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Exhibits

FEB 06 2019

SC Court of Appeals

A) Page 4 lines 3-4: The State of South Carolina v. David Green. This is case number 2017-CP-23-05529. "Tonja Flythe ~~is~~ name is nowhere on this case as it was call."

B) Page 4 line 24 ~~3~~-25: On May 16th, 2018, she (Tonja Flythe) sent a letter to my office in response to the summons and complaint "here are facts paper-work which states who the owner is. Here is ~~a~~ part of the police report, a Greenville County Sheriff's Office vehicle impoundment and inventory record, and the second amended summons with date file in clerk's office April 12, 2018 (~~not~~ meaning he knew the truck was my mother's May 16, 2018). Each one of these exhibits have my ~~a~~ mother's name on them before date give by solicitor, There are other motions and letter ~~s~~ wrote and filed with court and wrote to him back in 2017. I'm waiting for clerk of Court for Greenville to send me copies of motion filed with court in 2017 with Tonja Flythe's named as owner back there."

c) Page 5 line 10: (Deputy Cannon) "He stopped the vehicle for and expired tag." This is false because his body cam show that when he pulled me over he said he stop me because it looks like I might be tiered from a long ride. (the video was just give to my ex attorney about 2 or 3 months ago). Although tag had in fact been 11 days pass the inspection stickers (6-2017 and stop date of 7-11-17). The tag was never called in before the stop of the vehicle and Dep. Cannon didn't realize the out dated sticker ~~a~~ until once I step behind the vehicle

and he then looked at the tag and asked if I knew the tag was expired. This is also in the video and stated in Deputy's report after he lied to Fix report to have a legal reason as to why he stop me. He first reason for the stop was I drifted right and hit the ~~white~~ divider line then I drifted back left (all while with lane 2).

D) Page 5 lines 2³~~4~~-25: Deputy Cannon as a result of those traffic ing charges, seized the Ford F-350 that he (I David Green) was ~~dr~~iving that date. "Looking on Deputy Cannon's report page 4 he says he was advised the truck was paid for therefore he decided to seize the vehicle."

E) Page 6 lines 4-5: we were unaware that the Defendant's mother ~~was~~ ^{was} the actual registered owner of the vehicle (date 8-25-17) "but as shown here exhibits they show that they knew who the vehicle belong to. The Sheriff Office had talked to my mother (Tonja Flythe) about her vehicle and it's also in all their paper work. Also if the Solicitor would have check ~~the~~ ran the Vin number or tags he would have known this information."

F) Page 8 line ¹⁻²~~3~~: What's the name of the business? David Ray "This enterprise?" this ~~isn't~~ isn't the name of my business"

G) Page 8 lines 8-9: What do you use the vehicle for? We were going to fix it. We Fixed it up to sell it and use it until we could sell it." Here is what she said her intint was going / suppose to happen"

H) Page 8 lines 11-13: "But he was -- he was occupying -- he was using the vehicle. But I (Tonja Flythe) did not know that." So here my mother says she never knew I was using the vehicle. ~~Also~~ Also she shows intint that was known to her about me using the vehicle at all"

I) Page 8 lines 20-22: "you agree that he ^(me) ~~was~~ David Green) was using the vehicle on the day in question? NO." Here again she didn't even know I was using the truck (Ford F-350) so ~~the~~ again she didn't I had the vehicle and on line 24 she says again that I (Tonja Flythe) did not agree to that. She didn't know I (David Green) was driving the vehicle at all"

J) Page 9 lines 1-~~3~~³: "As Far as you (Tonja Flythe) knew, he was using the vehicle on that day. Until I ~~got~~ (Tonja Flythe) got the call that he was in jail, I ~~did not~~ (Tonja Flythe) did not know he had the vehicle" again she (Tonja Flythe) tells the Judge she didn't know I had the vehicle after a repeated amount of times being asked the same question in a different way"

K) Page 10 lines 2-5: "So you've (Tonja Flythe) telling me that you didn't know that this vehicle -- that your son ~~is~~ (David Green) was using this vehicle on that day? No" once again ~~is~~ the Judge ask ~~is~~ my mother (Tonja Flythe) about if she knew I had her truck. How many times does she have to tell ~~her~~ the Judge she didn't know I had her vehicle."

L) Page 10 lines 6-8: "And you ~~is~~ (Tonja Flythe) only found that out when He (David Green) got locked-up. And we (Tonja ~~at~~ Davon Flythe) looked

for him (David Green). And we found out that he was in jail in this county." here she states when she knew that I (David Green) had had her vehicle and that was when I was in Greenville Co. detention center. So she still did says she didn't know until I was already arrested

m) Page 11 lines 8-10: who was the proprietors in the business you (Tonja Flythe) and who else. Him (David Green)." How does the Judge know we (David Green ~~to~~ Tonja Flythe) know what proprietors mean. I still don't know what it means"

n) Page 12 lines 18-19: But I'm (Tonja Flythe) the registered owner of the truck" Here she (Tonja Flythe) states that the truck isn't registered under my (David Green) business name, but under her own name therefore it's not legally tie to my business."

o) Page 14 lines 7-8: He (David Green) had just got out of jail for a nine-year stretch." This is wrong because I had been ~~set~~ sitting in G.C.D.C. (County Jail) for over a year (7-11-17 to 7-19-18 date of court case). I ~~was~~ had been released from jail ~~5~~ May 20-13 so therefore between May 2013 and ~~8~~ July 2017 I had been working selling cars. That's not a 9 year stretch from ²⁰13 to ²⁰17"

p) ~~Page~~ Page 14 lines 10-12: So I (solicitor) think all of this combined ~~that~~ together would put her (Tonja Flythe) on notice that that's what this car was used for, driving to Atlanta and back to Maryland " ~~we~~ well what does 9 years ago got to do with someone knowing about what was going to happen 9 years later (well really 8 years later). If the truck was brought in June 2017 (this is only one month the

was brought). There is no way someone would know ~~in~~ before hand (9 years was said) that they would own a Ford F-350 and that ~~the~~^{the} son would take ~~the~~ vehicle to go to Atlanta and back to Maryland".

Q) Page 14 lines 18-19: How would I (Tonja Flythe) know what my grown son is doing in his private life. " She let's the court know that she didn't know what I was going to drive her vehicle. She also says in his private life which seperates presonal life and the business which she ~~was~~^{thought} was going to be done."

B) Page 14 lines 20-21: You (Tonja Flythe) had no -- no knowledge of this involvement? No " here once again she states that she had no idea what (supposioly) ~~happen~~^{happened} in her vehicle"

S) Page 15 lines 15-18: So, I (Tonja Flythe) didn't know when they (David Green ~~to~~ Davon Flythe) ~~is~~ was leaving. When I (Tonja Flythe) found out any thing is when she searched for my son (David Green). And I (Tonja Flythe) found out he (David Green) was in Greenville's detention center. " She says/tells the Judge she did know ~~that~~^{at} I and brother left (knew no date). She knew nothing until I was in G.C.D.C."

T) Page 15 lines 22-25: As far as them saying that they didn't know that this was her (Tonja Flythe) vehicle he knew (Solicitor Gregory) it -- he ran the tag and registration and it came back to my mother " he I let the judge know they knew the vehicle was my mother from the start."

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u) Page 16 lines 1-3: My truck wasn't ready, I couldn't take my ^{car} ~~truck~~, so I ~~went away for my birthday~~ took the truck and left with that." Here shows that my plans was never to drive my mothers truck, because I was going to drive my own vehicle. So I (David Green) couldn't have made plans to drive my mother's vehicle. Therefore how would she (Tonja Flythe) have known that I (supposedly) was/it being known the vehicle is use to drive back and forth to Atlanta and Maryland (which this was the believe to been going on said Solicitor Gregory). The statement shows the truck wasn't going /supposed to be used to drive out of state (also stated on page 15 lines 6-9 buy them from them - In state or out of state - In state) So therefore me driving the vehicle out of state was out of the scope of the use of the truck and her not knowing I had the truck at all ^{makes} ~~she~~ her a innocent owner."

v) Page 16 lines 11, 12, 13, and ¹⁵⁻¹⁶ 15: She (Tonja Flythe) had already talk to them - She called the sheriff's department - Because they was putting in for ^{seizure} ~~the~~ of the truck." This let's the court know before hand that ~~she~~ they knew ~~who~~ the truck belong to before Solicitor's office had filed any forfeiture/seizure papers. This was before September 2017 more like August 2017. I also wrote Solicitor Gregory way before January 2018 that the vehicle wasn't mine. My mother contacted him also in which he asked her to sent him a copy of the title of the truck which she did and that was done before January 2017 (which was month before he (Solicitor Gregory) decided do the second amendment. See the complaint ¹ was first file ^{with} court clerk's office on 8-25-17. Then a the amended summons and the amended complaint was filed on 3-26-18. Then the second amended complaint was filed on 4-12-18. The amended summons and a amended complaint all had my mother's name on the ~~the~~ motions filed. These ~~these~~ dates were before the date of 5-16-18 that ~~the~~ Solicitor Gregory said that he recieved the letter

From my mother. I received the first complaint in ~~9~~⁹-~~11~~¹¹-2017 and related the complaint to my mother which contacted him right after that (a week the longest which means he at least knew the vehicle was hers (my mother Tonja Flythe) by the month of November. This means he (Solicitor) knew for at least 7 months before he received a letter from my mother and 4 months before the amended complaint ~~is~~^{the} ~~summon~~^{summon} was filed. The time frame started 7-11-17 to first ~~complaint~~^{complaint} 8-25-17 (1 1/2 months). Then it took him 7 months to fix the complaint and another month for the second amendment that 8 months."

w) Page 17 lines 2-3: "I have paperwork right here showing that they have it from the tow yard." Here I (David Green) had evidence that showed they knew the vehicle wasn't mine but the Judge (Alex Kinlaw) never even asked to see it."

x) Page 17 lines 6-7: "I am David Green. And I opened up -- (the business) so I am the only one whose name is on my vehicle tags, paperwork, etc. I am a lone owner in my business with no one else but as I said on page 17 lines 10-11 I state that I took ~~her~~^{her} in (Tonja Flythe) because she's short on money (which goes to show she's not apart of my business but I was helping my mother out in the business which made me and her partners"

y) Page 17 lines 12-13: "I was already buying and selling cars." This lets the court know that my business was going on before ~~she~~^{she} my mother ever came to Maryland (some 3 months or 4 months before). She (Tonja Flythe) had been living in ~~Hardyville~~^{Hardyville}, South Carolina and Charleston, South Carolina for over 10 years and ~~had~~^{had} just moved to Maryland those 3 or 4 months before. So there are /is no way she was ~~is~~^{is} part of my own business on paper but instead as some one who needed help as to moving and get stable in the move.

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

COUNTY OF GREENVILLE)

2017-CP-23-5529

State of South Carolina *ex rel.*,
W. Walter Wilkins, Solicitor, Thirteenth
Judicial Circuit,
Plaintiff,

SECOND AMENDED SUMMONS
(Non-Jury Trial Demanded)

vs.
2006 Ford F350
(VIN - 1FTWW31P86ED61140)
Defendant Property and

David Green, and
Tonja Mechelle Flythe-Harkless
Interested Parties

2018 APR 16 PM 5:06

GREENVILLE COUNTY
SHERIFF'S OFFICE
CIVIL DIVISION

YOU ARE HEREBY SUMMONED and required to answer the Complaint in the above entitled action, a copy of which is herewith served upon you (and which has been filed in the Office of the Clerk of Court) and to serve a copy of your Answer upon the subscribers, at their offices located at the Thirteenth Circuit Solicitor's Office, 305 East North Street, Suite 325, Greenville, South Carolina 29601, within thirty (30) days after the date of such service, exclusive of the day of service, and if you fail to answer the said Complaint within that time, judgment by default will be rendered against you for the relief demanded in the Complaint.

s/ Jonathan M. Gregory
SC Bar # (#73601)
13th Circuit Solicitor's Office
305 East North Street, Suite 325
Greenville, SC 29601
(864) 467-8647
jgregory@greenvillecounty.org
Attorney for Plaintiff

Greenville, SC
April 12, 2018

Exhibits #3

#1

User Print: 11 July, 2017 19:42:59 for Mary Seger — Time

1-17-1226661

Reply ID: 10818839 Date Received: 7/11/2017 19:38:44

GVLSO202.NLETSWS 163E00F35C

020E5D20170711 19:42:56

~~032E0520170711 19:42:56~~

RR.MD002015V

16:43 07/11/2017 36261

16:43 07/11/2017 14690 SC02300A2

*163E00F35C

TXT

QUERY FORMAT: LIC/4CX9088

LIC.NO. STICKER EXPIRE KEY TITLE V.I.N. YR MAKE ST EXCEPT

4CX9088 1401957 06/17 EPO 49259928 1FTWW31P86ED61140 06 FORD TK N/A

MOPED/SCOOTER/ORV DECAL:

GR.WGT: 07000 REG.FEE: \$63.75 SUB:NO FR:

GR.COMB.WGT: 00N/A RUSH: 5 VANITY: FLAG:NO SDX.FLAG:NO

INS.CO: USAA GENERAL INDEMNITY CO POLICY#: 03716082207104

PREV. PREV. * V E H I C L E * I N S P E C T I O N

KEY LIC. * EXPIRE DATE STATUS * DATE STATUS

E

OWNER OLN

F-436-799-599-440 SUS.REV: NO PRIVACY: YES CDL.DISQ: NO

NAME: TONJA MECHELLE FLYTHE-HARKLESS RACE: 1-BLACK SEX: F

ADDR: 7 SYCAMORE ST APT 2 HGT: 5'06" WGT: 210 DOB: 06/12/61

CITY: WESTMINSTER COUNTY: CAR ST: MD ZIP: 21157

TITLE-FLG/NONE

SERIAL-FLG/NONE.

↑

here in Deputy Cannon's report
show dispatch says owner is My Mother

S/IPB 07/24/2017

2017 JUL 13 PM 12: 25

Exhibits #1

Exhibits # 2



GREENVILLE COUNTY SHERIFF'S OFFICE Vehicle Impoundment and Inventory Record

INCIDENT TYPE - OFFENSE CLASS POSSESSION COCAINE / MARIJUANA				CASE NUMBER 1826 17-122661		DATE 7/11/17			
LOCATION VEHICLE TOWED FROM 85 NORTH O MAULDIN RD. 29605									
VEHICLE MAKE FORD		MODEL F-350		YEAR 2006		COLOR WHITE			
LICENSE PLATE NUMBER 4CX9088		STATE MD		TAG YR 18		SPECIAL CHARACTERISTICS OF VEHICLE (ACCESSORIES, DAMAGE, UNUSUAL LIGHTING, ANTENNAS, ETC.) TRUCK 1FTWW31P86ED61140			
REGISTERED OWNER TONIA MECHELE FLYTHE-HARKNESS			OWNER'S ADDRESS APT 2 7 SYCAMORE ST WESTMINSTER MD 21157			CITY WESTMINSTER			
OPERATOR DAVID GREEN JR			OPERATOR'S ADDRESS 4957 EDGE MERE AVE BALTIMORE MD 21215			CITY BALTIMORE			
LIEN HOLDER - NO LIEN -									
OPERATOR INCARCERATED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>				CHARGES				TICKET NUMBER(S)	
TOWING SERVICE HALES			IMPOUNDMENT LOCATION SERVICE CENTER			OWNER NOTIFIED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
IMPOUNDING OFFICER AL CANNON			CASE OFFICER AL CANNON			HOLD FOR AND REASON SEIZED			
VEHICLE INVENTORY (SECURE ALL VALUABLES)									
SPECIAL MECHANICAL ACCESSORIES (GAUGES, PARTS) Factory									
ELECTRONIC EQUIPMENT (RADIOS, TAPE PLAYERS, SPEAKERS, TV, ETC.)									
SPECIAL WHEELS, WHEEL COVERS, SPARE TIRE <i>Should have had Saddle lite rads and move projector</i>									
FIREARMS (RIFLES, PISTOLS, SHOTGUNS, AMMUNITION) <i>Should have had special rims not factor</i>									
TOOLS, CLOTHING, OTHER ITEMS MISC CLOTHES, MISC TOOLS									
ITEMS SEIZED / IMPOUNDED (SUPPLEMENTAL REPORT ATTACHED) YES <input type="checkbox"/> NO <input type="checkbox"/>									
TOW TRUCK OPERATOR (PRINT NAME) Chuck McCoig				TOW TRUCK OPERATOR'S SIGNATURE <i>Chuck McCoig</i>					
VEHICLES SUBJECT TO FORFEITURE									
MILEAGE		VALUE		OTHER					
RETURNED TO OWNER ----- DATE				CONSENT FORFEITURE: ----- DATE:					
COURT FORFEITURE ----- DATE				OPERATIONAL USE ----- DATE:					
DEACTIVATED ----- DATE				TO BE AUCTIONED: ----- DATE:					

S/IPB 87/24/2017

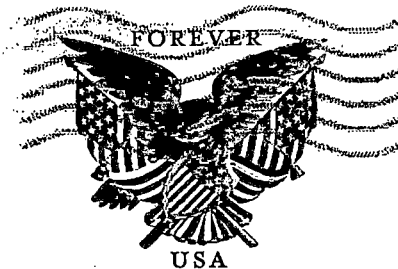
JUL 24 2017

David Green # 300 923-0355

Greenville County Detention Center
20 McGee Street
Greenville SC 29601

GREENVILLE SC 296

FEB 20 2019 PM 2 1



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To: Jenny Abbott Kitchings, Clerk of Court

P.O. Box 11629

Columbia, S.C. 29211

29211-162929

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David Green # 300923-0355

Greenville County Detention Center
20 McGee Street
Greenville SC 29601

GREENVILLE SC 295

04 FEB 2019 PM 11



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