

**RECORD ON APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

G. Thomas Cooper, Circuit Court Judge

Case No. 2013-001072

**RECEIVED**

OCT 15 2013

**SC Court of Appeals**

City of Columbia,

Respondent,

v.

William K. Wilson,

Appellant.

RECORD ON APPEAL

William K. Wilson  
7106 Sunview Circle  
Columbia, South Carolina 29209  
(803) 776-5594  
Appellant

David Amado Fernandez, Esquire  
Office of the City Attorney  
Post Office Box 667  
Columbia, South Carolina 29202  
Attorney for Respondent

## INDEX

### Appellant's Exhibits

Transcript of trial .....	1
Transcript of Circuit Court Appeal.....	10
Order of Circuit Court.....	19
Description of Collision .....	20
Photo of where one lane ends .....	21
Description vehicle damage .....	22
Description of debris .....	23
Traffic ticket and officer's collision report .....	25

Transcript of trail

STATE OF SOUTH CAROLINA	)	IN THE COLUMBIA MUNICIPAL COURT
COUNTY OF RICHLAND	)	
CITY OF COLUMBIA,	)	
VS.	)	TRANSCRIPT OF RECORD
WILLIAM WILSON,	)	Ticket No.: 27201GA
DEFENDANT.	)	

BENCH TRIAL HELD BEFORE THE HONORABLE MICHELLE BURLEY,  
PRESIDING JUDGE IN THE COLUMBIA MUNICIPAL COURT, COLUMBIA, SOUTH  
CAROLINA, ON SEPTEMBER 03, 2013.

APPEARANCES:

OFFICER (UNIDENTIFIED)  
APPEARING FOR THE CITY

DEFENDANT APPEARING PRO SE

TRANSCRIBED BY:  
NANCY S. AHRENS

1           COURT CLERK: YOUR HONOR, IF WE CAN WRITE IN JENIGA, LAST  
2 NAME WILSON, FIRST NAME WILLIAM, TOO FAST FOR CONDITIONS.

3           DEFENDANT WILSON: IM HERE.

4           COURT CLERK: COME FORWARD, PLEASE

5           THE COURT: THIS IS AN ACCIDENT CASE?

6           UNIDENTIFIED OFFICER: YES, MA'AM.

7           THE COURT: ARE THERE ANY WITNESSES HERE IN AN ACCIDENT  
8 AGAINST WILLIAM WILSON?

9           UNIDENTIFIED OFFICER: ANTHONY LOGAN.

10          THE COURT: ANTHONY LOGAN, COME FORWARD.

11          DEFENDANT WILSON: IS OFFICER RIVERS GOING TO BE THERE?

12          COURT CLERK: OH, WAIT A MINUTE - IT'S UNDER RIVERS, IT'S ON  
13 THE PAGE BEFORE YOUR HONOR. IT'S BEEN VOIDED BUT WE CAN JUST WRITE IT  
14 IN. SIR, YOU HAVE BEEN CHARGED WITH 'TOO FAST' FOR CONDITIONS. HOW DO  
15 YOU PLEAD?

16          DEFENDANT WILSON: NOT GUILTY.

17          COURT CLERK: RAISE YOUR RIGHT HANDS, PLEASE

18          (OFFICER, WITNESS AND DEFENDANT ARE DULY SWORN BY THE  
19 COURT)

20          THE COURT: THANK YOU, OFFICER.

21          UNIDENTIFIED OFFICER: YOUR HONOR, I WAS DISPATCHED IN  
22 REFERENCE TO AN ACCIDENT AT HAZELWOOD AND GARNERS BERRY ROAD ON  
23 JUNE 22<sup>ND</sup>, 2012, IN THE CITY OF COLUMBIA. I MADE CONTACT WITH MR. WILSON  
24 AND MR. LOGAN. MR. LOGAN WAS MAKING A RIGHT-HAND TURN INTO THE  
25 PARKING LOT OF THE - I BELIEVE IT WAS THE HARDEN'S - OH, THE BELONGERS -

1 TO GET SOMETHING TO EAT WHEN MR. WILSON HIT HIM ALONG THE BACK END  
2 OF THE VEHICLE FOR HIS TESTIMONY.

3 THE COURT: MR. LOGAN? ARE YOU, MR. LOGAN?

4 MR. LOGAN: YES, MA'AM.

5 THE COURT: TELL ME YOUR FIRST NAME, MR. LOGAN?

6 MR. LOGAN: ANTHONY.

7 THE COURT: MR. LOGAN, IS THERE ANYTHING YOU WERE  
8 DRIVING THE VEHICLE?

9 MR. LOGAN: YES, MA'AM.

10 THE COURT: IS THERE ANYTHING YOU'D LIKE TO ADD TO THIS?

11 (INAUDIBLE)

12 THE COURT: YOU DON'T HAVE TO YOU ARE A WITNESS. SINCE  
13 HE HIT YOUR CAR, IS THERE ANYTHING YOU WANT TO SAY?

14 MR. LOGAN: I WAS DOING WHAT I WAS SUPPOSED TO DO AS I  
15 DRIVE EVERYDAY.

16 THE COURT: MR. WILSON?

17 DEFENDANT WILSON: WELL, FIRST I'D LIKE TO KNOW WHAT THE  
18 CHARGE IS BECAUSE WHEN OFFICER ROBINSON EXPLAINED THE CHARGE TO ME  
19 SHE EXPLAINED THAT I WAS FOLLOWING TOO CLOSE BUT THE TICKET I WAS  
20 GIVEN THE OFFENSE CODE IS 6- WHICH I HAVE RESEARCHED AND APPEARS TO BE  
21 A RECKLESS DRIVING CHARGE OF DRIVING TWENTY-FIVE MILES AN HOUR  
22 ABOVE SPEED LIMIT WITH A POINT VIOLATION OF SIX WHEN I WENT DOWN TO  
23 THE POLICE STATION AND GOT A COPY OF THE TRAFFIC REPORT, IT SAYS I WAS  
24 DRIVING THIRTY MILES AN HOUR IN A THIRTY-FIVE MILE AN HOUR SPEED ZONE  
25 AND IT IS CODED 23 WHICH I THINK IS EXCEEDING THE STATE LIMIT BY TEN

3 MILLS AN HOUR. IT'S A TWO-POINT VIOLATION. SO I'D LIKE TO KNOW WHAT  
4 THE VIOLATION REALLY IS

5 UNIDENTIFIED OFFICER: IT'S TOO FAST FOR CONDITIONS.

6 DEFENDANT WILSON: WHICH ONE?

7 UNIDENTIFIED OFFICER: WHICH CONSTITUTES YOU WERE GOING  
8 TOO --

9 DEFENDANT WILSON: I MEAN ONE OF THEM SAYS ONE THING  
10 AND

11 THE COURT: SIR, LET HER EXPLAIN IT TO YOU.

12 DEFENDANT WILSON: ALL RIGHT. I'M WAITING.

13 UNIDENTIFIED OFFICER: WHICH CONSTITUTES THAT YOU WERE  
14 GOING TOO FAST FOR THAT AREA AT THAT TIME.

15 DEFENDANT WILSON: WHICH ONE? 64 OR 21? WHICH VIOLATION?

16 UNIDENTIFIED OFFICER: SIR, IT'S 56 5-1520. THE STATUTE UNDER  
17 TOO FAST FOR CONDITIONS IS THAT YOU WERE GOING TOO FAST AT THAT TIME  
18 IN THAT AREA PERTAINING TO YOU DID NOT HAVE ENOUGH TIME TO MAKE THE  
19 STOP IN WHICH HE MADE A RIGHT-HAND TURN.

20 DEFENDANT WILSON: WHICH CODE IS IT? 64 OR 21?

21 UNIDENTIFIED MALE: CAN I INTERRUPT YOUR HONOR?

22 THE COURT: ABSOLUTELY. PLEASE DO.

23 UNIDENTIFIED MALE: HE'S REFERRING TO THE OFFENSE FOUND  
24 ON THE BOTTOM RIGHT-HAND SIDE OF THIS FORM. CONDITIONS FOR THE TOO  
25 FAST CONDITIONS IS ACTUALLY OFFICE CODE 21 WHICH JUSTIFIES THE POINT  
VIOLATION AND I BELIEVE THAT WAS POSSIBLY JUST A CLERICAL ERROR. SOME  
HAS 21 ON THEIRS. APPARENTLY IT WAS JUST (INAUDIBLE).

1           THE COURT: MR. WILSON, IS IT NOT TRUE THAT YOU RAN INTO  
2 THE BACK OF MR. LOGAN'S CAR?

3           DEFENDANT WILSON: NO, I DIDN'T RUN INTO THE BACK OF HIS  
4 CAR.

5           THE COURT: WHAT HAPPENED?

6           DEFENDANT WILSON: WHAT HAPPENED IS THERE'S A TRANSITION  
7 AREA AND I'VE GOT PICTURES OF A LOT OF IT. I'LL BE GLAD TO PASS IT UP TO  
8 YOU.

9           THE COURT: EXPLAIN TO ME WHAT YOU ARE TALKING ABOUT?

10           DEFENDANT WILSON: THERE IS A TRANSITION AREA. THERE WERE  
11 THE HIGHWAY DEPARTMENT HAS WIDENED THE AREA FROM ONE LANE TO  
12 THREE LANES. AND STATE LAW SAYS THAT WHEN YOU ARE PREPARING TO  
13 MAKE A RIGHT TURN. AND I'VE GOT THOSE LAWS QUOTED HERE. YOU ARE  
14 SUPPOSED TO MOVE YOUR VEHICLE AS FAR RIGHT AS POSSIBLE IN PREPARATION  
15 FOR A RIGHT TURN. AND I MOVED MY VEHICLE TO THE RIGHT. HIS VEHICLE  
16 STAYED ON THE CENTER LANE. I WAS WELL BEHIND HIM WHEN HE DECIDED  
17 THAT HE WANTED TO TURN IN. HE TURNED IN AND I STARTED TRYING TO STOP  
18 AND I HIT OR HE HIT ME. HE HIT THE FRONT OF MY VEHICLE WITH THE SIDE OF  
19 HIS VEHICLE. HE WAS PERPENDICULAR TO ME. I'VE GOT PICTURES OF THE  
20 DEBRIS IN THE STREET WHERE THE ACCIDENT HAPPENED AND WHERE HE CAME  
21 TO A STOP SHOWING THE DIRECTION OF HIS VEHICLE, WHERE THE IMPACT WAS  
22 AND WHERE HIS VEHICLE CAME TO A STOP. I TOLD ALL THIS TO OFFICER  
23 RYKES. OFFICER RYKES WOULDN'T EVEN TALK TO ME. THEY NEVER  
24 INTERVIEWED ME. AND AFTER THE INTERVIEW WAS OVER, WHEN OFFICER  
25 ROBINSON CAME OVER AND HANDED ME THE TICKET SHE ASKED ME DID I

1 UNDERSTAND WHY I WAS BEING CHARGED AND I SAID NO. AND OFFICER RIVERS  
2 CHIMED IN AND SAID, WELL, ANY TIME YOU HIT SOMEBODY IN THE REAR END  
3 YOU ARE AUTOMATICALLY GUILTY. AND I SAID I DIDN'T HIT ANYBODY IN THE  
4 REAR END. IT WAS AT THAT POINT THAT OFFICER RIVERS WENT OVER AND  
5 STARTED LOOKING AT THE OTHER VEHICLE AND THEY WERE CHATTING. I  
6 DROVE OUT THE PARKING LOT WITH HIM CHATTING. WITH OFFICER RIVERS  
7 CHATTING WITH MR. LOGAN AND LOOKING AT THE SIDE DAMAGE TO THE  
8 VEHICLE. I GOT THE DAMAGE TO THE VEHICLE AND IF YOU CAN LOOK AT THE  
9 DAMAGE TO THAT VEHICLE AND THE MEL HUFF IN THE REAR, I DON'T BELIEVE  
10 YOU CAN DO THAT. THAT VEHICLE WAS NOT HIT IN THE REAR. IT WAS HIT IN  
11 THE SIDE BECAUSE IT WAS PERPENDICULAR. HE WAS IN - WHERE THE ROAD  
12 HAD EXPANDED TO THREE LANES HE DIDN'T MOVE TO THE RIGHT AS SOUTH  
13 CAROLINA LAW REQUIRES. HE THEN DECIDED - HE SAW WHERE HE WANTED TO  
14 TURN AND HE MADE HIS TURN ACROSS IN FRONT OF ME.

15 THE COURT: WHAT PICTURES DO YOU HAVE?

16 DEFENDANT WILSON: NO MORE.

17 THE COURT: WHICH PICTURES DO YOU HAVE?

18 DEFENDANT WILSON: I'LL BE GLAD TO PASS THEM UP.

19 UNIDENTIFIED OFFICER: YOUR HONOR, IT DOES CHANGE INTO  
20 FIVE THREE LANES TO MAKE A RIGHT-HAND TURN, TO MAKE A LEFT-HAND TURN  
21 OR TO GO THE STRAIGHTAWAY. HE HIT PRIOR TO THE LINES CHANGING.

22 DEFENDANT WILSON: THAT'S WHAT THEY KEEP TELLING ME.

23 THE COURT: LET ME SEE YOUR PICTURES.

24 DEFENDANT WILSON: ALL RIGHT. NOW WE ARE GETTING  
25 SOMEWHERE.

1           THE COURT: HAND THEM TO THE OFFICER. HAND THEM TO THE  
2 OFFICER.

3           DEFENDANT WILSON: ONE FOR YOU, ONE FOR THE JUDGE.  
4 THAT'S THE AREA WHERE IT HAPPENED. YOU CAN KEEP ONE, PASS ONE TO HER.

5           UNIDENTIFIED OFFICER: THEY ARE NOT OF THE COLLISION. IT'S  
6 JUST --

7           DEFENDANT WILSON: THAT'S JUST WHERE IT HAPPENED. THAT'S  
8 WHERE IT HAPPENED. AND HERE'S ONE FOR THE DEBRIS LOCATION SHOWING  
9 THE DIRECTION OF HIS CAR. THE DAMAGE TO HIS CAR.

10          THE COURT: OKAY. LET ME ASK YOU A QUESTION.

11          DEFENDANT WILSON: ALL RIGHT.

12          THE COURT: WHERE IS THE ENTRANCE TO THE PARKING LOT?

13          DEFENDANT WILSON: THE ENTRANCE TO THE PARKING LOT IS AT  
14 -- IT WILL BE ON THIS ONE.

15          THE COURT: IS IT RIGHT HERE?

16          DEFENDANT WILSON: IT WILL BE POINTED OUT ON HERE.

17          THE COURT: SHE CAN POINT IT OUT TO ME.

18          DEFENDANT WILSON: ALL RIGHT. THIS ONE RIGHT HERE SHOWS  
19 YOU WHERE --

20          THE COURT: OKAY. MR. WILSON, IT APPEARS IT DID OCCUR PRIOR  
21 TO THE LANES CHANGING TO THREE LANES. I AM GOING TO FIND YOU GUILTY. I  
22 AM GOING TO FINE YOU FIFTY-ONE DOLLARS AND EIGHTY-EIGHT CENTS OR  
23 TWO DAYS. THANK YOU.

24          DEFENDANT WILSON: CAN I SUBMIT THIS ONE THING RIGHT HERE  
25 BEFORE YOU --

1                   THE COURT: WHAT'S THAT, SIR?

2                   UNIDENTIFIED OFFICER: THAT'S STILL APPLICABLE TO THE LANE  
3 CHANGING.

4                   DEFENDANT WILSON: SOUTH CAROLINA, THE LAW DOES NOT  
5 SAY ANYTHING ABOUT LANE CHANGING. YOU DON'T HAVE TO WAIT UNTIL THE  
6 LANE...

7                   THE COURT: I'VE MADE MY RULING. IT OCCURRED BEFORE THE  
8 LANES CHANGED TO THREE LANES. YOU COLLIDED WITH MR. LOGAN'S CAR. I  
9 FIND YOU GUILTY. I FINE YOU EIGHTY-ONE EIGHTY-EIGHT OR YOU CAN SPEND  
12 TWO DAYS IN JAIL.

11                  DEFENDANT WILSON: GRAY. I ASSUME I CAN APPEAL THAT SINCE  
12 IT'S A RULING ON THE LAW, THAT LAW IS ON SOUTH CAROLINA -- YOU'VE  
13 INTERPRETTED SOUTH CAROLINA SECTION 16-3-01 THAT I CAN'T MOVE TO THE  
14 RIGHT --

15                  THE COURT: I CANNOT GIVE YOU DAYS IN JAIL BUT I AM GOING  
16 TO FINE YOU EIGHTY-ONE EIGHTY-EIGHT FOR TOO FAST FOR CONDITIONS.

17                  DEFENDANT WILSON: SO YOU ARE INTERPRETING --

18                  THE COURT: YOU CAN APPEAL IF YOU LIKE, SIR.

19                  DEFENDANT WILSON: YES

20                  THE COURT: YOU CAN APPEAL IF IF YOU LIKE. THANK YOU VERY  
21 MUCH

22

23                   (ADJOURNED)

24

25

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

) IN THE MUNICIPAL COURT FOR  
) THE CITY OF COLUMBIA  
)

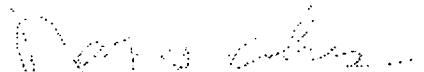
CITY OF COLUMBIA,  
VS  
WILLIAM WILSON,  
DEFENDANT

CERTIFICATE

THIS IS TO CERTIFY THAT THE WITHIN BENCH TRIAL, CONSISTING OF SEVEN (7) PAGES, IS A TRUE AND CORRECT TRANSCRIPT OF RECORD FOR THE TRIAL ON SEPTEMBER 20, 2012. SAID TRANSCRIPT BEING PREPARED TO THE BEST OF MY ABILITY FROM A RECORDED DISC PROVIDED TO ME WITHOUT THE BENEFIT OF MY BEING PRESENT AT THE PROCEEDING.

I FURTHER CERTIFY THAT I AM NOT RELATED TO ANY OF THE PARTIES IN THIS MATTER OR THEIR COUNSEL, NOR DO I HAVE ANY INTEREST, FINANCIAL OR OTHERWISE, IN THE OUTCOME OF THE SAME.

IN WITNESS WHEREOF I HAVE HEREINTO SET MY HAND AND SEAL ON THE 20th DAY OF SEPTEMBER, 2012.

  
\_\_\_\_\_  
NANCY S. ADAMS  
NOTARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES: 03-28-19

State of South Carolina

Court of Common Pleas

County of Richland

2012-CP-10-08803

City of Columbia

-VS-

TRANSCRIPT OF RECORD

William K. Wilson

February 8, 2013  
Columbia, South Carolina

B E F O R E:

The Honorable G. Thomas Cooper, Jr., Judge.

A P P E A R A N C E S:

David A. Fernandez, Esquire  
Attorney for the Plaintiff

Pro Se Defendant

Daphne D. Helms  
Circuit Court Reporter

1           **The Court:** William Wilson. All right. There's a  
2 fairly lengthy return in this one. Mr. Wilson, tell me what  
3 the basis for your appeal is.

4           **Mr. Wilson:** My appeal is because I think the case was  
5 decided on the wrong statutes.

6           **The Court:** Okay.

7           **Mr. Wilson:** The officer supplied the judge with the  
8 wrong statute, and the judge just said, "Guilty," and I think  
9 it should have been decided on SS 5 2120 and---

10           **The Court:** SS what?

11           **Mr. Wilson:** S 2120.

12           **The Court:** Let me look at it.

13           **Mr. Wilson:** And I was never given the opportunity to  
14 present that. I had that with me that day, and the officer  
15 just simply said I moved to the right too quick.

16           **The Court:** Okay.

17           **Mr. Wilson:** And the judge said, "Guilty," and I think  
18 the law says you must move to the right.

19           **The Court:** Tell me what happened. Just give me a  
20 little...

21           **Mr. Wilson:** Well, the -- on the street I was on, the  
22 street widens from one lane to three lanes.

23           **The Court:** Okay.

24           **Mr. Wilson:** And when the street widens from one lane to  
25 three lanes, I moved to the right.

1           **The Court:** To get in the right-hand lane?

2           **Mr. Wilson:** In the right-hand lane in preparation for a  
3 right-hand turn. The vehicle in front of me stayed on the  
4 center lane, and then they saw a restaurant they wanted to  
5 turn in to. They made a right-hand turn.

6           **The Court:** Right in front of you?

7           **Mr. Wilson:** Right in front of me.

8           **The Court:** Yeah.

9           **Mr. Wilson:** Went in to the restaurant and I tried my  
10 best to stop and I almost stopped, and as they came across in  
11 front of me, there was a very small collision. The officer  
12 came out and wrote me a ticket for driving too fast for  
13 conditions.

14           **The Court:** How about the other car?

15           **Mr. Wilson:** Didn't write them a ticket, didn't look at  
16 the debris in the street, didn't look at anything. The  
17 explanation he gave to me was that they had to start  
18 marking -- there were three -- the lines for three lanes at  
19 that point.

20           **The Court:** Right.

21           **Mr. Wilson:** I don't think that has anything to do with  
22 it because the statute says in your preparation for a turn,  
23 you must move as far to the right as possible, which that  
24 vehicle didn't do, and I had already done that.

25           **The Court:** All right.

1           **The Court:** To get in the right-hand lane?

2           **Mr. Wilson:** In the right hand lane in preparation for a  
3 right-hand turn. The vehicle in front of me stayed on the  
4 center lane, and then they saw a restaurant they wanted to  
5 turn to go. They made a right hand turn.

6           **The Court:** Right in front of you?

7           **Mr. Wilson:** Right in front of me.

8           **The Court:** Yeah.

9           **Mr. Wilson:** Went to go the restaurant and I tried my  
10 best to stop and I almost stopped, and as they came across in  
11 front of me, there was a very small collision. The officer  
12 came out and wrote me a ticket for driving too fast for  
13 conditions.

14           **The Court:** How about the other car?

15           **Mr. Wilson:** Didn't write them a ticket, didn't look at  
16 the debris in the street, didn't look at anything. The  
17 explanation he gave to me was that they had to start  
18 marking -- there were three -- the lines for three lanes at  
19 that point.

20           **The Court:** Right.

21           **Mr. Wilson:** I don't think that has anything to do with  
22 it because the statute says in your preparation for a turn,  
23 you must move as far to the right as possible, which that  
24 vehicle didn't do, and I had already done that.

25           **The Court:** All right.

1 Mr. Wilson: Wouldn't be any purpose for widening the  
2 street for a right turn if you weren't going to move to the  
3 right.

4 The Court: Give me that code section you cite again.

5 Mr. Wilson: 58-5-2120. I can hand it---

6 The Court: 2120. All right. No, I just didn't hear  
7 you properly. I got it. Okay. And you were -- you didn't  
8 have a jury trial. You had a bench trial in front of Judge  
9 Hurley?

10 Mr. Wilson: That's right.

11 The Court: Okay.

12 Mr. Wilson: And on page two of the report it says,  
13 "Estimated speed: 30 miles an hour." The speed limit was  
14 35. It doesn't say I was speeding, but I was charged with  
15 too fast for conditions because I had moved to the right, and  
16 that's a maneuver---

17 The Court: Did you give a signal?

18 Mr. Wilson: I hadn't got to where I was going to turn  
19 yet because I was going to turn a block down the street.  
20 That person was the one making the turn. They were turning  
21 in to a restaurant.

22 The Court: All right. Mr. Fernandez?

23 Mr. Fernandez: Thank you, Your Honor.

24 The Court: You can have a seat, Mr. Wilson.

25 Mr. Fernandez: I'd like to begin by pointing out to the

1 Court that the grounds for appeal are essentially what Mr.  
2 Wilson has argued here today, that they were not preserved at  
3 the trial below. Never once did he mention 56-8-2129, the  
4 statute. Now, I know I heard him say that he didn't have an  
5 opportunity to bring it up, but if Your Honor will review the  
6 record, it would clearly show that Mr. Wilson had actually  
7 quite a bit of testimony to provide to the Court, multiple  
8 oaths worth, and certainly had every opportunity to raise  
9 anything he wanted to do the judge. At no point did the  
10 judge cut him off or tell him he needed to hurry up.

11 It appears to have been, as far as bench trials go,  
12 relatively long. There were pictures that were shown to the  
13 judge, and there was some back-and-forth between the officer  
14 and Mr. Wilson about where exactly the accident occurred.  
15 The officer elected to cite Mr. Wilson for too fast for  
16 conditions. It doesn't require a speed or speeding. It  
17 requires that the -- the standard is simply that you were  
18 traveling too fast for conditions present, and the conditions  
19 present would be that there's a car in front of you turning  
20 and he was going too fast to slow down. That's what the  
21 officer determined.

22 There was an independent witness, the victim, who  
23 corroborated what the officer was saying and -- and that's  
24 what the judge was presented with, the factual dispute. The  
25 judge was clearly presented the issue of where the accident

1 took place, whether it occurred in the three-lane separation  
2 area that Mr. Wilson diagnosed or whether it occurred before.  
3 The officer was very clear that it occurred before that with  
4 the pictures that Mr. Wilson claims show that it didn't, but  
5 the judge clearly just didn't believe that.

6 The officer was very clear on page - I'm sorry page 5,  
7 lines 19 through 21, that the accident occurred prior to  
8 where the lanes separate. All of this is a factual dispute.  
9 The judge weighed the evidence, heard from three different  
10 witnesses, and elected to find guilty.

11 The Court: Yes, sir.

12 Mr. Wilson: That's not quite the way it happened, Your  
13 Honor. I was not allowed to finish, and if you go to page 7,  
14 line 11, I was trying -- after the judge had cut me off and  
15 not let me finish, I was trying to tell him that I had the  
16 statute, the correct statute, although they don't give the  
17 full thing on line 13. I wanted to present the correct  
18 statute, and I was not allowed to. She made the ruling based  
19 on what the officer told her what -- that I moved to the  
20 right too quick.

21 The Court: Okay. All right. I tell you what I'm going  
22 to do, Mr. Wilson. I'm going to take your case under  
23 advisement. I'm going to have to read this transcript.

24 Mr. Wilson: All right.

25 The Court: It's rather long. I can't do it right here.

1 Some of these other ones have been very short cases. Yours  
2 is a little bit longer. I'll let you know.

3 Mr. Wilson: Okay. And you have my...

4 The Court: 7108 Sunview Circle?

5 Mr. Wilson: Right, and you have my photos of how it  
6 happened.

7 The Court: Yes, sir, I do.

8 Mr. Wilson: Thank you. I appreciate it.

9 The Court: Yes, sir.

10 Mr. Fernandez: Thank you, Your Honor.

11 (Whereupon, the proceedings were concluded. There were  
12 no exhibits introduced.)

13

14

15

16

17

18

19

20

21

22

23

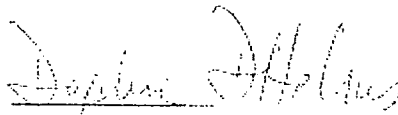
24

25

I, the undersigned Daphne D. Helms, official court reporter for the Fifth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the circuit court for Richland County, South Carolina, on the 8th of February, 2013.

I do further certify that I am neither an attorney, counsel, nor interest to any party hereto.

September 23, 2013



Daphne D. Helms, court reporter


Order of Circuit Court

STATE OF SOUTH CAROLINA	)	IN THE MAGISTRATE'S COURT
COUNTY OF RICHLAND	)	2012-CP-10-06303
	)	
William K. Wilson,	)	
	)	
Appellant,	)	Order Affirming Magistrate's
	)	Judgment and Denying Appellant's
City of Columbia,	)	Appeal
	)	
Respondent.	)	

FILED  
 APR 25 10 36 AM '13  
 J. STEVE N. HARRIS  
 C. P. & C.S.

On February 8, 2013, this Court heard arguments regarding Defendant's Appeal of the City of Columbia Municipal Court finding William K. Wilson's guilty of driving too fast for conditions on June 22, 2012. Present were Appellant William K. Wilson and Defendant City of Columbia. After considering the documents filed with the Court and the argument of counsel *ad pro se* Appellant, the Court denies Appellant's Appeal and affirms the lower court's finding the Defendant guilty based on a factual finding and no error of law.

IT IS SO ORDERED.

  
 C. Thomas Cooper, Jr., Judge  
 Fifth Judicial Circuit

Columbia, South Carolina  
 April 24, 2013

SCANNER

Description of collision and collision site

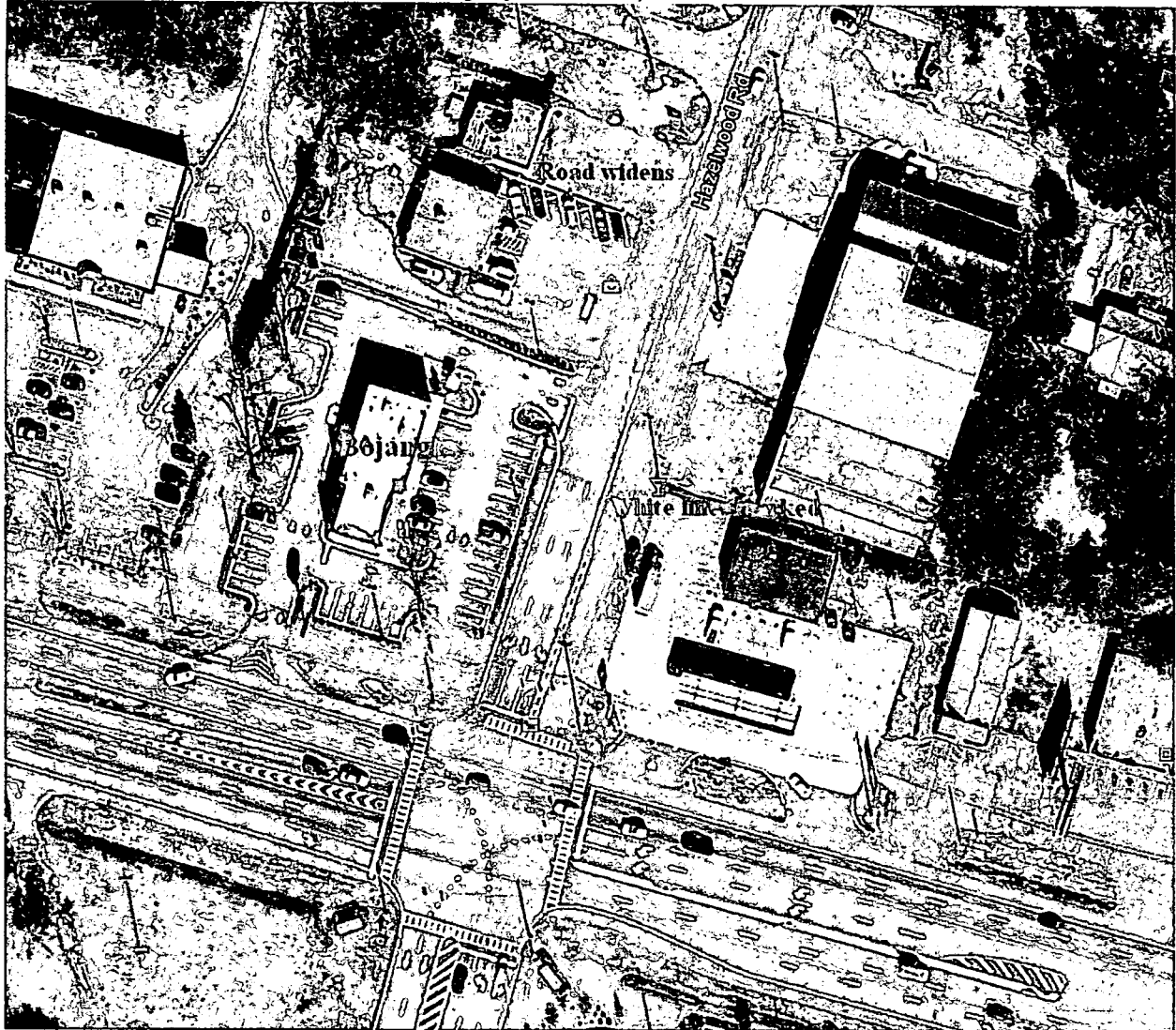
Description of how the collision occurred and the collision site.

The photo below shows the location on Hazelwood Dr. where collision occurred and the lane changes from one lane to three at intersection on Garner's Ferry Road.

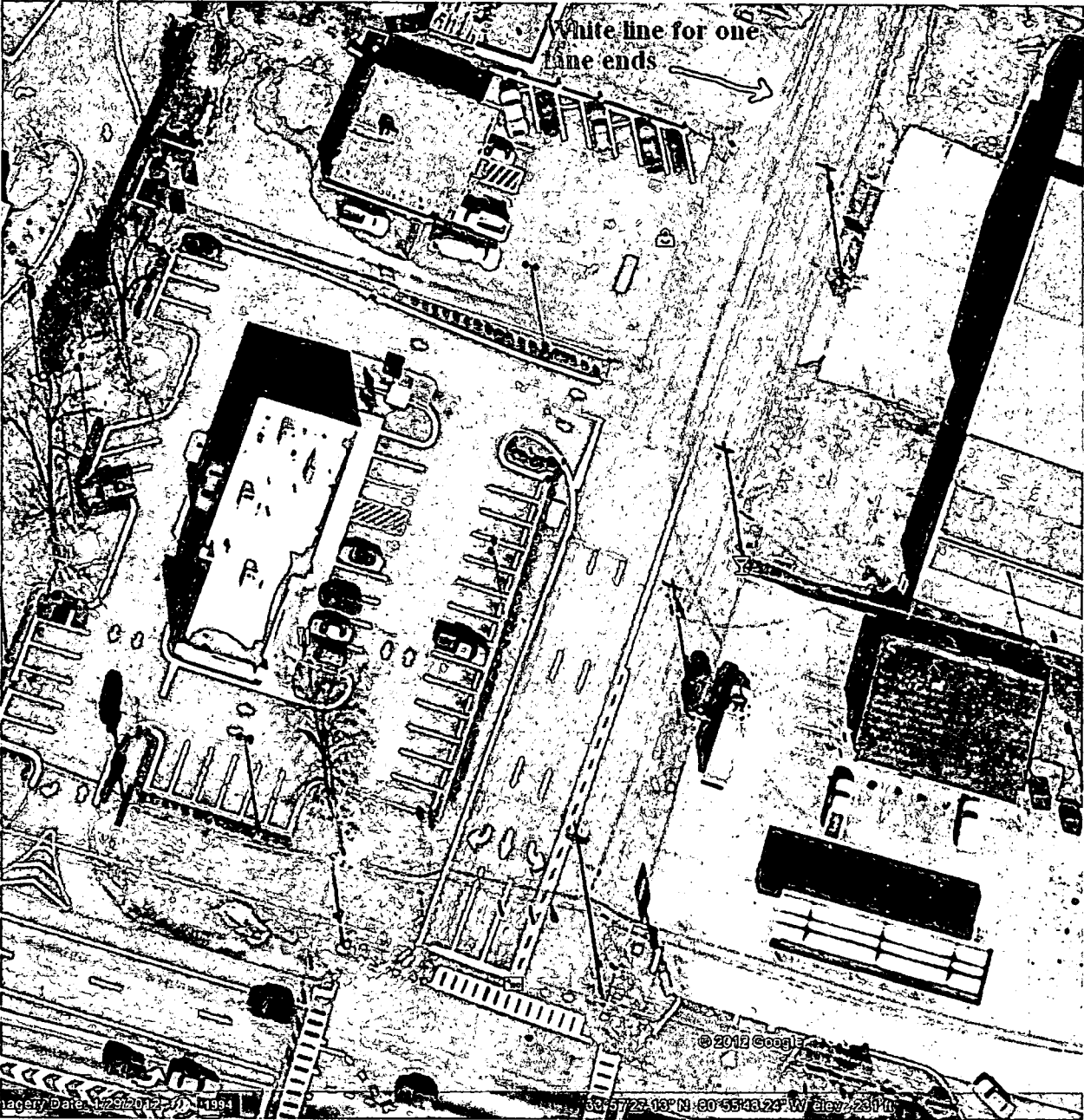
One lane turns right, one lane goes straight across the road and one lane turns left.

There is a short transition area where the road widens from one to three lanes and drivers can select one of the three lanes and prepare to shift into those lanes.

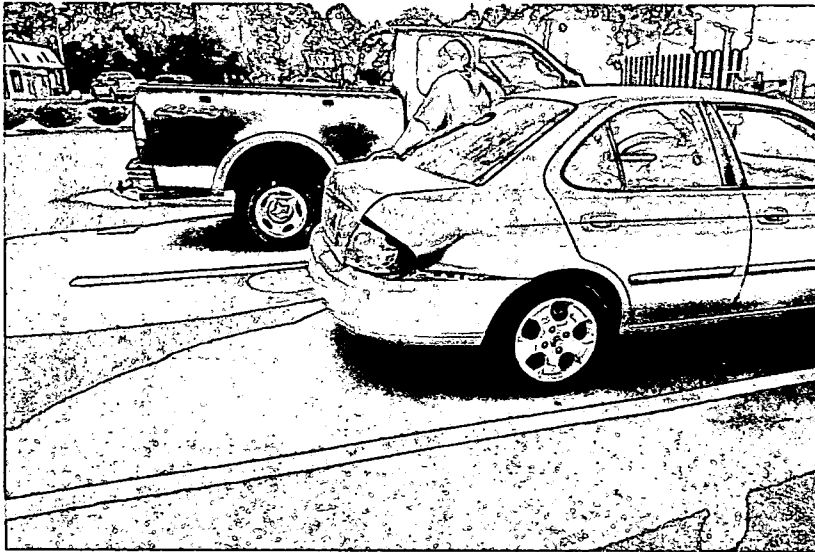
I believe that any right turn must be made from the right lane and *"the approach for the turn should be made as close as practicle to the right-hand curb or edge of the roadway"*.



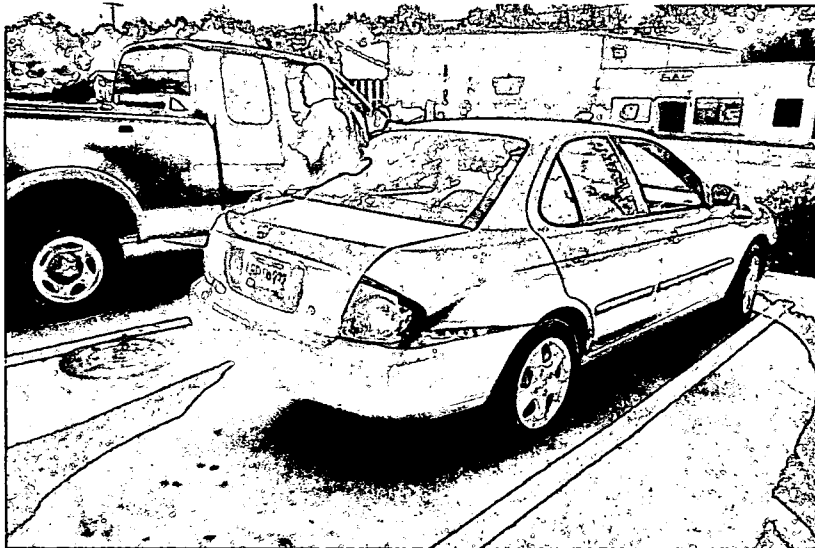
The photo below shows where the white line for one lane stops and you can see where three lanes are marked past the entrance to Bojangles. Once the white line for one lane disappears and the road begins to widen everyone that is going to turn right begins to move to the right in preparation for that turn. It is approximately 105 feet from where the white ends marking one lane to the driveway of the restaurant where the collision occurred.



## Description of Vehicle Damage



Side View (impact)



Rear View (no impact)



No impact on the corner of the bumper.

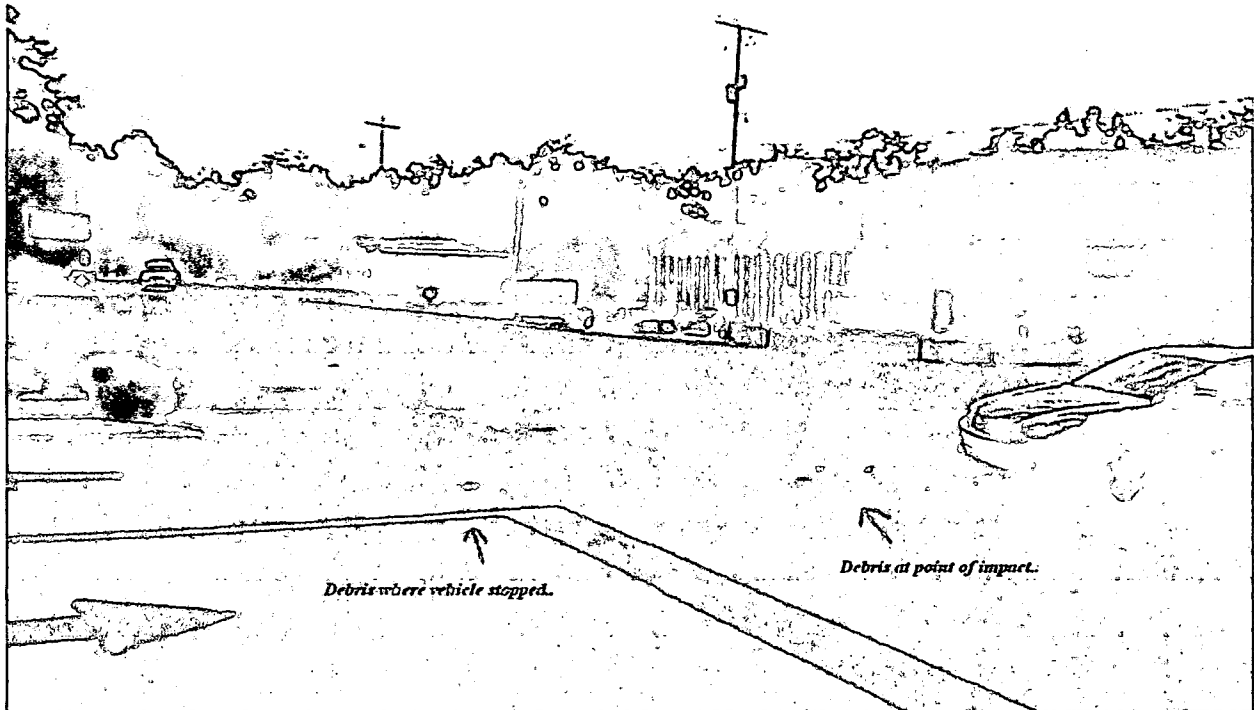
#### Description of debris location

The debris is marked showing the direction vehicle one was moving.

The vehicle in the photo is trying to avoid the debris but is traveling almost the exact same path as the vehicle which left the debris because the debris came from the passenger rear quarter panel.

One pile of debris at the point of impact and one pile of debris where the vehicle stopped and waited for the highway patrolman. The highway patrolman who arrived first moved the vehicles into the restaurant parking lot and Officers did not ask him about the location of the vehicle or look at the scene.

Since the impact was on the passenger side of the vehicle it shows that his vehicle was not going to make the in lane for the restaurant. The driver of the other vehicle in the collision had already missed the entrance lane before trying to make the turn from the center lane.



Notice that the vehicle that is trying to approach the entrance lane from the other direction is trying the passenger side of that vehicle is in about the same position as the passenger side of the vehicle in the accident which left the piles of glass.

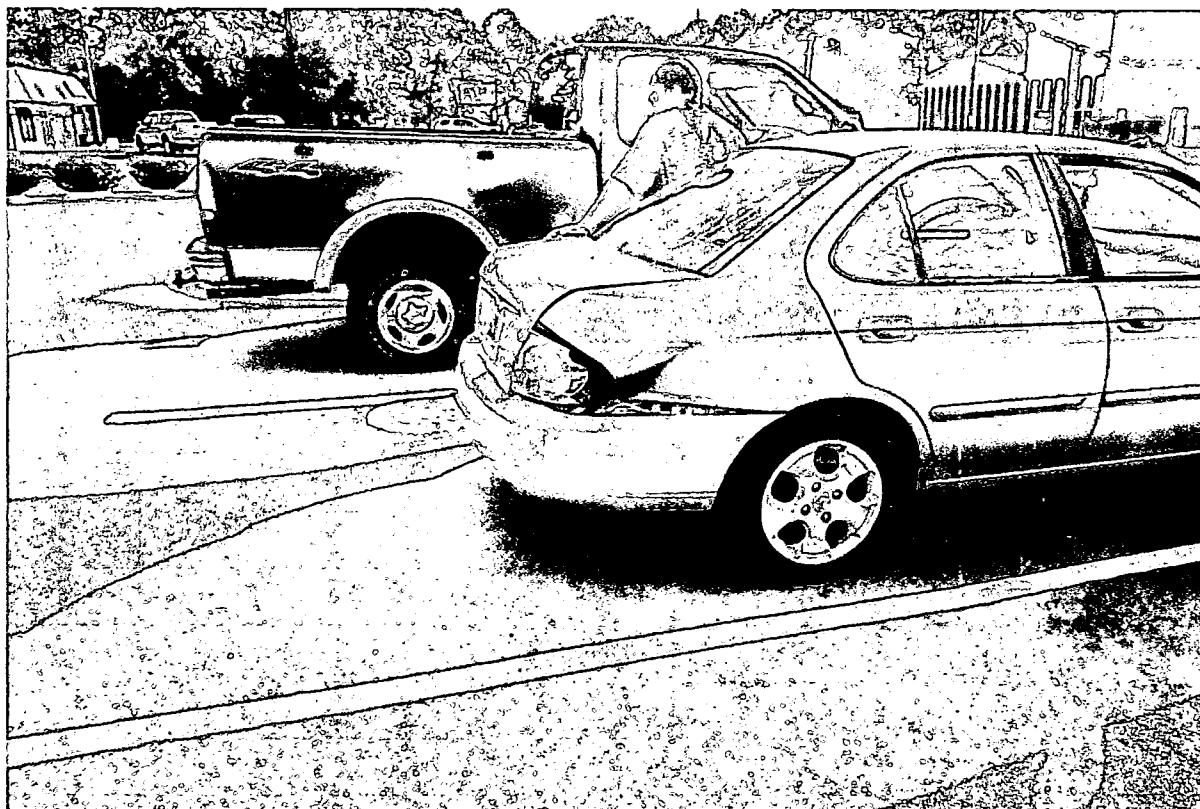
The piles of debris shows that the other driver was driving in the center lane and had missed the entrance to the restaurant and was circling back into the driveway.

I think that the location of the debris clearly shows that the first vehicle was traveling perpendicular two the second vehicle at impact. The second (my vehicle) was traveling straight. The damage to the two vehicles also supports this claim.

I don't think that Officer's drawing on the accident report fairly represents the collision since neither vehicle was at an angle. Vehicle two was going straight and vehicle one was perpendicular to vehicle one at the point of impact.

Remember he was trying to enter the driveway from the top of the picture and was circling back into the driveway.

There is not a lot of damage to the side of his vehicle so there was not a lot of glass in the road for the picture and other vehicles crushed it into small pieces.



Traffic ticket and officer's collision report

STATE OF SOUTH CAROLINA  
UNIFORM TRAFFIC TICKET

CITY OF COLUMBIA

WILLIAM KEMPER VERSUS WILSON

7106 SUNVIEW LAKES. COLA. SC 29209

SC 601168240

EWING SC FORD CO. 32 29201

CITY COURT 811 WASHINGTON ST

09 20 12 0800 COLA 32 29201

TOO FAST FOR CONDITIONS 56-5-1520

SAME 06 22 12

SAME 06 22 12

ROBINSON, R.S. RIVERS, J.L. MPO

RICHLAND 40

13269

0800 CLEAR

HAZELWOOD RD

GREENSBORO

COLA

33 57 2590

80 55 4960

164

37201 GA

SEE INCRVANT INFORMATION ON THE REVERSE SIDE OF THIS TICKET

VIIOLATOR'S COPY 81.88

ORIGINAL

STAPLE HERE

SOUTH CAROLINA DEPT-42 & DIV USE ONE

SOUTH CAROLINA  
TRAFFIC COLLISION REPORT FORM  
TR-319 (Rev. 7-22-15)

Page 1 of 1

Armed - Aerial Cam # 15378

Date: 06/12/2018 Time of Day: 0800

County: 40

Location: 588 / HAZELWOOD

City: COLUMBIA

State: S.C.

Latitude: 33° 57' 25.50"

Longitude: 80° 55' 49.60"

Driver 1: C-098416 Name: LOGAN, ANTHONY ELIJAH DOB: 07-10-1991 Address: 201 S PINELAND, SC 29125 Phone: 803 776 5554	Driver 2: C-098417 Name: WILSON, WILLIAM KEMPER DOB: 06-10-1966 Address: 7100 SUNVIEW LAKE CIRCLE, SC 29209 Phone: 803 776 5554
Vehicle 1: 2004 Nissan 3.5L I4 Year: 2004, Body: PK, VIN: 1N1RX18W0YNAS1331	Vehicle 2: 2000 Ford Year: 2000, Body: PK, VIN: 1FTRX18W0YNAS1331
Insurance: GEICO	Insurance: STATE FARM

Contributed to Collision: Yes

City, State, & Zip: COLUMBIA, SC 29209

Driver's License: N/A

Vehicle Make: N/A

Vehicle Model: N/A

Vehicle Year: N/A

Vehicle Color: N/A

Vehicle Weight: N/A

Vehicle Type: N/A

Vehicle Description: N/A

Unit 1: 1000, Unit 2: 50, Unit 3: N/A, Prod. Dam. 1: N/A, Prod. Dam. 2: N/A

Property Owner/Witness: N/A

Address: N/A

City, State, & Zip: N/A

Phone: N/A

Describe What Happened (Refer to Lines 1-4 by Number):

UNIT #1 TRAVELING SOUTH ON HAZELWOOD ROAD INITIATED A RIGHT TURN INTO A PRIVATE DRIVE. UNIT #2 TRAVELING SOUTH TOO FAST FOR CONDITIONS ON HAZELWOOD ROAD IN THE SAME LANE OF TRAFFIC. UNIT #2 COLLIDED INTO THE RIGHT QUARTER PANEL OF UNIT #1

NOTICE - THE TR-319 IS FOR STATISTICAL REPORTING PURPOSES ONLY AND IS A REFLECTION OF THE OFFICER'S BEST KNOWLEDGE, OPINION, AND BELIEF COVERING THE COLLISION, BUT NO WARRANTY IS MADE AS TO THE FACTUAL ACCURACY THEREOF.

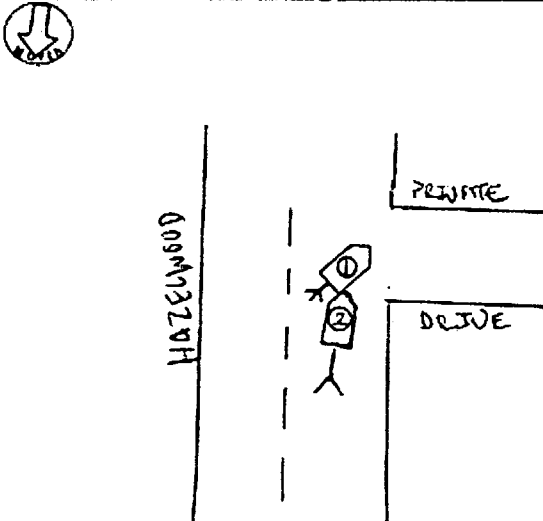
Officer's Name: WILSON, R.S. RIES, JCAP 1224

Rank: SGT

Agency: 170018148

Signature: [Signature]

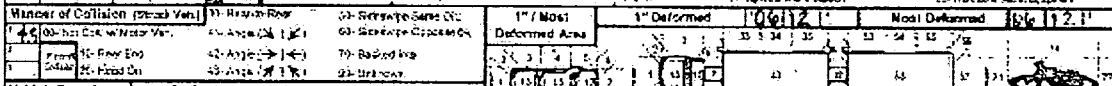
Mail to: SC Department of Motor Vehicles, PO Box 1431, Columbia, SC 29201



Unit	Date of Birth	Sex	Race	INI	Sex	R/SD	A/B/D	Effect	LAI	Trans	Name	Street Address	Zip Code
1	07-27-1946	F	B	0	03	13	49	1	1	2			
1	03-10-1971	M	B	0	01	13	47	1	1	2			
2	06-10-1940	M	M	0	01	13	49	1	1	2			

Race	A-Asian Pacific Islander B-Asian American C-Asian Native of American Islander	W-Caucasian O-Other U-Unknown	1-Primary Injury 2-Head Injury 3-Location After Impact 4-Extremities 5-Extremities (Hydrostatic Needs)	2-Non-Incapacating 3-Incapacating 4-Fatal 5-Head Mounted Vehicle Only 6-Fatal (non-Fatal) 7-Unknown	Seating Loc.	00-Pre-driver 01-Driver 02-03 04-05 06-07 08-09	00-Pre-driver 01-Pre-driver 02-Pre-driver 03-Pre-driver 04-Pre-driver 05-Pre-driver 06-Pre-driver 07-Pre-driver 08-Pre-driver 09-Pre-driver	00-Pre-driver 01-Pre-driver 02-Pre-driver 03-Pre-driver 04-Pre-driver 05-Pre-driver 06-Pre-driver 07-Pre-driver 08-Pre-driver 09-Pre-driver	Restraints Safety Device	00-None Used 01-Seat Belt 02-Child Seat 03-Seat Belt 04-Seat Belt 05-Seat Belt 06-Seat Belt 07-Seat Belt 08-Seat Belt 09-Seat Belt
------	---	-------------------------------------	--	--	--------------	--	--	--	--------------------------	---

Abuse	1-Physical Abuse 2-Emotional Abuse 3-Sexual Abuse 4-Other Abuse 5-Unknown Abuse	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized	1-Not Seized 2-Not Seized 3-Not Seized 4-Not Seized 5-Not Seized
-------	---	--	--	--	--	--	--	--	--



Vehicle Type	01-Automobile 02-Station Wagon 03-Truck 04-Other Truck 05-Other Vehicle	06-Other Vehicle 07-Other Vehicle 08-Other Vehicle 09-Other Vehicle 10-Other Vehicle	11-Other Vehicle 12-Other Vehicle 13-Other Vehicle 14-Other Vehicle 15-Other Vehicle	16-Other Vehicle 17-Other Vehicle 18-Other Vehicle 19-Other Vehicle 20-Other Vehicle	21-Other Vehicle 22-Other Vehicle 23-Other Vehicle 24-Other Vehicle 25-Other Vehicle	26-Other Vehicle 27-Other Vehicle 28-Other Vehicle 29-Other Vehicle 30-Other Vehicle	31-Other Vehicle 32-Other Vehicle 33-Other Vehicle 34-Other Vehicle 35-Other Vehicle	36-Other Vehicle 37-Other Vehicle 38-Other Vehicle 39-Other Vehicle 40-Other Vehicle	41-Other Vehicle 42-Other Vehicle 43-Other Vehicle 44-Other Vehicle 45-Other Vehicle
--------------	---	--	--	--	--	--	--	--	--

Vehicle Use Code	01-Private 02-Commercial 03-Other	04-Private 05-Commercial 06-Other	07-Private 08-Commercial 09-Other	10-Private 11-Commercial 12-Other	13-Private 14-Commercial 15-Other	16-Private 17-Commercial 18-Other	19-Private 20-Commercial 21-Other	22-Private 23-Commercial 24-Other	25-Private 26-Commercial 27-Other
------------------	---	---	---	---	---	---	---	---	---

Weather Condition	01-Clear 02-Partly Cloudy 03-Cloudy 04-Overcast 05-Other	06-Fog 07-Drizzle 08-Rain 09-Other	10-Other 11-Other 12-Other 13-Other 14-Other	15-Other 16-Other 17-Other 18-Other 19-Other	20-Other 21-Other 22-Other 23-Other 24-Other	25-Other 26-Other 27-Other 28-Other 29-Other	30-Other 31-Other 32-Other 33-Other 34-Other	35-Other 36-Other 37-Other 38-Other 39-Other	40-Other 41-Other 42-Other 43-Other 44-Other
-------------------	--	---	--	--	--	--	--	--	--

Light Condition	01-Day 02-Night 03-Other	04-Dark 05-Other 06-Other	07-Other 08-Other 09-Other	10-Other 11-Other 12-Other	13-Other 14-Other 15-Other	16-Other 17-Other 18-Other	19-Other 20-Other 21-Other	22-Other 23-Other 24-Other	25-Other 26-Other 27-Other
-----------------	--------------------------------	---------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------

Contributing Factors	01-Operator Error 02-Operator Error 03-Operator Error 04-Operator Error 05-Operator Error	06-Operator Error 07-Operator Error 08-Operator Error 09-Operator Error 10-Operator Error	11-Operator Error 12-Operator Error 13-Operator Error 14-Operator Error 15-Operator Error	16-Operator Error 17-Operator Error 18-Operator Error 19-Operator Error 20-Operator Error	21-Operator Error 22-Operator Error 23-Operator Error 24-Operator Error 25-Operator Error	26-Operator Error 27-Operator Error 28-Operator Error 29-Operator Error 30-Operator Error	31-Operator Error 32-Operator Error 33-Operator Error 34-Operator Error 35-Operator Error	36-Operator Error 37-Operator Error 38-Operator Error 39-Operator Error 40-Operator Error	41-Operator Error 42-Operator Error 43-Operator Error 44-Operator Error 45-Operator Error
----------------------	---	---	---	---	---	---	---	---	---

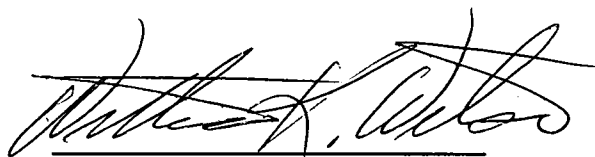
Will For SO Department of Motor Vehicles  
PO Box 1038  
Richmond, VA 23218

Certificate of Appellant

---

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.

October 15, 2013



William K. Wilson  
7106 Sunview Circle  
Columbia, South Carolina 29209  
(803) 776-5594  
Appellant

**RECEIVED**

OCT 15 2013

**SC Court of Appeals**

**PROOF OF SERVICE OF A RECORD OF APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

G. Thomas, Cooper, Jr, Circuit Court Judge

Case No. 2013-001072

The City of Columbia,

Respondent,

v.

William K. Wilson,

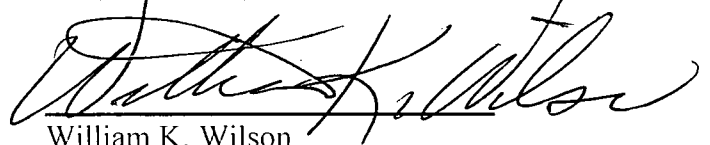
Appellant.

**RECEIVED**  
OCT 15 2013  
**SC Court of Appeals**

**PROOF OF SERVICE**

I certify that I have served the record of appeal on the City of Columbia by depositing a copy of it in the United States Mail, postage prepaid, on October 14, 2013 addressed to David A. Fernandez, Office of City Attorney, Post Office Box 667, Columbia, South Carolina 29202.

October 15, 2013



William K. Wilson  
7106 Sunview Circle  
Columbia, South Carolina 29209  
(803) 776-5594  
Appellant

David Amado Fernandez, Esquire  
Office of the City Attorney  
Post Office Box 667  
Columbia, South Carolina 29202  
Attorney for Respondent