedite the disposition of cases not requiring the services of a fact finder. *George v. Fabri*, 345 S.C. 440, 452, 548 S.E.2d 868, 874 (2001). When reviewing the grant of a summary judgment motion, this court applies the same standard that governs the trial court under Rule 56(c), SCRCP; summary judgment is proper when there is no genuine issue as to any material fact and the nonmoving party is entitled to judgment as a matter of law. *Fleming v. Rose*, 350 S.C. 488, 493, 567 S.E.2d 857, 860 (2002). "In determining whether a genuine issue of fact exists, the evidence and all reasonable inferences drawn from it must be viewed in the light most favorable to the non-moving party. Once the moving party carries its initial burden, the opposing party must come forward with specific facts that show there is a genuine issue of fact remaining for trial." *Curiel v. Hampton County E.M.S.*, 401 S.C. 646, 649, 737 S.E.2d 854, 855 (Ct. App. 2012)(*internal citations and quotations omitted*).

A respondent "may raise on appeal any additional reasons the appellate court should affirm the lower court's ruling, regardless of whether those reasons have been presented to or ruled on by the lower court." *I'On, L.L.C. v. Town of Mt. Pleasant,* 338 S.C. 406, 419, 526

S.E.2d 716, 723 (2000). "The appellate court may review respondent's additional reasons and, if convinced it is proper and fair to do so, rely on them or any other reason appearing in the record to affirm the lower court's judgment." *Id.* at 420, 526 S.E.2d at 723; *see also* Rule 220(c), SCACR (" The appellate court may affirm any ruling, order, decision or judgment upon any ground(s) appearing in the Record on Appeal.").

ARGUMENT

I. THE TRIAL COURT PROPERLY GRANTED SUMMARY JUDGMENT BECAUSE RESPONDENTS ARE ENTITLED TO IMMUNITY PURSUANT TO THE PLAIN LANGUAGE OF THE SOUTH CAROLINA TORT CLAIMS ACT.

"The primary rule of statutory construction is to ascertain and give effect to the intent of the legislature." *Kerr v. Richland Memorial Hosp.*, 678 S.E.2d 809, 811, 383 S.C. 146, 149 (S.C. 2009); *citing Mid-State Auto Auction of Lexington, Inc. v. Altman*, 324 S.C. 65, 69, 476 S.E.2d 690, 692 (1996) (*citation omitted*). The General Assembly has stated its intent in the Tort Claims Act by through §15-78-200, which provides:

> Notwithstanding any provision of law, this chapter, the "South Carolina Tort Claims Act", is the exclusive and sole remedy for any tort committed by an employee of a governmental entity while acting within the scope of the employee's official duty. The provisions of this chapter establish limitations on and exemptions to the liability of the governmental entity and must be liberally construed in favor of limiting the liability of the governmental entity.

S.C. Code §15-78-200.

A. WHEN NOT PLED, THE GROSS NEGLIGENCE STANDARD IS NOT TO BE INTERPOLATED INTO THOSE TORT CLAIMS ACT EXCEPTIONS NOT CONTAINING SUCH A STANDARD.

"Immunity is an affirmative defense which must be pleaded and can be waived." *Rayfield v. S.C. Dep't of Corrs.*, 297 S.C. 95, 105, 374 S.E.2d 910, 916 (Ct. App. 1988). As Appellant correctly points out, "[t]he burden of establishing a limitation upon liability or an exception to the waiver of immunity under the Tort Claims Act is upon the governmental entity asserting it as an affirmative defense." *Steinke v. S.C. Dep't of Labor, Licensing & Regulation*, 336 S.C. 373, 393, 520 S.E.2d 142, 152 (1999). Here, it is the Defendants' burden to assert the affirmative defenses that they choose to assert. "When a governmental entity asserts multiple exceptions to the waiver of immunity," only when at least one of the exceptions contains a gross negligence standard, must the court interpolate the gross negligence standard into the other exceptions. *Proctor v. Dep't of Health and Envtl. Control*, 368 S.C. 279, 311, 628 S.E.2d 496, 513 (Ct. App. 2006).

Here, though Appellant has asserted that the gross negligence standard should be interpolated into the exceptions asserted by the Respondents, the Appellant failed to preserve this issue for review. The Respondents did not claim as a defense any Tort Claims Act exception containing a "gross negligence" standard in their Answer, summary judgment motion, memorandum of law, or during argument. Further, Appellant did not submit a memorandum of law opposing the summary judgment motion, only exhibits. At no time during the arguments, did Appellant argue that the gross negligence standard should be applied where Respondents did not plead it, nor did Appellant argue that it should be interpolated into the exceptions claimed by the Respondents.

In *Jones v. Lott*, 387 S.C. 339, 692 S.E.2d 900 (Ct. App. 2010), this Court stated that the "contention that section 15-78-60(25)'s gross negligence standard should be interpolated into the other pleaded exceptions is misplaced." When the Respondent did not raise an affirmative defense that contained a gross negligence standard, the gross negligence standard is not to be interpolated into §15-78-60(3), (4), (5), (6), (20), or (21).[1] None of these subsections contains the gross negligence standard. Therefore, the gross negligence standard should not be interpolated into the exceptions, and the grant of summary judgment should be affirmed.

B. S.C. CODE §§15-78-60 (3), (20) AND (21) ARE APPLICABLE TO THE FACTS OF THIS CASE AND ENTITLE THE DEFENDANTS TO SUMMARY JUDGMENT.

S.C. Code Ann. §15-78-60(20) provides that a governmental entity is not liable for a loss resulting from " an act or omission of a person other than an employee including but not limited to the criminal actions of third persons. . . .". Section 5-78-60(21) provides that the governmental entity is not liable for a loss resulting from "the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity, including but not limited to a prisoner, inmate, juvenile, patient, or client **or the escape of these persons**. . . .". (*Emphasis added*). These two subsections interplay, and are of primary importance in this matter as Mr. Sanders escaped from the Berkeley County Detention Center, and that escape was, by its very nature, a criminal action of a third

[1] S.C. Code §15-78-60 (3),(20) and (21) were pled in the Answer of this case; in addition, subsections (4), (5) and (6) were argued in the memorandum in support of summary judgment.

party. Additionally, §15-78-60(3), which provides that the governmental entity is not liable for a loss resulting from "execution, enforcement, or implementation of the orders of any court," is applicable and intertwined with subsections (20) and (21) as the violation of the General Sessions Court's Bond Revocation Order, after implementation by the detention center, was a criminal act by Mr. Sanders.

1. TELEPHONE CALLS

Sanders was under a restraining order not to have any contact with Ms. Bowzard when he was booked into the Berkeley County Detention Center. The Detention Center was aware of this order and took action to restrict his telephone ID number. All numbers provided by Bowzard were restricted - Sanders' inmate code would not allow him to call her. Sanders chose to violate the court order, a criminal act, when he used other inmates to contact the Appellant. The detention center had no knowledge that this was being done until Appellant reported it. Even then, Sanders found inmates to assist him. Therefore, because Sanders committed a criminal act, in violation of the restraining order and despite the limitations put on his own calling ID, the Respondents cannot be held responsible for his actions, particularly when Respondents took steps to prevent Sanders' attempts to illegally contact the plaintiff. (R. Telephone calls).

In order to establish that the Detention Center is responsible to the plaintiff *other than* due to the criminal actions of the third party, Appellant must show that the basis upon which the Respondents are claimed to have been negligent created a reasonably foreseeable risk of his contacting her. *Greenville Mem'l Auditorium v. Martin*, 301 S.C. 242, 391 S.E.2d 546 (1990). Additionally, S.C. Code §15-78-60(3) states that a governmental entity is not liable

for any loss resulting from "execution, enforcement, or implementation of the orders of any court." Here, the Appellant cannot demonstrate such a foreseeable risk. To the contrary, Sanders received a specific, individualized telephone code that allowed him to make telephone calls from the facility. This code restricted him from calling any of Bowzard's registered telephone numbers. Mr. Sanders found a way around this, by having a different inmate use a different code, to call the Appellant. Further, all telephone calls coming from the detention center begin with a recording and the person must accept the call. It was not reasonably foreseeable that Ms. Bowzard, after having asserted her fear of Mr. Sanders and complained about his calls, would still continuously accept his calls, and continuously speak with him for the full allotted time for inmate calls. While Appellant argues that there is no evidence that Bowzard accepted all of Sanders' calls, the only evidence is that she accepted the calls that were identified by the Sheriff's Office. A recording at the beginning of any inmate call gives the call recipient time to hang up without having to speak with the caller. Ms. Bowzard repeatedly took such phone calls, although there is no evidence that she was communicating with any other inmates at the detention center.

Additionally, the Appellant has put forth no evidence that she was damaged in any way by the telephone calls which she chose to accept. Bowzard was assured by the recording at the beginning of the call that Mr. Sanders was contained in the Berkeley County Detention Center. Further, she continually accepted the calls. Additionally, the recordings of the telephone calls between Bowzard and Sanders do not show that he made any threats toward her.

There can be no liability for the phone calls made by Sanders, because (1) he was

committing a criminal act by violating the court order; (2) the detention center enforced the court order by restricting his inmate telephone code; and (3) it was not reasonably foreseeable that Sanders would use another inmate's telephone code to contact Bowzard *and* that she would repeatedly accept his calls and converse with him for the maximum allowed call time.

2. ESCAPE

In order to show that the Detention Center is responsible to the plaintiff *other than* due to the criminal actions of a third party, Appellant must establish that the basis upon which the Respondent is claimed to have been negligent created a reasonably foreseeable risk of Sanders' escape. *Greenville Mem'l Auditorium v. Martin*, 301 S.C. 242, 391 S.E.2d 546 (1990). Here, the Appellant has not shown the same. To the contrary, Sanders was cuffed to a bench in the booking area while staff worked to confirm his detention status. The Berkeley County Detention Center had never had an escape from the booking area of the jail in the past, and staff had no reason to suspect that Mr. Sanders would try to escape.

With regard to the Appellant's attempt to muddy the waters about whether James Sanders was released, escaped or "walked out" of the jail, the evidence is clear. James Sanders was charged with and pled guilty to felony escape charges after he was found and returned to jail. No matter what terms Appellant seeks to use, Mr. Sanders was not free to leave the jail when he did, and no employee knowingly allowed him to leave with pending charges. In this respect, this matter is like the *Jones* case as well. Here, as in *Jones*, an inmate was attempting to escape the custody of a governmental entity.

In support of her argument, Appellant relies on *Allen v. Marion Sch. Dist. One*, 307 S.C. 297, 414 S.E.2d 794 (Ct. App. 1992); however, *Allen* has no applicability here. *Allen*,

involved an assault of one student by another, and plaintiff's claim against the school related to the supervision of both the victim and the assailant. Here, there was no assault; in fact, during the time of his escape, it is undisputed that Sanders *never* attempted to contact Ms. Bowzard.

The actions of Sanders place the Berkeley County Sheriff's Office and the Sheriff squarely within the provisions of §§15-78-60(20) and (21). These provisions contain no "gross negligence" provision and such a provision may not be interpolated into these subsections where it has not otherwise been pled. Thus, the trial court properly granted summary judgment.

C. RESPONDENTS ARE ALSO ENTITLED TO IMMUNITY UNDER SUBSECTIONS 15-78-60 (4), (5) AND (6).

The respondents have asserted S.C. Code §§15-78-60(4), (5) and (6) as affirmative defenses, and take the position that they, too, provide absolute immunity not subject to the unasserted "gross negligence" provision of §15-78-60(25).

1. THE FAILURE TO PROVIDE OR METHOD OF PROVIDING POLICE PROTECTION

S.C. Code Ann. §15-78-60(6) provides that a governmental entity is not liable for a loss resulting from "civil disobedience, riot, insurrection, or rebellion or the failure to provide (sic) the method of providing police or fire protection. . . ." Appellant argues that she does not seek to hold respondents liable for failure to provide police protection, but that if she does, then the court should give the Respondents an affirmative defense that they did not assert and

interpolate subsection (25) into subsection (6). This is not proper under *Jones v. Lott,* 387 S.C. 339, 348 692 S.E.2d 900 (S.C. 2010), which specifically holds that the gross negligence standard is not interpolated into subsection (6). *Id* at 348.

Because the gross negligence standard is not to be interpolated into this subsection, the Sheriff and Sheriff's Office are immune from liability as Appellant's claims arise from the method of or failure to provide police protection. This subsection is applicable as it directly concerns officers at the detention center as well as street officers. In this case, while Bowzard admits that Sanders never contacted her while he was at large, she asserts that the officers are responsible to her for their alleged failures in providing police protection that would have kept Sanders in jail.

2. AS THERE IS EVIDENCE OF THE WEIGHING OF COMPETING CONSIDERATIONS, THE "DISCRETIONARY IMMUNITY" PROVISION ALSO APPLIES.

S.C. Code Ann. §15-78-60(5) provides that a governmental entity is not liable for a loss resulting from "the exercise of discretion or judgment by the governmental entity or employee or the performance or failure to perform any act or service which is in the discretion or judgment of the governmental entity or employee..." In this matter, Appellant specifically argues that there was no evidence that Respondents, "when faced with alternatives, actually weighed competing considerations and made a conscious choice." *Pike v. S.C. Dep't of Transp.*, 343 S.C. 224, 230, 540 S.E.2d 87, 90 (2000). However, the facts establish that they did just that.

First, there was the consideration of the pending release of Mr. Sanders. The detention center staff was in the process of evaluating whether Sanders should be released when they

received information from the victim's advocate about the pending criminal charges. Staff was reviewing his file and confirming the remaining charges pending against Sanders when he slipped his cuff and escaped from custody. There were at least three employees involved in this process. Phone calls were made and received, records were reviewed and discussions were held. Clearly, in determining Sanders' custody status and confirming whether to release or hold him, the detention center employees weighed competing considerations.

Second, appellant argues that there was no discretion used with respect to the loosening of the handcuffs. However the only evidence about the loosening of the handcuffs comes from the officer who performed the task. His statement, contained in the Berkeley County Internal Affairs Administration Investigation Report, is that Mr. Sanders complained about the handcuffs (R. p. 159). When this happened, the officer did not automatically loosen the cuffs. Instead, he checked them out. He made his own determination that they were too tight, and he used his own judgment to loosen them. (R. p. 159). This is the very definition of discretion. Officer McWethy weighed the competing considerations of how tight the cuffs were and applied his training and understanding that handcuffs applied are too tightly can cause injury. *See e.g.*, *Quesinberry v. Rouppasong*, 331 S.C. 589, 503 S.E.2d 717 (1998)(excessive force case involving allegations of handcuffs applied too tightly). Appellant submitted the affidavit of Richard Dixon, but this affidavit is not applicable to the situation in this case. Mr. Dixon was a highway patrol officer; a street officer. Street officers are trained not to handcuff prisoners to stationary objects. That is different training than jail officers receive. Mr. Dixon does not provide any evidence that he has ever worked in a detention facility or that he has any detention officer training. Therefore, though he asserts that

the detention officer failed to follow established procedures, he has not referenced any procedures of the Berkeley County Detention Center, or the standards applicable to inmates in a detention setting.

Because the evidence is clear that Officer McWethy used his discretion in making the decision to loosen the handcuffs, the respondents assert that they are entitled to immunity under subjection (5) as well.

3. THE FAILURE TO ENFORCE RULES, REGULATIONS OR WRITTEN POLICIES IS INCLUDED IN THE SUBSECTION (4) IMMUNITIES TO WHICH THE RESPONDENTS ARE ENTITLED.

S.C. Code Ann. §15-78-60(4) provides that the governmental entity is not liable for a loss resulting from "adoption, enforcement, or compliance with any law or failure to adopt or enforce any law, whether valid or invalid, including, but not limited to, any charter, provision, ordinance, resolution, rule, regulation, or written policies. . . ." The Appellant specifically asserts in her brief that she has not brought an action pursuant to subsection (4), because she has not sought to hold the Respondents liable for compliance with a law. (R.p. 11-15; Appellant's Final Brief, P. 21). However, Appellant does allege violation of policy in support of her claim, and Subsection (4) affords immunity for such. (*See e.g.*, Appellant's brief at page 22, asserting that "[t]he violations of policies and procedures in this case were confirmed by the Respondents own Internal Investigation...").

Unlike the general pursuit policy referenced in *Clark v. S.C. Dept. Of Public Safety*, 353 S.C. 291, 307, 578 S.E.2d 16, 24 (Ct. App. 2002) *aff'd* 362 S.C. 377, 608 S.E. 2d 572 (2005), the policies for the evaluation and release of prisoners are specific to the Berkeley

County Detention Center. The policies are not merely "a statement of generally accepted law enforcement guidelines." *Id.* Therefore, respondents assert that subsection (4) is applicable, and respondents are entitled to immunity pursuant to this subsection.

II. THE TRIAL COURT PROPERLY GRANTED SUMMARY JUDGMENT ON THE ADDITIONAL GROUND THAT PLAINTIFF'S ALLEGED DAMAGES COULD NOT HAVE BEEN PROXIMATELY CAUSED BY SANDERS' TELEPHONE CALLS TO HER PRIOR TO HIS ESCAPE FROM THE DETENTION CENTER.

As discussed, *supra*, Sanders was under a restraining order not to have any contact with Bowzard when he entered the Berkeley County Detention Center. The Detention Center was aware of this order and took action to restrict his telephone ID number. Sanders chose to violate the court order, devising a way around the restrictions placed on his own outgoing calls by having a different inmate use a different code to call the appellant. Significantly, all telephone calls coming from the detention center begin with a recording and the person must choose whether to accept the call. As the trial court cogently noted, "Plaintiff had the option to refuse or to block [the jail] calls. She did neither. To the contrary, she talked to Sanders multiple times for the full 15 minutes that inmate calls were permitted..." (R. p. 8). While Appellant argues that there is no evidence that Bowzard accepted all of Sanders' calls, there is evidence that she accepted the calls that were identified by the Sheriff's Office. (*See telephone recordings*). The recording at the beginning of an inmate call gives the call recipient time to hang up without having to speak with the caller. Ms. Bowzard repeatedly took such phone calls, and there is no evidence that she was communicating with any other

inmates at the detention center.

Additionally, the Appellant has put forth no evidence that she was damaged in any way by the telephone calls which she chose to accept. She was assured by the recording at the beginning of every call that Mr. Sanders was contained in the Berkeley County Detention Center, and the trial court recognized this, explaining that "these calls would have necessarily indicated that they were coming from an incarcerated person who therefore could not pose a physical threat." (R. p. 8). No threats were made during these telephone calls that Bowzard repeatedly accepted. Significantly, in her own Complaint, Appellant contends that her alleged "extreme fear and metal anguish" occurred **after** Mr. Sanders' escape. (R. p. 14). For these reasons, and for the reasons set forth in Section I., the trial court properly granted summary judgment with respect to the phone calls Mr. Sanders was able to make after circumventing the call blocks put in place by the detention center.

III. THE TRIAL COURT PROPERLY GRANTED SUMMARY JUDGMENT BECAUSE S.C. CODE §23-15-50 AND §23-17-70 ARE INAPPLICABLE WHERE NO CIVIL DETAINER IS IN PLACE.

The Appellant further asserts that Respondents are responsible to her under S.C. Code §23-15-50 and §23-17-70, which relate to civil detainers. The facts of this case show that prior to his escape from custody, an order had been issued releasing Mr. Sanders from any civil detainer. Once such an order is issued, an inmate is returned to the jail for the sole purpose of processing his release paperwork. At the time of his escape, Sanders was being held only on the bond revocation relating to his criminal charges. The civil charges had been resolved by the Family Court, and only the General Sessions charges were pending. Mr. Sanders was

well aware of the fact that he had criminal charges pending, and he knew full well that he was not entitled to be released. Even taking the facts in the light most favorable to the Appellant, the evidence is that the Family Court had sentenced Sanders to time served. The Detention Center had no further authority to hold him on that matter.

The Supreme Court has held that S.C. Code § 23-17-70 does not create liability when the prisoner is being held on criminal charges. *See Washington v. Lexington County Jail*, 337 S.C. 400, 523 S.E.2d 204 (1999). "When read in conjunction with section 23-17-60, it is clear that recovery under section 23-17-70 is authorized for damages suffered when a prisoner escapes the sheriff's custody after the prisoner has been committed to the custody of the sheriff in a civil action and not in a criminal action." *Id.* at 407, 523 S.E.2d at 207. At the time of his escape, the only pending charges against Sanders were criminal. This is shown by Lt. Jacumin's affidavit, which the trial court properly considered.

The Appellant failed to make any objection to the affidavit of Lt. Jacumin before the lower court, and submitted her own untimely affidavit, which the trial court also exercised its discretion in considering. Respondents assert that this issue has not been preserved for review. However, even if it had, this court is permitted to review the affidavit under *I'On, L.L.C. v. Town of Mt. Pleasant,* 338 S.C. 406, 419, 526 S.E.2d 716, 723 (2000). Additionally, Rule 220(c), SCACR states that "[t]he appellate court may affirm any ruling, order, decision or judgment upon any ground(s) appearing in the Record on Appeal." The Appellant has designated the affidavit of Jacumin as item 7 for the Record on Appeal, and has in fact relied on it in her own brief. (Appellant's Final Brief, p. 27).

Simply put, S.C. Code §23-15-50 and §23-17-70 are not applicable because there was

no civil detainer in effect at the time of Sanders' escape. Therefore, the trial court properly granted Defendants' Motion for Summary Judgment.

CONCLUSION

For the reasons stated, Respondents respectfully request that this court affirm the trial court's grant of summary judgment to all Respondents and dismiss this action.

Respectfully submitted,

ROBIN L. JACKSON
Senn Legal, LLC
P.O. Box 12279
Charleston, SC 29422
843-556-4045
fax: 843-556-4046
Robin@SennLegal.com

Attorneys for Respondents

March 25, 2014
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283
Appellate Case No.: 2013-001485

Jennifer Bowzard, ...Appellant

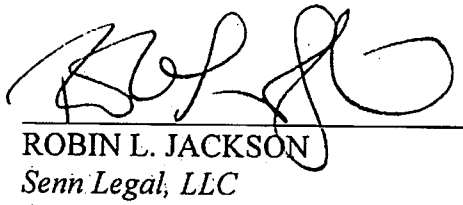
v.

Berkeley County Sheriff's Office
and Sheriff Wayne DeWitt, ...Respondents

CERTIFICATE OF COUNSEL

The undersigned certifies that this Final Brief complies with Rule 211 (b) of the South Carolina Appellate Court Rules.

Respectfully submitted,



ROBIN L. JACKSON
Senn Legal, LLC
3 Wesley Drive
P.O. Box 12279
Charleston, SC 29422
843-556-4045
Attorney for Respondents

March 25, 2014
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283

Jennifer Bowzard, ...Appellant

v.

Berkeley County Sheriff's Office
and Sheriff Wayne DeWitt, ...Respondents

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **RESPONDENTS' FINAL BRIEF** has been served upon all counsel of record by mailing a copy properly addressed with sufficient postage affixed thereto this 27th day of March, 2014, to the following:

John E. Parker, Esquire
William F. Barnes, III, Esquire
Peters, Murdaugh, Parker, Eltzroth & Detrick
P.O. Box 457
Hampton, SC 29924-0457

Lawrence C. Kobrovsky, Esquire
Lawrence C. Kobrovsky, PA
123 Meeting Street
Charleston, SC 29401

ROBIN L. JACKSON

THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Jennifer D. Bowzard, Appellant,

v.

Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Respondents.

Appellate Case No. 2013-001482

Appeal From Berkeley County
R. Markley Dennis, Jr., Circuit Court Judge

Unpublished Opinion No. 2015-UP-333
Heard March 4, 2015 – Filed July 1, 2015

AFFIRMED

Lawrence C. Kobrovsky, of Law Offices of Lawrence C. Kobrovsky, of Charleston, and John E. Parker and William Franklin Barnes, III, both of Peters, Murdaugh, Parker, Eltzroth & Detrick, PA, of Hampton, for Appellant.

Sandra J. Senn and Robin Lilley Jackson, both of Senn Legal, LLC, of Charleston, for Respondents.

PER CURIAM: Jennifer D. Bowzard (Bowzard) brought this tort action for mental injuries against Sheriff Wayne Dewitt and Berkeley County Sheriff's Office (Respondents), alleging gross negligence in regard to Respondents' detention of James Sanders (Sanders), who had been charged with criminal domestic violence of a high and aggravated nature (CDVHAN) and violation of an order of protection involving Bowzard. Bowzard appeals from an order of the trial court granting summary judgment in favor of Respondents, finding Respondents were immune from liability under South Carolina Code sections 15-78-60(3), (4), (5), (6), (20), and (21) (2005) of the South Carolina Tort Claims Act. We affirm.

1. As to Bowzard's assertion this court should interpolate a gross negligence exception to all of Respondents' asserted defenses based upon *Steinke v. S.C. Dep't of Labor, Licensing and Regulation*, 336 S.C. 373, 520 S.E.2d 142 (1999) because South Carolina Code section 15-78-60(25) (2005) would be applicable to this matter and this subsection provides a gross negligence exception to immunity, we find this argument is not preserved. Respondents filed a motion for summary judgment asserting they were immune from liability pursuant to sections 15-78-60(3), (4), (5), (6), (20), and (21). At the hearing on the motion for summary judgment, Bowzard argued that none of the subsections under the Tort Claims Act asserted by Respondents applied, summarily asserted the reasons why some of the individual subsections would not apply to the case, and contended only section 15-78-60(25), which includes a "gross standard," would apply. In other words, Bowzard's argument to the trial court was that none of the immunity provisions relied upon by Respondents applied, the only immunity provision of the Tort Claims Act that could apply to the facts of this case was subsection (25), and subsection (25) provided an exception to immunity if Respondents were grossly negligent. At no time did Bowzard argue to the trial court that a gross negligence exception should be interpolated to the various subsections relied upon by Respondents for immunity. Thus, Bowzard did not raise this argument to the trial court.[1] Further, even assuming arguendo her summary assertion to the trial court—

[1] During oral argument, Bowzard's appellate counsel argued the matter was raised by virtue of the fact that during the summary judgment hearing, Respondents' attorney acknowledged the gross negligence standard applied and the trial court also applied the gross negligence standard. This is not an accurate reflection of the hearing. The record shows Bowzard's complaint alleged Respondents were grossly negligent. In response, Respondents' attorney merely noted their summary judgment motion asserted there was no gross negligence, and additionally asserted they were entitled to immunity under the Torts Claims Act and on the ground that section 23-17-70 (2007) was not applicable. Further, the trial court never stated a

that section 15-78-60(25) was applicable and that it included a "gross standard"—was sufficient to raise the matter, the trial court did not rule on whether a gross negligence exception should be interpolated to the subsections relied upon by Respondents,[2] and Bowzard did not thereafter file a motion to alter or amend the judgment on that ground. Accordingly, this argument it is not preserved for our review. *See Pikaart v. A & A Taxi, Inc.*, 393 S.C. 312, 324, 713 S.E.2d 267, 273 (2011) ("A matter may not be presented for the first time on appeal; rather, it must have been both raised to and ruled upon by the court below."); *Mathis v. Brown & Brown of S.C., Inc.*, 389 S.C. 299, 311, 698 S.E.2d 773, 779 (2010) (holding, in order for an issue to be properly preserved for appeal, it must have been both raised to and ruled on by the trial court, and where the trial court's order did not address appellant's argument and appellant did not bring the absence of this issue to the trial court's attention in a motion to alter or amend, the issue was not preserved); *S.C. Dep't of Transp. v. First Carolina Corp. of S.C.*, 372 S.C. 295, 301-02, 641 S.E.2d 903, 907 (2007) (holding, to be preserved for appellate review, an issue must have been: (1) raised to and ruled upon by the trial court, (2) raised by the appellant, (3) raised in a timely manner, and (4) raised to the trial court with

---

gross negligence "exception" applied to the matter. Instead, in considering whether there was even any evidence of gross negligence on the part of Respondents, the trial court simply acknowledged that there was a question as to whether, as asserted by Bowzard, the loosening of Sanders's handcuffs which allowed him to easily walk away from the jail constituted gross negligence. In other words, this is just one of the arguments the trial court was mulling. It appears Bowzard is confusing whether she alleged Respondents were grossly negligent and whether a gross negligence "standard" would apply, with whether she asserted that a gross negligence "exception" should apply to the immunity granted in other subsections of 15-78-60 which do not otherwise carry a gross negligence exception to immunity. At any rate, it remains clear that Bowzard never argued below, as she does on appeal, that a gross negligence standard should be interpolated as an exception to the subsections relied upon by Respondents for immunity based upon section 15-78-60(25) containing a gross negligence exception to immunity.

[2] The trial court simply ruled Respondents were immune from liability regarding the escape based upon sections 15-78-60(20) and (21), and never addressed whether a gross negligence exception to immunity would apply before they would be entitled to such immunity or whether the actions of Respondents could constitute gross negligence.

sufficient specificity); *I'On, L.L.C. v. Town of Mt. Pleasant*, 338 S.C. 406, 422, 526 S.E.2d 716, 724 (2000) (stating imposing preservation requirements on the appellant is meant to enable the lower court to rule properly after it has considered all relevant facts, law, and arguments, and noting that the purpose of an appeal is to determine whether the trial court erroneously acted or failed to act, and when appellant's contentions are not presented or passed upon by the trial court, such contentions will not be considered on appeal); *id.* ("If the losing party has raised an issue in the lower court, but the court fails to rule upon it, the party must file a motion to alter or amend the judgment in order to preserve the issue for appellate review.").

2. In regard to Sanders's escape, we find the trial court properly granted summary judgment to Respondents pursuant to section 15-78-60(21) of the South Carolina Code. This section provides that a "governmental entity is *not liable for a loss resulting from*: . . . the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity, including but not limited to *a prisoner*, inmate, juvenile, patient, or client or the *escape* of these persons." S.C. Code Ann. § 15-78-60(21) (emphasis added). First, we disagree with Bowzard's assertion that Sanders's actions on the day in question could constitute anything other than escape. While handcuffed to a bench, Sanders managed to slip his hand free. He waited and furtively watched until an electronic door was opened for Sgt. Sanders, and he then slipped out of that door. Although Sgt. Sanders apparently questioned Sanders about still having his armband once she saw Sanders outside, there is no evidence the officer had any understanding of Sanders's custody status or realized Sanders had walked away from lawful confinement, thus it is not reasonable to argue she knowingly allowed Sanders to walk away from custody. The only evidence is that Sanders escaped from Respondents' custody.[3] Additionally, Bowzard's trial counsel failed to argue to the trial court, as she does on appeal, that section 15-78-60(21) should be read with a gross negligence exception based upon section 15-78-60(25) containing a gross negligence standard, and this argument is not preserved for review. *See Pikaart*, 393 S.C. at 324, 713 S.E.2d at 273 ("A matter may not be presented for the first time on appeal; rather, it must have been both raised to and ruled upon by the court below."). Finally, Bowzard's trial counsel also never argued section 15-78-60(21) should not apply to give Respondents immunity based upon any conflict with section 23-17-70, and Bowzard cites no law to support this position. *See id.* ("A matter may not be presented for the first time on appeal; rather, it must have been

[3] We also note that at oral argument, Bowzard's appellate counsel twice agreed that Sanders had, in fact, escaped.

both raised to and ruled upon by the court below."); *First Sav. Bank v. McLean*, 314 S.C. 361, 363, 444 S.E.2d 513, 514 (1994) (noting an issue is deemed abandoned where appellant fails to provide arguments or supporting authority for his assertion); *Eaddy v. Smurfit-Stone Container Corp.*, 355 S.C. 154, 164, 584 S.E.2d 390, 396 (Ct. App. 2003) ("[S]hort, conclusory statements made without supporting authority are deemed abandoned on appeal and therefore not preserved for our review."). Accordingly, we find no error in the trial court's determination that Respondents were entitled to immunity pursuant to section 15-78-60 (21) and affirm summary judgment as to the matter of escape on this basis.

3. In regard to Bowzard's claim concerning the phone calls and contact made from Sanders to her while Sanders was in jail, we find Bowzard failed to challenge an alternate ruling of the court. Specifically, as an alternate ground for granting summary judgment on Bowzard's allegations concerning the contact, the trial court found Bowzard "only alleges in her complaint that she suffered her injuries after [Sanders's] escape," and "[t]hus, [Sanders's] phone calls to her from the Detention Center, occurring before his escape, could not have been a proximate cause for this alleged injury."[4] Bowzard does not challenge this determination concerning proximate cause on appeal. Because Bowzard failed to appeal this alternate ruling by the trial court, we affirm under the two issue rule. *Jones v. Lott*, 387 S.C. 339, 346, 692 S.E.2d 900, 903 (2010) ("Under the two issue rule, where a decision is based on more than one ground, the appellate court will affirm unless the appellant appeals all grounds because the unappealed ground will become the law of the case.").

4. As to Bowzard's arguments concerning sections 23-15-50 (2007) and 23-17-70, we find her assertion that the trial court should not rely on the affidavit of Lt. Jacumin is not preserved. At no time before the trial court did Bowzard ever challenge the court's consideration of this affidavit at all, much less argue it failed to comply with Rule 6(d) or 56(e), SCRCP, as she now argues on appeal. *See Pikaart*, 393 S.C. at 324, 713 S.E.2d at 273 ("A matter may not be presented for the first time on appeal; rather, it must have been both raised to and ruled upon by the court below."). Thus, the evidence supports the trial court's determination that, at the time of Sanders's escape, he was only being held on criminal charges. Further, even without consideration of Lt. Jacumin's affidavit, the record clearly

---

[4] In her complaint, Bowzard alleged as follows: "After [Sanders's] release, [Bowzard] suffered extreme fear and mental anguish which resulted in her having medical care to cope with this fear and mental anguish caused by [Sanders] being released."

demonstrates, though Sanders had not been released from custody at the time he escaped, he was not exposed to further detention based upon the civil charge but only based upon the CDVHAN charge. Because Sanders was being held on a criminal charge and not a civil one, recovery is not authorized under section 23-17-70. *See Washington v. Lexington Cnty. Jail*, 337 S.C. 400, 407, 523 S.E.2d 204, 207 (Ct. App. 1999) (holding section 23-17-70 does not create a special duty because "it is clear that recovery under section 23-17-70 is authorized for damages suffered when a prisoner escapes the sheriff's custody after the prisoner has been committed to custody of the sheriff in a civil action and not in a criminal action.").

AFFIRMED.

FEW, C.J., and HUFF and WILLIAMS, JJ., concur.

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
JUL 16 2015
SC Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283

Jennifer D. Bowzard, ... Appellant,

-v-

Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office, ... Respondents.

APPELLANT'S PETITION FOR REHEARING AND SUGGESTION FOR REHEARING *EN BANC*

Pursuant to Rule 221(a) of the South Carolina Appellate Court Rules, the Appellant moves the Court for Rehearing and/or to Alter its Unpublished Opinion number 2015-UP-333 of July 1, 2015, which affirms the trial court's grant of summary judgment to Respondents, Sheriff Wayne Dewitt and Berkeley County Sheriff's Office. Appellant also petitions and suggests the desirability of rehearing by the Court *en banc* because this case involves questions of exceptional importance as it relates to individuals detained in South Carolina's jails and prisons.

First, the opinion misconstrues Appellant's arguments regarding the application of gross negligence. Appellant asserted gross negligence based on the facts and the law that

Respondents are liable for gross negligence.[1] Under the South Carolina Tort Claims Act, Respondents are liable for any "responsibility or duty including but not limited to supervision, protection, control, confinement, or custody of any . . . prisoner, [or] inmate" when the responsibility or duty is exercised in a grossly negligent manner. S.C. Code Ann. § 15-78-60(25). In their Answer, Respondents denied they were grossly negligent. (R. 20, ¶ 1). At the hearing, Respondents' counsel argued that "there's no gross negligence . . . ." (R. p. 42, ll. 14-16). The Court in its statements at the hearing specifically noted: "Now, whether or not they were grossly negligence (sic) in allowing him to escape, maybe there is an issue there." (R. p. 62, ll. 15-17). Appellant also presented Steinke v. S.C. Dep't of Labor, Licensing & Regulation, 336 S.C. 373, 395, 520 S.E.2d 142, 153 (1999), at the hearing. (R. p. 64).

If Respondents are grossly negligent, then they are liable. The Record before the Court is replete with evidence of gross negligence, including the discipline and demotion of Sheriff's Office personnel for their inactions in allowing Mr. Sanders to escape. Respondents' own Investigation Report highlights inactions of Lt. Riley, Sgt. Collins, Sgt. Sanders, and Pfc. McWethy on January 26, 2012:

> Lt. Riley ordered the release of inmate Sanders without sufficiently checking the file, there was paperwork already in the file showing inmate Sanders was not eligible for release. Sgt. Collins at first took it at face value that inmate Sanders was to be released without checking the file thoroughly, and put up some resistance with the Victims Advocate when she was trying to point out a problem. Sgt. Sanders didn't question inmate Sanders about being released out the wrong door and let him leave without further checking. Pfc. McWethy failed to handcuff inmate Sanders properly.

---

[1] The Complaint alleges: "The employees of the Berkeley County Sheriff's Office were grossly negligent and proximately caused the plaintiff's injuries . . . ." (R. p. 14, ¶ 15). "By reason of the grossly negligent conduct of the defendants . . ." (R. p. 14, ¶ 16).

(R. p. 129).

The Court's opinion should be altered and/or amended to address whether Respondents were entitled to summary judgment given the evidence of gross negligence.

Next, the opinion misapprehends the interpolation of a gross negligence standard on all applicable exceptions to the waiver of immunity under the South Carolina Tort Claims Act, S.C. Code Ann. § 15-78-60. Steinke requires that "when a governmental entity asserts various exceptions to the waiver of immunity, [the court] is to read exceptions that do not contain the gross negligence standard in light of exceptions that do contain the standard." 336 S.C. 373, 395, 520 S.E.2d 142, 153. According to the Supreme Court "[i]t would make no sense to say Department may be found grossly negligent in a licensing decision, yet allow Department to escape liability because the inspection powers exception does not contain a gross negligence standard." Id. at 396, 520 S.E.2d at 154. By not applying the law presented, the trial court and this Court are doing exactly what the Supreme Court warned against in Steinke, where Respondents are able to avoid liability on provisions of § 15-78-60 but would be liable if exercised in a grossly negligent manner.

Third, because Respondents are liable if the responsibility or duty related to a prisoner or inmate is exercised in a grossly negligent manner, the Court incorrectly affirms the trial court pursuant to S.C. Code Ann. § 15-78-60(21). By granting summary judgment on one provision of § 15-78-60 and choosing one subsection over another, the Court is doing what the Supreme Court warned against in Steinke. Respondents are able to avoid liability based on § 15-78-60(21) but would be liable under § 15-78-60(25) for exercising gross negligence. Irrespective of whether Sanders escaped or was released,

Respondents are liable if a responsibility or duty related to a prison or inmate is exercised in a grossly negligent manner. Although Appellant contends that subsection (21) should be read with a gross negligence standard, as required by Steinke, the Court does not have to decide that issue because subsection (25) provides liability when the responsibility or duty is exercised in a grossly negligent manner. Even if the Court does not interpolate gross negligence into subsection (21), summary judgment is still inappropriate because the Record before the Court contains evidence of gross negligence that warrants reversal of the trial court's grant of summary judgment.

Finally, the opinion misapplies the two-issue rule and incorrectly states that "Bowzard does not challenge th[e] determination of proximate cause on appeal." The claim regarding Mr. Sanders' phone calls and letters to Ms. Bowzard as a proximate cause of her injuries was challenged in Appellant's Brief. (Appellant's Br. pp. 28-29). Within the argument captioned, "Sanders Calls and Letters to Bowzard While Incarcerated Proximately Caused Her Damages," the facts and causal chain leading to Ms. Bowzard's injuries are explicitly detailed. Additionally, Appellant's challenge of proximate cause is also stated in her second issue on appeal.[2] (Appellant's Br. p. 1). Thus, the issue has properly been brought before the appellate court. See Jinks v. Richland Cnty., 355 S.C. 341, 344, 585 S.E.2d 281, 283 n.3 (2003) (finding that issues on appeal must be argued in the body of a brief).

Furthermore, the issue was also preserved by raising it before the trial court. See Bazzle v. Green Tree Fin. Corp., 351 S.C. 244, 269 (2002) ("In order to preserve an issue

[2] "DID THE TRIAL COURT ERR IN HOLDING SANDERS' CALLS, LETTERS, AND THREATS FROM THE BERKELEY COUNTY JAIL IN VIOLATION OF A COURT ORDER COULD NOT BE A PROXIMATE CAUSE OF BOWZARD'S DAMAGES?" (Appellant's Br. p. 1).

for appellate review, the issue must be (1) raised to and ruled upon by the lower court, (2) by the appellant, (3) in a timely manner, and (4) with sufficient specificity."). The complaint alleges that Ms. Bowzard notified the Berkeley County Sheriff's Office that Mr. Sanders was continuing to contact and threaten her while he was incarcerated at the Hill-Finklea Detention Center, and the threats and harassment caused Ms. Bowzard to fear for her life. These are the specific allegations:

> 7. Even though the Court ordered Mr. Sanders to not have any contact with Ms. Bowzard, Mr. Sanders continued to threaten her and he told her he was going to kill her. Ms. Bowzard reported these threats to the Berkeley County Sheriff's Office. ***She told the Berkeley County Sheriff's Office that she feared for her life.***
>
> 8. After August 19, 2011, Mr. Sanders was allowed by the employees of Hill-Finklea to continue to contact Ms. Bowzard in violation of the court's order. Ms. Bowzard ***notified the Sheriff's Office of the continued harassment, but the harassment by Mr. Sanders from inside the jail continued.***

(Compl. ¶¶ 7-8) (emphasis added). The Court omitted these allegations from its opinion in holding that the calls, threats, and harassment from jail could not be a proximate cause. Instead, the Court quoted allegations related to Sanders escape. The complaint also alleges that the employees of the Berkeley County Sheriff's Office proximately caused Ms. Bowzard's injuries by allowing Mr. Sanders to contact Ms. Bowzard from jail in violation of the court's order. (Compl. ¶¶ 15(a-b)). As there are two different allegations of gross negligence – one before Sanders escape and one after – they cannot be two independent bases for summary judgment on the same issue as they are two different issues. Therefore, the two-issue rule is not implicated. Since the issue has been properly brought before the trial court, as well as within Appellant's Brief and Issues on Appeal,

the two-issue rule would not be applicable as a ground for affirming the trial court's decision.

CONCLUSION

This Opinion misconstrues Appellant's arguments regarding gross negligence. Under the South Carolina Tort Claims Act, a governmental entity is liable if a responsibility or duty related to a prisoner or inmate is exercised in a grossly negligent manner. Additionally, the two-issue rule is misapplied and Appellant challenged proximate cause in her brief and issues on appeal. For these and all other reasons previously put forth by Appellant, the Court should rehear and/or rehear this case *en banc*.

Respectfully submitted,

Lawrence C. Kobrovsky, Esquire
123 Meeting Street
Charleston, SC 29401
(843) 853-3703
kobrovskyl@bellsouth.net

-And-

PETERS, MURDAUGH, PARKER,
ELTZROTH & DETRICK, P. A.



John E. Parker
William F. Barnes, III
Post Office Box 457
Hampton, South Carolina 29924
(803) 943-2111
jparker@pmped.com
wbarnes@pmped.com

ATTORNEYS FOR
APPELLANT/PETITIONER

July 15, 2015
Hampton, South Carolina

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
JUL 16 2015
SC Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No.: 2012-CP-08-1283

Jennifer D. Bowzard, ... Appellant,

-v-

Sheriff Wayne Dewitt and
Berkeley County Sheriff's Office, ... Respondent.

PROOF OF SERVICE

This is to certify that I, ***Megan C. Davis***, with the Law Firm of Peters, Murdaugh, Parker, Eltzroth & Detrick, P.A., Attorneys for the Appellant, have this date mailed via the U.S. Postal Service with first class postage prepaid, a true and correct copy of the within ***Appellant's Petition for Rehearing and Suggestion for Rehearing EN BANC*** to:

Sandra J. Senn, Esquire
Robin L. Jackson, Esquire
Senn Legal, LLC
Attorneys at Law
P. O. Box 12279
Charleston, SC 29422
ATTORNEYS FOR RESPONDENTS,
SHERIFF WAYNE DEWITT AND BERKELEY COUNTY SHERIFF'S OFFICE

Megan C. Davis
Megan C. Davis

July 16th, 2015
Hampton, South Carolina

The South Carolina Court of Appeals

Jennifer D. Bowzard, Appellant,

v.

Sheriff Wayne Dewitt and Berkeley County Sheriff's Office, Respondents.

Appellate Case No. 2013-001482

ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

J.

J.

J.

Columbia, South Carolina

FILED
October 8, 2015

cc:
William Franklin Barnes, III, Esquire
John E. Parker, Esquire
Lawrence C. Kobrovsky, Esquire
Sandra J. Senn, Esquire

Robin Lilley Jackson, Esquire
The Honorable R. Markley Dennis, Jr.