

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from the Administrative Law Court  
The Honorable H.W. Funderburk, Jr, Administrative Law Judge

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MICHAEL BRAXTON #119081 ..... APPELLANT

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS ..... RESPONDENT

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DESIGNATION OF MATTER

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In addition to <sup>Respondent's</sup> ~~Appellant's~~ Designation of Matter, <sup>APPELLANT</sup> ~~Respondent~~ proposes the additional information to be included in the Record on Appeal.

- A.) Step #2 Grievance
- B.) South Carolina Board of Parole and Pardons Policy titled:  
"The Effect of Revocation"
- C.) Tennessee article titled "Lawyer's license lifted;  
neglect of clients cited"
- D.) Supreme Court of Tennessee order titled: "Nashville Attorney Suspend"
- E.) Petition For Discipline, from Tennessee Supreme Court
- F.) Conditional Guilty Plea, from Tennessee Supreme Court
- G.) Letter to [Appellant] from Board of Professional Responsibility  
dated February 13, 2000
- H.) Letter to [Appellant] from Board of Professional Responsibility  
dated June 27, 2001

- I.) Order of Enforcement from Tennessee Supreme Court
- J.) Agreed Judgment from Tennessee Supreme Court
- K.) Letter to [Appellant] from O. Bobby Brown, Private Investigator dated April 25, 2001
- ~~M.) [REDACTED]~~
- L.) Letter to [Appellant] from O. Bobby Brown, Private Investigator
- M.) T.B.I LAB REPORT
- N.) LETTER to APPELLANT From William C. Roberts JR, dated February 21, 1997
- O.) LETTER to APPELLANT'S Counsel From Pamela [REDACTED] AUBLE, PH.D. in summation of alleged victims treatment notes.

The Undersigned hereby certifies this DESIGNATION OF MATTER contains documents relevant to his Appeal.

Michael Braxton  
MICHAEL BRAXTON, Pro Se  
MA-41  
4848 Gold Mine Hwy  
Kershaw, S.C. 29067

October 13, 2017

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM

No. 2-6-17 **RECEIVED**

MAR 03 2017

STEP 2

FEB 02 2017

Office Use Only

INMATE NAME: Braxton, Mike

SCDC NUMBER: # 119381

INSTITUTION: KRCI ✓

HOUSING UNIT: MA-41

WORK ASSIGNMENT: Mess Hall

**RECEIVED**

FEB 07 2017

Grievance No. 1759-14

Code: General

Policy \_\_\_\_\_

Disc. Hear. \_\_\_\_\_

Class. \_\_\_\_\_

Date Received 2/2/17

IGC Initials JAN

**INMATE'S REASON FOR APPEAL (state specific dissatisfaction):** I am dissatisfied with my (step 1) decision since it remains in conflict with the South Carolina Board of Pardons & Pardon's Operation manual directive listed under "The Effect of Revocation", as well as the law in this matter. ANDERS V. McDougall (S.C. 1964) 294 S.C. 160, 135 S.E. 2d 836. Both specifically state time on bond shall be applied towards the remainder of one's sentence! Therefore, my request remains that this time as well as the time I served in "Constructive Custody" in incarcerated in Tennessee with the Pardon violation warrant intact (which includes the time served during the extradition process) be applied towards the remainder of my South Carolina sentence, since they are the sentencing State.

Mike Braxton 2/1/17  
Grievant Signature Date

**RESPONSIBLE OFFICIAL'S DECISION AND REASON:**

I have reviewed your concern. In your grievance you stated that you have met with SCDC Classification Staff and discussed your concern that jail time, pretrial time in Tennessee and house supervision time have not been included in your sentence at SCDC. You have requested that all such time be calculated for the remaining time that you must serve at SCDC. Specifically you have requested the period from March 31, 1994 to June 1, 1998 be credited. The Warden responded to your concern on SCDC Inmate Grievance Form Step 1 dated January 30, 2017. Your classification at SCDC is correct. SCDC Staff have reviewed documentation received from Tennessee Board of Pardons Division of Filed Services. There is nothing that has been received and/or reviewed that would support your allegations that your classification at SCDC is wrong.

Therefore, your grievance is denied.

You may appeal this decision under the South Carolina Administrative Procedures Act to the South Carolina Administrative Law Court. In order to appeal, you must complete the attached Notice of Appeal Form (Form) and submit it as instructed on the Form within thirty (30) days of receipt.

[Signature] 3/3/17  
Signature Date

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Michael Braxton 3/20/17  
Grievant Signature Date

[Signature] 3/20/17  
IGC Signature Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

After the Board or the panel has heard all the evidence from both sides, it then deliberates and makes its final decision. The Board is the sole judge as to whether parole has been violated, and no appeal is allowed. See S. C. Code 24-21-680. Insofar as the Board or the panel is reasonably satisfied that its decision is supported by the evidence, the decision may take any of the following forms.

- a. **Revocation of Parole.** If the evidence is sufficient to show that the parolee willfully violated the conditions of parole, the Board may determine these violations warrant revocation of parole and enter such an order.
- b. **Continued on Parole.** There are two possible bases upon which parole may properly be continued:
  - The evidence is insufficient to show that the parolee willfully violated the conditions of parole.
  - Although the evidence is sufficient to show that the parolee willfully violated parole, evidence presented in mitigation supports continuing the parolee on parole.
- c. **In Addition to a Continuation.** In addition to continuing the parolee on parole, the Board or panel may decide to do any of the following:
  - Reprimand the parolee for his/her conduct and issue a written warning citing the specific misconduct;
  - Order that the parolee's supervision be enhanced;
  - Impose any special condition that may be appropriate;
  - Remove any condition no longer deemed appropriate.
- d. **The Order of Continuation.** At the conclusion of the hearing, the Board or the panel should issue and sign its Order of Continuation. The Order itself should accurately reflect the action taken at the hearing, and should include any further conditions of supervision that were imposed by the Board or the panel. The parolee should be given a copy of this Order.

#### \* \* \* (4. THE EFFECT OF REVOCATION)

The offender is remanded to the custody of the Department of Corrections to serve the remaining unserved part of his/her sentence, less any credit for time served on parole before the revocation.

The Board's policy is offenders will be eligible for parole consideration one year following revocation. If the offender is paroled again and then revoked, the Board's policy is that parole eligibility will be two years after the second or subsequent revocation. When the basis of the revocation is a new conviction, then as a matter of law the offender will not be considered for parole until the new sentence becomes parole eligible. The Board may never consider an offender for parole before the eligibility date, except where the law specifically allows it.

Exhibit

# STATE & LOCAL

Compiled from Tennessean Staff and News Re

## DAVIDSON COUNTY

### Contamination from sewage spill subsiding

Contamination from a recent Metro sewage spill is subsiding, but a small area on J. Percy Priest Lake should remain off limits to anglers and swimmers, the U.S. Army Corps of Engineers said yesterday.

Only about one-fourth to one-third mile of water from the upper reaches of Hurricane Creek continues to have levels of fecal matter considered dangerous, corps officials said.

Last week, on Monday night and early Tuesday morning, about 400,000 gallons of raw sewage overflowed into Hurricane Creek near the Davidson-Rutherford line while Metro repaired a pumping station.

Boat ramps for Hurricane Creek and Four Corners were reopened on Friday and the waters around Four Corners Marina are now considered safe for use.

— WARREN DUZAK



Checking out produce — Farmers' Market merchant Margie Maxwell yesterday.

## WILLIAMSON COUNTY

### More households asking for cleanup put on hold

**COLLEGE GROVE** — The additional 20 households that have approached the Environmental Protection Agency about cleaning up lead contamination here may have to wait.

The EPA originally came to Williamson County to clean up 16 properties that showed evidence of lead contamination from battery casings that General Smelting sold years ago as landfill and driveway material.

"It's nothing way off base, but we have a lot of additional properties to deal with. I anticipated five or six more without question, but not 20," said on-scene coordinator Rick Jardine.

He said his focus has to be properties that easily can be linked to General Smelting, and although some properties across town have seen battery remnants, he can't get to those right away.

"It's entirely possible that the General Smelting fill dirt is all over the county . . ." he said. "But I have to be able with some certainty to link these properties to the original source."

Jardine said that if anyone outside the College Grove area remembers getting filler from General Smelting, he wants to know about it.

For more information, or to report potential lead contamination, call the EPA community center at 368-7821.

— MELONEE MCKINNEY

## TENNESSEE

### Lawyer's license lifted; neglect of clients cited

[REDACTED]

## DICKSON COUNTY

### Two municipalities awarded block grants

**DICKSON** — Two Dickson C municipalities have been awarded al community development block grants to assist in refurbishing sewer treatment services.

Gov. Don Sundquist announced approval of \$340,000 in funds for system rehabilitation in White Bluff and \$500,000 to assist in the treatment expansion in Charlotte.

Funding for the \$400,000 system rehabilitation project in White Bluff is \$60,000 in local funds, while the Charlotte site expansion includes \$350,000 in local funds. "This will provide an opportunity to expand our plant and date our lines to a bigger size," Charlotte Mayor Bill Davis said.

The White Bluff grant will rehabilitate the older sewer system installed in the late 1960s.

Williams said the main benefit of the grant is that the town can refurbish its system with no major

— KIRK LOGGINS



**BOARD OF PROFESSIONAL RESPONSIBILITY**  
of the  
**SUPREME COURT OF TENNESSEE**

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DISCIPLINARY COUNSEL

**RELEASE OF INFORMATION**  
**RE: WILLIAM C. ROBERTS, JR., BPR #16511**  
**CONTACT: CHARLES A. HIGH**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

May 28, 2003

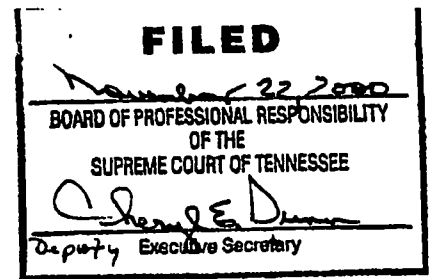
**NASHVILLE ATTORNEY SUSPENDED**

William C. Roberts, Jr., a Nashville attorney, has been suspended from the practice of law in this state for a fixed period of five years by order of the Supreme Court of Tennessee entered on May 23, 2003. The suspension was based on a conditional guilty plea filed by Roberts while the matter was pending before the Chancery Court of Davidson County, Tennessee. The five year suspension is retroactive to July 10, 2000, the date Roberts was temporarily suspended from the practice of law. He has been suspended continuously since July 10, 2000, and would be eligible to apply for reinstatement after July 10, 2005.

An attorney suspended for more than one year shall not be reinstated until a reinstatement proceeding and hearing and approval of the Supreme Court. The petition for discipline was based on five disciplinary complaints. Roberts admitted that he failed to act with reasonable diligence and promptness and that he failed to reasonably communicate with his clients in the five complaints. He also admitted that he neglected the clients' matters and that he failed to adequately prepare the matters in all five complaints. Roberts had other pending disciplinary complaints and those matters were concluded by the order in this matter.

CAH:mw

Roberts 1205 rel.doc



**IN DISCIPLINARY DISTRICT IV  
of the  
BOARD OF PROFESSIONAL RESPONSIBILITY  
of the  
SUPREME COURT OF TENNESSEE**

**In Re: William Cicero Roberts, Jr. B.O.P.R. Docket No. 2000-1205-4-CH  
Respondent, An Attorney  
Licensed to Practice Law  
In Tennessee (Davidson County)**

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**PETITION FOR DISCIPLINE**

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Comes now the petitioner, Board of Professional Responsibility, through its Disciplinary Counsel, and files this petition for discipline, showing the following:

1. Respondent, William C. Roberts, Jr., is an attorney licensed to practice law in Tennessee and assigned Board of Professional Responsibility No. 16511.

**File No. 21123-4-ch**

2. On June 18, 1999, the Board of Professional Responsibility mailed respondent a summary of complaint with a letter requesting a response within ten days. (A copy of the summary and letter are attached as Exhibit A.)
3. On July 13, 1999, respondent filed a response to the summary of complaint. (A copy of the response is attached as Exhibit B.)
4. On September 10, 1999, the complainant filed a response to respondent's response. (A copy of complainant's response is attached as Exhibit C.)

5. On November 10, 1999, respondent allegedly mailed a response to complainant's response although the response was received on December 13, 1999. (A copy of the response is attached as Exhibit D.)
6. On May 22, 2000, disciplinary counsel received a letter and attachments from Honorable Robert L. Echols, Chief Judge of the U.S. District Court for the Middle District of Tennessee. (A copy of the letter and attachments are attached as Exhibit E.)
7. The facts as recited in Judge Echols' letter are accurate.
8. The transcripts attached to the letter of Judge Echols are substantially verbatim transcripts of the court proceedings.
9. Respondent was appointed to represent Michael Bandy in the U.S. District Court at Nashville.
10. Respondent failed to reasonably communicate with his client.
11. A sentencing hearing was scheduled for December 14, 1998.
12. On that date respondent had not met with his client in four months.
13. On that date respondent had not shown his client the presentence report.
14. On that date respondent had not discussed the presentence report with his client.
15. Respondent failed to attend court on December 14, 1998.
16. Respondent called the court on December 14, 1998, and claimed that he was in another court in Shelbyville, Tennessee, and he was not able to leave.
17. Respondent failed to file timely objections to the presentence report by December 21, 1998.

18. Michael Bandy, being in custody, asked respondent to notify his parents of the date of the sentencing hearing.
19. Respondent assured his client that he would notify Mr. Bandy's parents of the sentencing date.
20. Respondent failed to notify Mr. Bandy's parents about either sentencing hearing.
21. Respondent knew that Michael Bandy intended to have his parents testify at sentencing.
22. As a result of respondent's neglect, Michael Bandy's parents did not attend or testify at the sentencing hearing.

**File No. 21511-4-ch**

23. On September 15, 1999, the Board of Professional Responsibility mailed respondent a summary of complaint with a letter requesting a response within ten days. (A copy of the summary and letter are attached as Exhibit F.)
24. Disciplinary Counsel sent letters to respondent on October 14 December 30, 1999, requesting a response to the summary of complaint. (Copies of the letters are attached as Exhibit G.)
25. On March 13, 2000, disciplinary counsel sent respondent a notice of petition for summary suspension by certified mail, return receipt requested. (A copy of the notice is attached as Exhibit H.)
26. The notice was delivered to respondent's office as is indicated by the return receipt card dated March 14, 2000, and signed. (A copy of the card is attached as Exhibit I.)
27. On May 26, 2000, disciplinary counsel sent respondent another notice of petition for summary suspension by certified mail, return receipt requested. (A copy of the notice is attached as Exhibit J.)
28. The notice was delivered to respondent on May 27, 2000, as is shown by the return receipt card signed by respondent. (A copy of the card is attached as Exhibit K.)

29. In the period beginning September 15, 1999, when the complaint was mailed and ending on May 26, 2000, when the fourth notice was mailed, respondent had not filed any response.
30. On June 6, 2000, respondent filed a one page, five paragraph response to the complaint. (A copy of the response is attached as Exhibit L.)
31. In February, 1997, Crystal M. Pearson, complainant, hired respondent to represent her on an appeal of a criminal conviction.
32. Ms. Pearson paid respondent a retainer of \$1,500.00 as payment.
33. Subsequently, complainant paid respondent additional sums totaling \$3,200.00 for a total payment of \$4,700.00.
34. Respondent filed the motion for new trial and it was heard and denied.
35. Respondent never appealed the case and Ms. Pearson served her sentence of sixty (60) days.
36. Respondent did not refund any of the money he received for the appeal.
37. Respondent did not tell Ms. Pearson that he was not going to file her appeal.
38. In his response, respondent says that he will make full restitution to Ms. Pearson by June 15, 2000.
39. Respondent did not make the payment as promised.
40. On September 16, 1998, Ms. Pearson was injured in a car accident.
41. Respondent told Ms. Pearson that he would represent her in a civil claim for damages for her injuries.

42. During the next four or five months respondent failed to communicate with Ms. Pearson or the insurance company employees about the civil claim.
43. On July 31, 1999, Ms. Pearson notified respondent that she was relieving him from representation on the civil case.
44. Ms. Pearson asked for her file for the civil case, but, it took a number of requests to retrieve the file.
45. When the file was obtained, it showed little activity by respondent.
46. Throughout the respondent's representations of Ms. Pearson respondent filed to reasonably communicate with her or to return her telephone calls.

**File Nos. 21791-4-CH and 21792-4-CH**

47. On November 29, 1999, the Board of Professional Responsibility mailed respondent summaries of complaints for File Nos. 21791-4-CH and 21792-4-CH with a letter requesting a response within ten (10) days. (Copies of the complaint summaries and letters are attached as Exhibit M.)
48. On January 11, 2000, respondent filed a joint response to File Nos. 21791-4-CH and 21792-4-CH. (Respondent also responded to complaint no. 21793-4-CH, but, that file is not included in this petition.)
49. It should be noted that the complaints were filed by Ms. Dagmar Gunderson on behalf of Luis Fernando Lugo Carachure (21791-4-CH) and Clemente Hernandez Mojica (21792-4-CH).
50. Ms. Gunderson taught English to the men at the Coffee County Jail and the men prepared the complaint forms in Spanish and they were translated into English by Ms. Gunderson. (Copies of the Spanish complaint forms are attached as Exhibit N.)
51. Respondent's joint response dated January 11, 2000, is attached as Exhibit O.

52. On February 2, 2000, Dagmar Gunderson filed a response to respondent's response. (A copy of the response is attached as Exhibit P.)
53. Respondent was employed to represent Luis Fernando Lugo Carachure and Clemente Hernandez Mojica and respondent was paid fees to represent them on criminal charges.
54. Respondent failed to reasonably communicate with his clients despite numerous requests for information.
55. Respondent misrepresented his fluency in Spanish to deceive Spanish speaking persons to employ him.
56. Respondent communicated frequently with the clients' families to solicit money for his fees.
57. In Mr. Mojica's case, respondent failed to appear at court for a motion hearing.
58. Respondent failed to advise the court of his absence or the reason for it.
59. Ms. Mojica's trial was set for March 13, 2000.
60. The trial judge set a status conference on March 10, 2000, and respondent was notified that he should appear.
61. Respondent failed to appear in court on March 10 or March 13, 2000.
62. Prior to the opening of court on March 13, 2000, respondent telephoned Assistant District Attorney, Ken Shelton, Jr., by telephone.
63. Respondent advised Mr. Shelton that he was not aware of the trial set that day.
64. Respondent told Mr. Shelton that he would meet with Shelton on March 15, 2000, to attempt to reach an agreement.
65. General Shelton reported this telephone call to the trial judge, Honorable John W. Rollins, in court on March 13, 2000.

66. Judge Rollins instructed General Shelton to report back to the court whether respondent met with him on March 15, 2000.
67. Respondent did not meet with General Shelton on March 15, 2000, about Mr. Mojica's case.
68. Based on respondent's failures to appear and represent Mr. Mojica, Judge Rollins appointed the Public Defender to represent Mojica.
69. A plea agreement was reached by the Assistant District Attorney, Mr. Mojica, and the Public Defender.
70. Respondent made no refund of fees to Mr. Mojica.

**File No. 22082-4-CH**

71. On February 10, 2000, the Board of Professional Responsibility mailed respondent a summary of complaint with a letter requesting a response within ten days. (A copy of the summary of complaint and letter are attached as Exhibit Q.)
72. On April 7, 2000, disciplinary counsel sent a letter to respondent again requesting a response to the summary of complaint. (A copy of the letter is attached as Exhibit R.)
73. Respondent has not responded to the summary of complaint to date.
74. On July 10, 2000, respondent's license to practice law was temporarily suspended, in part, for failure to answer complaint No. 22082-4-CH.
75. On October 7, 1999, respondent was paid \$1,260.00 by Elena Watson and Luis Chavez for legal services.
76. Respondent received the payment to resolve the immigration status of Ms. Watson and Mr. Chavez, citizens of Costa Rica.
77. Respondent said he could obtain a work permit for both clients.

78. Since October 7, 1999, Watson and Chavez have not spoken with respondent.
79. Respondent has failed to return at least fifteen telephone messages left by Ms. Watson.
80. Respondent has done no legal work for Watson and Chavez.
81. Respondent has sought to deceive Watson and Chavez by alleging that he is fluent in Spanish, their native language.
82. Ms. Watson has asked respondent for a refund of her money since respondent has not performed any legal work for them.
83. Respondent has not made any refund to Watson and Chavez.
84. Respondent spent the money that Watson and Chavez paid him with knowledge that he had not performed the services that he promised.
85. Respondent did not intend to perform any work for Watson and Chavez.

**\* Prior Discipline**

86. Respondent received a private admonition from the Board of Professional Responsibility on May 22, 1996.
87. Respondent received a public censure from the Board of Professional Responsibility on May 20, 1997.
88. Respondent was temporarily suspended from the practice of law on January 3, 1999, by the Tennessee Supreme Court.
89. Respondent was reinstated conditionally by the Supreme Court on March 30, 1999.
90. Respondent was again temporarily suspended from the practice of law on July 10, 2000, by the Supreme Court.
91. Respondent received a suspension of ninety days along with an indefinite suspension which is now pending before the Tennessee Supreme Court for entry.

92. Copies of all of respondent's prior discipline are attached as Exhibit S.

**Disciplinary Rule Violations**

93. Respondent violated DR 1-102(A)(1)(5) and (6) in each of these complaints as is shown below.
94. Respondent violated DR 1-102(A)(3) in File Nos. 21511-4-ch, 21791-4-CH, 21792-4-CH and 22082-4-CH by dishonestly accepting fees from his clients and not performing the work that he agreed to perform. Respondent's actions are a violation of the criminal law of theft.
95. Respondent violated DR 1-102(A)(4) in each of the complaints in the petition.
96. Respondent dishonestly charged and received attorney fees in each complaint with no intent to perform the services.
97. Respondent made promises to the clients in each of the complaints as is detailed above that were fraudulent, deceptive and dishonest.
98. Respondent violated DR 1-102(A)(5) and (6) in File No. 21511-4-CH by failing to respond to the disciplinary complaint.
99. Respondent violated DR 2-106(A) and (B) in each of the complaints for charging and collecting fees that were clearly excessive for the work performed and illegal in that they were fraudulently obtained.
100. Respondent violated DR 2-110(A)(1) in complaint No. 12511-4-CH by failing to withdraw from employment in both cases for the complainant with court permission.
101. Respondent violated DR 2-110(A)(2) in File Nos. 12511-4-ch, 21791-4-CH, 21792-4-CH and 22082-4-CH by withdrawing from representing his clients without taking action to avoid prejudice to his clients.
102. Respondent's misconduct stated in the preceding paragraph resulted in actual harm to each of the clients.

103. Respondent violated DR 2-110(A)(3) in File Nos. 12511-4-ch, 21791-4-CH, 21792-4-CH and 22082-4-CH by failing to refund unearned fees to his clients.
104. Respondent violated DR 6-101(A)(1) in each of the complaints by accepting employment on matters which he was not competent to handle, whether because of a basic lack of experience in the matters or because he was unable to perform as a result of mental infirmity or illness or because of addiction to drugs or intoxicants.
105. Respondent violated DR 6-101(A)(2) in each of the complaints by failure to file appropriate documents in a timely manner and by failing to appear in court as required.
106. Respondent violated DR 6-101(A)(3) in each of the complaints by failure to prepare documents in a timely manner, by failure to appear in court as scheduled and by procrastinating on work he was paid to perform.
107. Respondent violated DR 7-101(A)(1) in each of the complaints by failure to appear in court on numerous occasions, by failure to file an appeal in File No. 21511-4-ch, by failure to notify his clients and witnesses of scheduled court appearance dates and by failing to visit clients in jail as requested.
108. Respondent violated DR 7-101(A)(2) and (3) in each of the complaints by failure to return clients' telephone calls, by failure to meet with clients on a regular basis, and by failing to correspond with his clients.
109. Respondent intentionally violated DR 7-101(A)(4)(a) in each of the complaints by abandoning his clients' causes in the judicial system.
110. Respondent intentionally violated DR 7-101(A)(4)(b) in File Nos. 21511-4-ch, 21791-4-CH, 21792-4-CH and 22082-4-CH by accepting payment for services that were not performed with an intent not to perform.
111. Respondent intentionally violated DR 7-101(A)(4)(c) in each of the complaints by failing to perform duties to his clients when he knew or reasonably should have known that they would be injured and damaged by his failures. He further intentionally damaged his


clients by stealing their money.

112. Respondent violated DR 9-102(A) by failing to deposit funds of each of the complainants in an attorney trust account and by removing unearned client funds from the account.
113. Respondent violated DR 9-102(B)(3) by failure to maintain complete records of client accounts.
114. Respondent violated DR 9-102(B)(4) in File Nos. 21511-4-ch, 21791-4-CH, 21792-4-CH and 22082-4-CH by failing to refund unearned fees upon request of each client.

**Wherefore, premises considered, petitioner prays:**

1. That a copy of the petition be served on respondent requiring him to answer.
2. That a hearing panel be appointed to hear this cause and to make its findings and judgment as required by Tennessee Supreme Court Rule 9, Section 8.3.
3. That respondent be taxed with the costs of this proceeding, including attorney's fees to the Board of Professional Responsibility as provided by Court Rules.

Respectfully submitted,

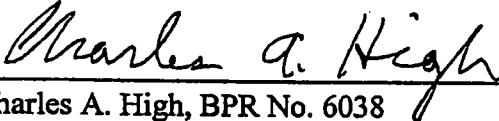


Charles A. High, BOPR No. 6088  
Disciplinary Counsel  
1101 Kermit Drive, Suite 730  
Nashville, TN 37217  
615/361-7500

**NOTICE TO PLEAD**

**TO: William Cicero Roberts, Jr.**

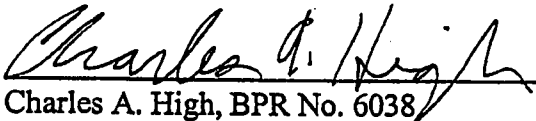
You are hereby notified that you are required to file your answer with Mary Woodroof, Executive Secretary, Board of Professional Responsibility, 1101 Kermit Drive, Suite 730, Nashville, Tennessee 37217, and serve a copy of your answer upon Disciplinary Counsel within (20) days after service of this petition. **IF YOU FAIL TO FILE AN ANSWER THE MATTER SHALL BE DEEMED ADMITTED.**

  
\_\_\_\_\_  
Charles A. High, BPR No. 6038  
Disciplinary Counsel

**CERTIFICATE OF SERVICE**

I certify that I have mailed a copy of this Petition For Discipline to Respondent, William Cicero Roberts, Jr., by U.S. First Class Mail; and, by Certified Mail No. Z7000 0520 0014 0015 9839, Return Receipt Requested, at 5056 Chadfield Way, Antioch, Tennessee 37013, on this the 22nd day of November,

2000.

  
\_\_\_\_\_  
Charles A. High, BPR No. 6038  
Disciplinary Counsel

WILLIAM CICERO ROBERTS, JR. PFD.CH

EXHIBIT F

**FILED**

*March 13, 2003*

BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE

*Mary Woodruff*  
Executive Secretary

**IN THE BOARD OF PROFESSIONAL RESPONSIBILITY OF THE  
SUPREME COURT OF TENNESSEE**

**IN RE: WILLIAM CICERO ROBERTS, JR.**  
Respondent, An Attorney Licensed  
To Practice Law in Tennessee  
(Davidson County, BPR No. 16511)

**B.O.P.R. No. 2000-1205-4-CH**

**Chancery No. 01-1523-III**

**CONDITIONAL GUILTY PLEA**

Comes now Respondent, William C. Roberts, Jr., and pursuant to Section 16.1 of Tennessee Supreme Court Rule 9, tenders this Conditional Guilty Plea showing the Court as follows:

1. Respondent has been served with a Petition for Discipline which he has read and which he understands.
2. An order of default judgment was entered against respondent on March 12, 2001, by a Hearing Committee of the Board of Professional Responsibility of the Supreme Court of Tennessee.
3. The Hearing Committee recommended disbarment of respondent.
4. Respondent filed a timely Petition for Writ of Certiorari to the Chancery Court of Davidson County, Tennessee, which is now pending.
5. Respondent is aware that he is entitled to a hearing before the Chancery Court on the charges in the Petition for Discipline.
6. Respondent is aware that he is entitled by right to appeal the Judgment of the Chancery Court to the Tennessee Supreme Court if he is dissatisfied with the decision.
7. Respondent is aware that in a hearing in Chancery Court he would have the right to testify and present evidence on his own behalf.
8. In a hearing, Respondent would have the right to subpoena witnesses and to cross-examine adverse witnesses.

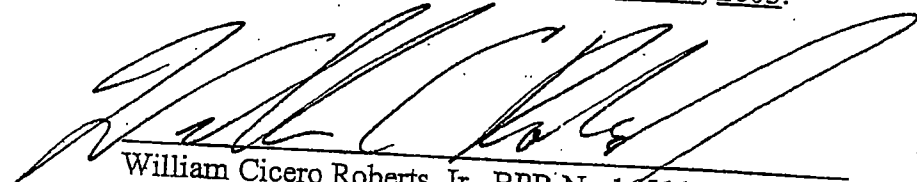
**EXHIBIT**

tabbles

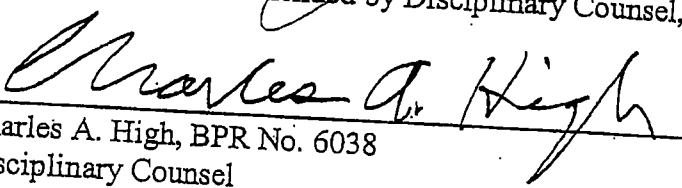
(F)

9. Respondent desires to waive the hearing and appeal as set forth above provided that this Conditional Guilty Plea is accepted by the Chancery Court and the Supreme Court.
10. Respondent enters this Conditional Guilty Plea freely and voluntarily without being subjected to coercion or duress and he is aware of the implications of submitting such a plea.
11. Respondent knows that he has a right to be represented by counsel, but he chooses to act for himself.
12. Respondent admits that he violated DR 6-101(A)(2) and (3) in each of the five complaints in the Petition for Discipline. Respondent admits that he violated DR 7-101(A)(1)(2) and (3) in each of the five complaints.
13. If approved, the discipline on stated form of sanction shall be a suspension from the practice of law in the state for a period of five (5) years, commencing July 10, 2000, the date respondent was temporarily suspended from the practice of law.
14. It is expressly provided that this plea shall resolve all disciplinary complaints pending against respondent on the date of the plea.
15. In the event this Conditional Guilty Plea is not accepted by the Board of Professional Responsibility or the Court it shall be considered void and of no effect.

This Conditional Guilty Plea has been executed on this \_\_\_ day of March, 2003.

  
William Cicero Roberts, Jr., BPR No. 16511  
Respondent

This Conditional Guilty Plea is approved and recommended by Disciplinary Counsel, as indicated by his signature.

  
Charles A. High, BPR No. 6038  
Disciplinary Counsel

Pending Disciplinary Complaints

18207-5-ch	22684-5-CH
18650-5-ch	22820-5-CH
19394-5-ch	22875-5-CH
19636-5-ch	22876-5-CH
20363-5-CH	22877-5-CH
20942-4-CH	22897-5-CH
21136-4-ch	<del>22898-5-CH</del> *
21434-4-ch	22938-5-CH
21487-4-ch	23165-5-CH
21525-4-CH	23250-5-CH
21599-4-CH	23898-5-CH
21793-4-CH	25031-5-CH
22394-5-CH	



EXHIBIT (G)



**BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**

**LANCE B. BRACY**  
CHIEF DISCIPLINARY COUNSEL  
**LAURA L. CHASTAIN**  
DEPUTY CHIEF DISCIPLINARY COUNSEL

1101 KERMIT DRIVE, SUITE 730  
NASHVILLE, TENNESSEE 37217  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
E-MAIL: [ethics@tbpr.org](mailto:ethics@tbpr.org)

**WILLIAM W. HUNT, III**  
**CHARLES A HIGH**  
**SANDY GARRETT**  
**JESSE D. JOSEPH**  
**JAMES A. VICK**  
**THERESA M. COSTONIS**  
DISCIPLINARY COUNSEL

February 13, 2000

**CONFIDENTIAL**

Michael T. Braxton  
3-A #47  
Rt. #1  
Only, TN 37140

**Re: File No. 22898-5-CH**  
**Respondent: William C. Roberts, Jr.**

Dear Mr. Braxton:

This will respond to your letter received on January 4, 2002. Mr. Roberts has not filed a response on your case. I took his deposition on August 14, 2001.

He testified that the Answer was available and that he would do so. His counsel said that it would be furnished in a week. It has not.

I have discussed the matter with his counsel and she assures me it is on the way. I will write her again to attempt to obtain it.

Mr. Roberts has remained suspended. The Chancery Court case is proceeding.

Sincerely,

Charles A. High  
Disciplinary Counsel

Exhibit (H)

**BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**



**LANCE B. BRACY**  
CHIEF DISCIPLINARY COUNSEL  
**LAURA L. CHASTAIN**  
DEPUTY CHIEF DISCIPLINARY COUNSEL

1101 KERMIT DRIVE, SUITE 730  
NASHVILLE, TENNESSEE 37217  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
E-MAIL: [ethics@tbpr.org](mailto:ethics@tbpr.org)

**WILLIAM W. HUNT, III**  
**CHARLES A. HIGH**  
**SANDY GARRETT**  
**JESSE D. JOSEPH**  
**JAMES A. VICK**  
**THERESA M. COSTONIS**  
DISCIPLINARY COUNSEL

June 27, 2001

Michael T. Braxton  
Turney Center, 3-A-47  
Route 1  
Only, TN 37140

Re: File No. 22898-5-CH  
Respondent: William C. Roberts, Jr.

Dear Mr. Braxton:

I received your letter on June 22, 2001. The status of the complaint is that Mr. Roberts has not responded as of yet.

William Roberts was suspended on November 21, 2000, for ninety days, plus additional time pending completion of certain conditions. He has not completed the conditions. He was previously placed on temporary suspension on July 10, 2000. That suspension remains in effect.

On March 12, 2001, a Hearing Panel of the Board entered a default judgment against Mr. Roberts that recommended disbarment. Mr. Roberts appealed the disbarment to the Chancery Court of Davidson County, Tennessee.

I met with Mr. Roberts and his attorney on March 13, 2001. Mr. Roberts and his attorney said that Roberts was going to file a response in your case. He has not ever done so. I will contact his attorney to see what is holding up the response.

Sincerely,

Charles A. High  
Disciplinary Counsel

CAH/nmp

FILED  
MAY 23 2003  
Clerk of the Courts

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

In Re: William Cicero Roberts, Jr., BPR #16511  
An Attorney Licensed to Practice Law in Tennessee  
(Davidson County)

BOPR Docket No. 2000-1205-4-CH  
Chancery No. 01-1523-III  
No. M2000-01559-SC-BPR-RP

ORDER OF ENFORCEMENT

This matter is before the Court upon the forwarding of an agreed judgment of the Chancery Court of Davidson County, Tennessee, in a Petition for Discipline filed against William C. Roberts, Jr., respondent, an attorney licensed to practice law in Tennessee. On November 25, 2000, respondent was personally served a Petition for Discipline. On January 2, 2001, respondent was served with a Motion for Default Judgment. On February 5, 2001, respondent was served with a copy of a proposed Order of Default Judgment. On March 12, 2001, the hearing panel entered a Default Judgment of Disbarment.

On May 11, 2001, respondent filed a timely appeal of the Default Judgment by filing a Writ of Certiorari to the Chancery Court of Davidson County, Tennessee. On June 1, 2001, this Court designated the Honorable James L. Weatherford, Senior Judge, to hear the appeal.

On March 13, 2003, respondent filed a Conditional Guilty Plea with the Board of Professional Responsibility. Disciplinary Counsel and the Board of Professional Responsibility approved and recommended the Conditional Guilty Plea and an Agreed Judgment was submitted to the Chancellor. The agreed judgment was signed by the Chancellor and filed with the Clerk and Master on April 3, 2003. A certified copy of the agreed judgment of the trial court (which includes a copy of the Conditional Guilty Plea as an exhibit) is attached hereto as Exhibit A., and incorporated herein verbatim by reference. This Court has considered and approved the agreed judgment.

It is therefore **ORDERED, ADJUDGED, and DECREED**, that the respondent, William C. Roberts, Jr., is suspended from the practice of law for a fixed period of five (5) years and until reinstated by order of this Court. The suspension shall be retroactive to July 10, 2000, the date Respondent was temporarily suspended from the practice of law.

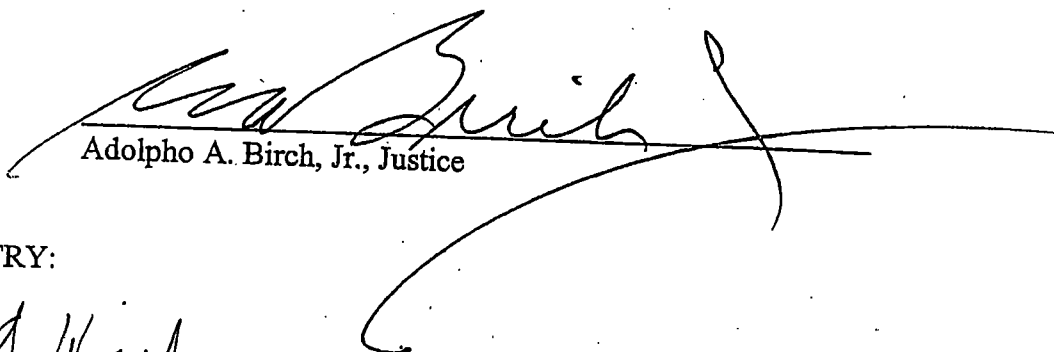
It is further **ORDERED**, that William C. Roberts, Jr., shall comply in all respects with Rule 9, Section 18, Rules of the Supreme Court of Tennessee, regarding responsibilities of suspended attorneys.

It is further **ORDERED**, that respondent shall pay the costs of the Board, pursuant to Rule 9, Section 24.3, Rules of the Supreme Court of Tennessee, in the sum of eight thousand, seven hundred and twenty-two dollars and thirty-one cents (\$8,722.31), and the costs of this Court, for all of which execution shall issue if necessary.

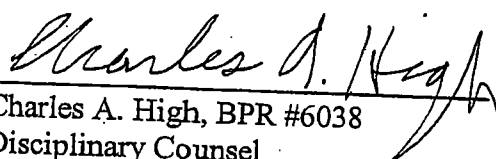
The Board of Professional Responsibility shall give notice of the suspension in accordance with Rule 9.

**IT IS SO ORDERED.**

FOR THE COURT:

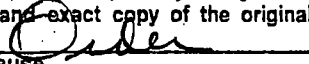
  
Adolpho A. Birch, Jr., Justice

APPROVED FOR ENTRY:

  
Charles A. High, BPR #6038  
Disciplinary Counsel  
1101 Kermit Drive, Suite 730  
Nashville, Tennessee 37217  
(615) 361-7500

ORDER OF ENFORCEMENT, Roberts, WM. C., Jr.  
CHANCERY NO. 01-1 523-III

I, Cecil Crowson, Jr., Clerk, hereby certify that this is a true and exact copy of the original

  
filed in the cause.

This 23<sup>rd</sup> day of May, 2003

CLERK OF COURT

By:  D.C.

FILED

2003 APR -3 AM 9:06

CLERK & MASTER  
DAVIDSON CO. CHANCERY  
COURT

IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

In Re: William Cicero Roberts, Jr. |  
Petitioner, BPR #16511 |  
vs. |  
Board of Professional Responsibility |  
of the Supreme Court of Tennessee, |  
Respondent, BPR #6038 |

FOZT  
Docket No. 01-1523-III  
Chancellor James L. Weatherford  
Judge by Designation

AGREED JUDGMENT

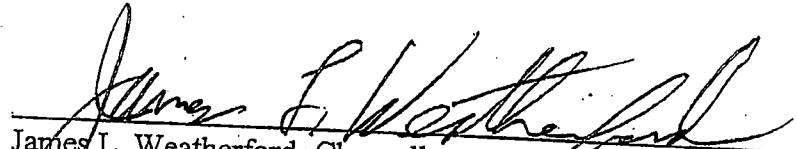
This case is before Chancellor James L. Weatherford for consideration of a settlement of the action.

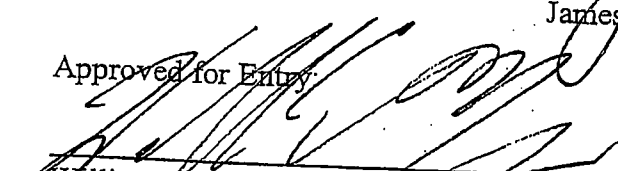
1. The parties to this action are agreed, as is shown by the signatures of both parties or their representatives, that this matter should be settled pursuant to a Conditional Guilty Plea recommended by both parties. The Court has considered the Conditional Guilty Plea and approves the settlement.

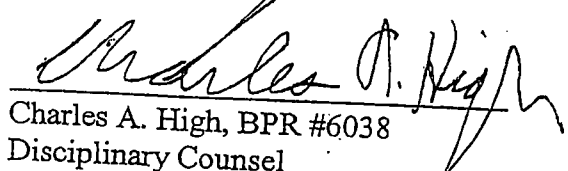
It is therefore, **ORDERED, ADJUDGED, and DECREED:**

- A. That William C. Roberts, Jr. (Roberts) shall be suspended from the practice of law in this state for a fixed period of five (5) years and until reinstated by the Supreme Court.
- B. That Roberts' suspension shall commence on July 10, 2000, the date he was temporarily suspended from the practice of law.
- C. That the Court finds that Roberts violated DR 6-101(A)(2) and (3) and DR 7-101(A)(1)(2) and (3) in each of the five complaints contained in the Petition for Discipline as those violations are set out in the petition.
- D. That this agreed judgment shall conclude each of the disciplinary complaints now pending against Roberts. Attached and incorporated into the judgment by reference are the Conditional Guilty Plea [Exhibit 1], and a listing of the pending disciplinary complaints resolved by the Judgment [Exhibit 2].

Costs of this case are taxed to William C. Roberts, Jr., for which execution shall be issued, if necessary.

  
James L. Weatherford, Chancellor  
James L. Weatherford, Senior Judge  
sitting by designation and assignment  
of the Chief Justice of the Supreme Court  
of the State of Tennessee.

Approved for Entry  
  
William C. Roberts, Jr., BPR #16511  
Pro se

  
Charles A. High, BPR #6038  
Disciplinary Counsel

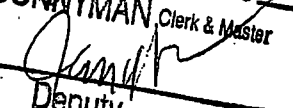
I hereby certify that this is a true copy  
of original instrument filed in my office.  
This 21 day of April 2013  
CLAUDIA C. BONNYMAN, Clerk & Master  
By   
Deputy

EXHIBIT (N)

**BROWN'S  
INVESTIGATIONS AND PARALEGAL SERVICES  
1614 11TH AVENUE NORTH  
NASHVILLE, TN 37208-2006-Co-12  
(615) 777-4589  
Fax: (615) 777-4590  
<http://member.aol.com/obb173/bips>  
E-Mail: [obb173@aol.com](mailto:obb173@aol.com)**

**April 25, 2001**

Michael T. Braxton  
Turney Center  
Route 1  
Only, TN 37140

Subject: Your Correspondence Dated: April 19, 2001

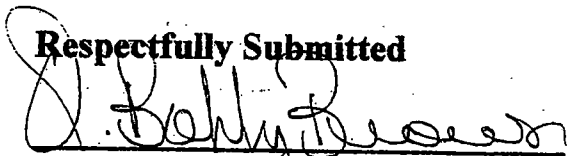
Dear Mr. Braxton,

I am in receive of your letter, How can I assist you? Do you have a attorney? If so, he may make a copy of my file, he can come an talk to me or what ever he/she may want.

Be advised there is a balance of \$500.00 dollars let on your case, this is money that I spend out of my pocket on your case.

If there are remaining question(s), please do not hesitate to contact us

**Respectfully Submitted**



**O. BOBBY BROWN  
Investigator/Paralegal  
0428 TN.**

Exhibit (L)

**BROWN'S  
INVESTIGATION S AND PARALEGAL SERVICES**

1614 11<sup>th</sup> Avenue North  
Nashville, TN 37208-2006-Co-12

(615) 777-4589

Fax: (615) 777-4590

<http://member.aol.com/obb173/bips>

E-Mail: [obb173@aol.com](mailto:obb173@aol.com)

May 16, 2001

Michael T. Braxton  
Turney Center  
Route 1  
Only, TN 37140

Dear Mr. Braxton,

Sorry that it took so long is answering your correspondence dated April 30, 2001.

I think that I started on your case in April 1996, and finished the date you where sentenced to jail.

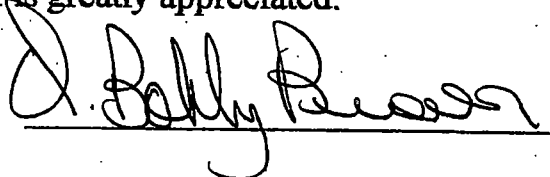
My file is here in my office, before I can let any one view your file: the following things must be done:

1. A written authorization from you
2. Arrangement for the rest of my fee to be paid
3. Please get a attorney, your case has many problems.

You can call me as a witness, but attorney can take my file and can come up with a new Ideal(s).

Will help in any way I can.

If there remaining question, please do not hesitate to contact us. Your promptness and cooperation with this matter is greatly appreciated.

  
\_\_\_\_\_  
J. Kelly Brewer

**FILE**



OFFICE OF THE DISTRICT ATTORNEY GENERAL

VICTOR S. JOHNSON III  
District Attorney General

March 3, 1998

Bill Roberts  
Attorney at Law  
Suite 2121  
Parkway Towers  
404 James Robertson Parkway  
Nashville, Tennessee 37219

CASE: STATE OF TENNESSEE v. MICHAEL BRAXTON, 97-B-1350.

Dear Bill:

Please regard this letter as a supplement to discovery. Enclosed, please find a copy of the TBI lab reports associated with this case.

If you have any questions, please do not hesitate to call me at 862-5594.

Very truly yours,

*Bernie*

BERNARD F. MCEVOY  
Assistant District Attorney

enclosure

cc: court file

TENNESSEE BUREAU OF INVESTIGATION

Forensic Services Crime Laboratory  
3021 Lebanon Road  
Nashville, TN 37214  
(615) 741-4476

OFFICIAL SEROLOGY REPORT

TO: D.J. BAXTER  
METRO NASHVILLE P.D.  
200 JAMES ROBERTSON PKWY  
NASHVILLE, TN 37201

LAB NUMBER: 96104810  
COUNTY: DAVIDSON  
DATE REPORTED: 11/18/96  
AGENCY CASE #: 96125995

SUBJECT(S)

BRAXTON, MICHAEL T.

VICTIM(S)

RAGLAND, KELSEY

RECEIPT INFORMATION

RECEIVED FROM: D.J. BAXTER  
DATE RECEIVED: 06/24/96

EXHIBIT NUMBER: 60042742  
EXHIBIT DESCRIPTION: TOWEL  
DISPOSITION: HOLD, PLEASE PICK UP PROMPTLY

EXAMINATION

SEMINAL FLUID  
IS SEMEN PRESENT?

RESULTS

NO

EXHIBIT NUMBER: 60042743  
EXHIBIT DESCRIPTION: BED SHEET  
DISPOSITION: HOLD, PLEASE PICK UP PROMPTLY

EXAMINATION

SEMINAL FLUID  
IS SEMEN PRESENT?

RESULTS

NO

EXHIBIT NUMBER: 60042744  
EXHIBIT DESCRIPTION: CONDOM  
DISPOSITION: HOLD, PLEASE PICK UP PROMPTLY

EXAMINATION

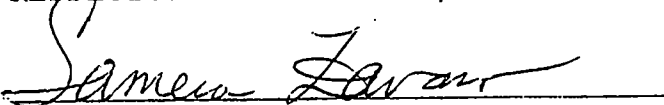
SEMINAL FLUID  
ARE SPERMATOZOA PRESENT?  
IS SEMEN PRESENT?

RESULTS

NO

NO

RESPECTFULLY SUBMITTED,



SAMERA ZAVARO  
SPECIAL AGENT / FORENSIC SCIENTIST

TENNESSEE BUREAU OF INVESTIGATION

Forensic Services Crime Laboratory  
3021 Lebanon Road  
Nashville, TN 37214  
(615) 741-4476

OFFICIAL SEROLOGY REPORT

TO: D. J. BAXTER  
METRO NASHVILLE P.D.  
200 JAMES ROBERTSON PKWY  
NASHVILLE, TN 37201

LAB NUMBER: 96104810  
COUNTY: DAVIDSON  
DATE REPORTED: 11/18/96  
AGENCY CASE #: 96125995

SUBJECT(S)

BRAXTON, MICHAEL T.

VICTIM(S)

RAGLAND, KELSEY

RECEIPT INFORMATION

RECEIVED FROM: P. SAGE  
DATE RECEIVED: 05/09/96

EXHIBIT NUMBER: 60017388  
EXHIBIT DESCRIPTION: BLOOD SAMPLE FROM KELSIE RAGLAND  
DISPOSITION: WILL DESTROY AFTER SIXTY DAYS

EXAMINATION

LIQUID STANDARD

REMARKS:

NO EXAM PERFORMED

RESULTS

EXHIBIT NUMBER: 60017389  
EXHIBIT DESCRIPTION: VAGINAL SWABS & SLIDE FROM VICTIM  
DISPOSITION: HOLD, PLEASE PICK UP PROMPTLY

EXAMINATION

SEMINAL FLUID

WERE SPERMATOZOA OBSERVED?

IS SEMEN INDICATED?

RESULTS

NO

NO

RESPECTFULLY SUBMITTED,



SAMERA ZAVARO  
SPECIAL AGENT / FORENSIC SCIENTIST

Exhibit (N)

**DAVIS, ROBERTS, SNEED, WATKINS & CAIN**  
AN ASSOCIATION OF ATTORNEYS

G. WAYNE DAVIS  
244-2431

404 JAMES ROBERTSON PARKWAY  
PARKWAY TOWERS, SUITE 2121  
NASHVILLE, TN 37219

WILLIAM C. ROBERTS, JR.  
244-2900

MICHAEL H. SNEED  
244-2477

(615) 242-5549 TELEFAX

MONTE D. WATKINS  
244-2432

YVETTE Y. CAIN  
244-0450

February 21, 1997

Mr. Michael Braxton  
c/o Criminal Justice Center, 5D20  
448 Second Avenue North  
Nashville, TN 37201

RE: STATE vs. MICHAEL BRAXTON

Dear Mr. Braxton:

By this letter, I wish to bring you up to speed on the current direction of your case and by extension, the investigation of your case.

First, as I pointed out to you during my visit with you on or about February 11, 1997. All of the leads you've given Mr. Brown and me regarding Ms. Ragland's past have produced results, which at this pint would not be useful for our purpose.

While you have attempted to give us much information regarding Ms. Ragland, your leads have been at best disappointing. Your lapses of memory with regard to Ms. Ragland's condition prior to April 1996 have only misdirected our meager resources. Specifically, I refer to your forty page narrative to Mr. Brown in which to failed to mention either a Mr. Tim Green or the fact that you observed Ms. Ragland's wrist bandaged in March of 1996.

However, the leads that Mr. Brown and I have discovered yielded good results and will continue to be very helpful in preparing your case for trial.

Second, the area in which we are currently concentrating our attention is on the issue of consent. To that end I believe our arguments given the circumstances are very strong in deed. Therefore, my continuing investigation will be on this point with an eye toward using the circumstances of that night to attack her credibility as a witness.

Third, since most of what Ms. Ragland has told you about herself can only come out at trial if you take the witness stand, I must balance the value of your testimony against the harm to your credibility with the Jury when your criminal history comes into evidence. As a result I want you to

think long and hard about whether you wish to testify in your own defense.

I believe I have accurately summed up where we've been and where we are going in this matter. I would appreciate your thoughts and suggestions on the points I've raised in this letter. In addition, I must warn you not to share the content of this letter to anyone in jail. The reason for this request is if some with whom you shared this letter sought to curry favor with the District Attorney, he might offer this letter's contents as a means of assisting them to convict you. If, however, you wish for me to pass this letter to your Family for their review you can simply write me a letter directing me to do so. If you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "William C. Roberts, Jr.", written in a cursive style.

William C. Roberts, Jr.  
Attorney at Law

WCR/djt

Exhibit (0)

PAMELA AUBLE, PH.D.  
DIPLOMATE IN CLINICAL NEUROPSYCHOLOGY,  
AMERICAN BOARD OF PROFESSIONAL PSYCHOLOGY  
2021 CHURCH ST., SUITE 302, NASHVILLE, TN 37203  
(615) 340-4686 FAX (615) 340-4679

September 12, 1997

William C. Roberts, Jr., Atty at Law  
Davis, Roberts, Sneed, Watkins, and Cain  
404 James Robertson Parkway  
Suite 2121, Parkway Towers  
Nashville, TN 37219

Dear Mr. Roberts:

As you know, I have reviewed treatment notes from Dr. Robert Vassall, Ms. Pamela Burse, and Ms. K. J. Bagley regarding Ms. Kelsie Ragland. I have also talked to you on the telephone regarding my impressions from these notes.

Basically, the treatment notes reveal a young woman with low self-esteem who tends to feel that men behave in negative ways toward her. She discusses in the treatment notes feelings of being abandoned by her parents and issues with her maternal grandmother and her aunt who apparently raised her. Her insecurity may have begun with these childhood issues. Within treatment, she reports that she does not feel attractive. Ms. Ragland describes a history of negative relationships with men. In Dr. Vassall's notes, she reported that her boyfriend before college hit her. She developed a positive relationship with a college football player over the summer, but when fall began, she felt that he neglected her, used her for sex rather than for companionship, and went out with other women. In Ms. Burse's notes, she reported feeling "used and frustrated" by men and that she felt depressed by "boys expecting too much from her."

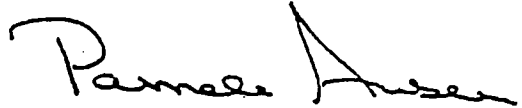
Dr. Vassall prescribed a relatively low dosage of Zoloft, an antidepressant, for her on January 7, 1996. Apparently, she had run out of the medication prior to her Feb. 13, 1996 appointment because he made a note to "re-start meds." This was his last visit with Ms. Ragland, and it seems likely that she was not on Zoloft after March, 1996. Dr. Vassall diagnosed Ms. Ragland as suffering from "an adjustment disorder with depressed mood." Her GAF was estimated to be 55 on Axis IV, a score associated with moderate symptoms (e.g., occasional panic attacks) or moderate difficulties with social functioning, occupational functioning or relationships. Dr. Vassall described her stress level as "severe," at a level

LETTER TO WM. ROBERTS, PAGE 2

similar to someone who has undergone a divorce, or had a child born. There are two levels worse than "severe" in this coding (extreme, catastrophic).

Please let me know if I can be of any further help with this case.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Auble". The signature is written in black ink and is positioned above the printed name.

Pamela Auble, Ph.D., ABPP  
Clinical Psychologist

STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE ADMINSTRATIVE LAW COURT  
The Honorable H.W. Funderburk, Jr.  
Administrative law judge

Case No. 17-ALJ-04-0154-AP  
APPELLATE CASE No. 2017-001964

RECEIVED

OCT 18 2017

SC Court of Appeals

MICHAEL BRAXTON #119081,

v.

Appellant,

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

Respondent.

CERTIFICATE OF SERVICE

I, Michael Braxton, under oath and penalty of perjury hereby certify that on this day October 13, 2017, I served the following documents:

1. Initial Brief of Appellant; and
2. Designation of Matter;
3. Certificate of Service

by first class mail, postage prepaid as follows:

Department of Legal Counsel  
S.C. Dept. of Corrections  
4444 Broad River Rd.  
Columbia, SC 29210

*I am and subscribe myself to  
on the 10th of October 2017.*

*Catharine A. Amos*

*Michael Braxton*

*Michael Braxton #119081*

*MA-41*

*4848 Gold Mine Hwy  
Keeshaw, S.C. 29067*

My Commission Expires December 22, 2018

Michael Braxton #119081  
Kershaw Correctional Institution  
4848 Goldmine Hwy.  
Kershaw, SC 29067

October 13, 2017

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

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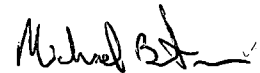
RE: Michael Braxton #119081 v. S.C. Dept. of Corrections  
Appellate Case No.: 2017-001964

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter are the original and one copy of Appellant's Initial Brief and Designation of Matter.

By copy of this letter to opposing counsel, I am hereby serving them a copy of this filing.

Very truly yours,



Michael Braxton, #199081

MICHAEL BRAXTON # 119081  
MA-41  
1548 Goldmine Hwy  
KERSHAW, S.C. 29067

THE SOUTH CAROLINA COURT OF APPEALS  
c/o JENNY ABBOTT KITCHINGS (Clerk)  
1220 SENATE STREET  
P.O. Box 11629  
Columbia, S.C. 29201