

12 September 2020

Alan Nix  
1401 Densmore Circle  
Mt. Pleasant, SC 29466

Senator Lindsey Graham, Chairman  
Senate Committee on the Judiciary  
290 Russell Senate Office Building  
Washington, DC 20510

Senator Lindsey Graham  
530 Johnnie Dodds Blvd., Ste. 202  
Mount Pleasant, SC 29464

Representative Joe Cunningham  
423 Cannon House Office Bldg.  
Washington, DC 20515

Senator Tim Scott  
104 Hart Senate Office Bldg.  
Washington, DC 20510

Senator Tim Scott  
2500 City Hall Lane, 3<sup>rd</sup> Floor  
North Charleston, SC 29406

Representative Joe Cunningham  
530 Johnnie Dodds Blvd., Ste. 201  
Mount Pleasant, SC 29464

RE: Request for additional resources for the U.S. Department of Justice and Federal Bureau of Investigation for Public Corruption and fraud investigations /prosecutions in South Carolina

Senator Graham, Senator Scott and Representative Cunningham,

I am writing to you to humbly and urgently request your assistance in providing additional resources to the Federal Bureau of Investigation and U.S. Department of Justice as soon as possible so as to enable them to fully and successfully carry out their missions in South Carolina. I have enclosed two of the letters I have received from the U.S. Department of Justice which I have received in the last thirteen months. Resource and jurisdiction concerns are cited as reasons for their inability to take any action at all to properly investigate and prosecute these relatively simple matters.

I'm confident that Federal jurisdiction is not a valid reason for not investigating and prosecuting these matters, consequently, of the two possible reasons provided for their inability to take any action, one must conclude that they lack the resources to properly investigate and prosecute. Given Mr. Trump is running on a law and order platform, the Trump administration has run historically high deficits, Operation Legend is getting a lot of focus and there have been multiple deployments of Federal agents to multiple U.S. cities in the last several months to protect Federal buildings, I'm very hopeful that all of you can quickly and efficiently work together to have some of those resources redirected to South Carolina to fully mitigate these

resource issues Mr. McCoy and SAC Norris are experiencing which has prevented them and their organizations from investigating and prosecuting these matters before the applicable statute of limitations expire.

Senator Feinstein and Representative Nadler, on what I'm sure is a very remote chance that the U.S. Department of Justice / Federal Bureau of Investigation's lack of enthusiasm about properly investigating these matters is politically oriented, I'm copying you as well to ensure all political checks and balances are properly in place while reviewing this situation to determine what additional resources Mr. McCoy and SAC Norris may need to properly investigate these matters and prosecute accordingly. The only reason I even bring this possibility up at this time is because when you start looking into the relationships of the Persons involved, it appears to be a fairly small group of people with two main connections in common, Governor McMaster and Mr. Don Tomlin. If you will bear with me for just a moment, I will provide a few examples of this situation to help you understand.

The fraud which alerted me to this situation is directly tied to a large mixed use development in Mount Pleasant, SC known as Dunes West / Park West. The Park West piece was developed by Patrick Tomlin and his brother Don Tomlin. As you can see in Ex. A, Mr. Don Tomlin is a very active player in South Carolina politics. Not mentioned in that article, and not meant to be construed as a full list of his political involvement, is that Mr. Don Tomlin was on Governor Haley's Campaign Finance Committee in 2013 and Governor McMaster's Campaign Finance Committee in 2018. Mr. Don Tomlin is also closely associated with U.S. House of Representative member Joe Wilson and his son, Alan Wilson, who is the S.C. Attorney General. U.S. Representative Wilson assisted Mr. Don Tomlin in becoming the Honorary Consul for the Republic of Bulgarian in 2008 and Mr. Don Tomlin has provided significant campaign assistance to S.C. Attorney General Alan Wilson. Additionally, our previous U.S. Attorney Sheri Lydon, now a U.S. Federal Judge as of last December, worked for Governor McMaster when he was the S.C. Attorney General and notably didn't taken any action at all with regards to obvious mail fraud infractions which was reported to her in August 2019. Mr. Alan Wilson also worked for Governor McMaster when he was the S.C. Attorney General and then took over as the S.C. Attorney General in 2010. An attorney in Charleston that is involved in attempting to improperly cover up this fraud also worked for Governor McMaster when he was the S.C. Attorney General and then became an Assistant Solicitor for the Charleston County Solicitor's Office at about the same time Mr. McCoy stopped working at the Charleston County Solicitor's Office and became a member of the South Carolina House of Representatives, which he was a member of until just recently when he was appointed to be the U.S. Attorney in South Carolina, which by all accounts, was Governor McMaster's strong preference to have that position.

Mr. McCoy was on the S.C. House of Representatives Judiciary Committee for several years and was the Chairman of the S.C. House Judiciary Committee from 2018 until he resigned to take the U.S. Attorney position earlier this year. Just in case some may not know, South Carolina is one of only two states in the United States where the legislature nominates, vets and elects State judges. The Governor provides the final appointment of State judges in South Carolina. Ironically, U.S. Attorney McCoy's-wife is also a State of South Carolina judge and works in the very same building in downtown Charleston where at least one of these judges who has been significantly involved in this fraud via numerous acts of judicial corruption also works.

I suppose one more interesting and potentially concerning fact is that the current Charleston County Administrator is a gentlemen named Bill Tuten, who just happens to have a long term involvement with Senator Graham, including as his Lowcounty (SC) Regional

Director. Thus, parties involved in this misconduct and Public Corruption, including at least three judges and the Charleston County Clerk of Court, currently have a reporting relationship to a person who worked for Senator Graham up until about six years ago, about the same time the article in Ex. D was written and the fraud that my family is the victim of, and many other South Carolina homeowners are also exposed to, became more widespread.

I'm certainly not suggesting with any certainty that any of this has anything to do with how or why this long term fraud by Mr. Don Tomlin, his brother Patrick and their many associates, including numerous attorneys, became such a broad and long term Public and Judicial Corruption matter, but given all of these connections to Mr. Don Tomlin and Governor McMaster, it does seem as if these relationships, almost all related to the highly concentrated control in South Carolina by the Republican Party, may account for some of these types of issues which South Carolina can't seem to ever fully get under control.

Lastly, and of course Ex. D is just an article, but I can assure you with a very high confidence level which is evidence based, judicial corruption is a significant problem in South Carolina. Yet, not a single judge was ever prosecuted in the South Carolina State House Corruption Probe referenced in that article.

Thank you very much for bearing with me while I attempted to put a little context around some of our State's struggles with Public Corruption, just in case resource issues are not the only issues affecting SAC Norris and Mr. McCoy's ability to investigate and prosecute our continuing Public Corruption issues here in Mount Pleasant, Charleston County and the State of South Carolina. It also seems reasonable to believe that if the Tomlin's ran such a scheme against numerous homeowners for so long and without any scrutiny from law enforcement, attorneys and courts, that managing a \$50 million dollar venture capital investment portfolio for the State of South Carolina would be an attractive opportunity.

With that being said, and this also unfortunately happened in the last Public Corruption investigation here in South Carolina, since the Town of Mount Pleasant Police Department, the Charleston County Sheriff's Department and the South Carolina Law Enforcement Division has drug their feet and stalled in investigating these really simple matters for so long, the statue of limitations on some very simple to prosecute mail fraud and wire fraud matters will likely run out early next year. Given the penalties those crimes carry, it seems this apparent lack of resources SAC Norris and Mr. McCoy are experiencing which prevents them from looking into these very simple criminal matters is actually very expensive since this fraud by the Tomlin's and their associates has most likely affected thousands of South Carolina homeowners, not to mention the dire threat to the Rule of Law and some semblance of Democracy such flagrant and unprosecuted Public Corruption and Judicial Corruption matters pose.

Please do everything possible to as quickly as possible fully mitigate Mr. McCoy's and SAC Norris's resource issues so that the Rule of Law works the same for all of your South Carolina constituents, including the vast majority of your constituents that work hard for a better future but don't enjoy the political influence and benefits that persons like Don Tomlin enjoy.

Best regards,



Alan Nix

Senator Dianne Feinstein, Ranking Member  
Senate Committee on the Judiciary  
331 Hart Senate Office Building  
Washington, DC 20510

Representative Jerrold Nadler, Chairman  
House Committee on the Judiciary  
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# Chairman appointed to Workforce Development Board

STAFF REPORTS May 26, 2019

COLUMBIA, S.C. – The South Carolina State Workforce Development Board has a new leader.

South Governor Henry McMaster announced he has appointed Donald R. Tomlin Jr. to serve as chairman of board.

“Don Tomlin’s reputation in South Carolina’s business community is second to none,” McMaster said in an announcement. “His experience and expertise in business and public service will be invaluable to the Workforce Development Board in fulfilling its mission of overseeing a systematic, statewide approach toward ensuring that South Carolina’s workforce remains one of the best in the world.”

“I am dedicated to working with other board members, board partners, and South Carolina employers and their current and future workforce to understand how the Department of Employment and Workforce can use its funding to create the most successful workforce for our state,” Tomlin said. “As incumbent, I plan to carefully research today’s needs of our employers and our workforce and to help direct this board’s resources and our state partners toward the optimum mix of soft skills and hard skills training.”

Tomlin has served for four years as the chairman of the board of the South Carolina State Housing, Finance and Development Authority.

Tomlin has also served as chairman of the South Carolina Jobs-Economic Development Authority, South Carolina’s principal tax free bond issuing agency, as well as a member of the S.C. Economic Coordinating Council, the agency that approves economic incentives for new job creation in the state.

He has also served as the chairman of Invest SC, the state’s Venture Capital Program, managing its \$50 million-dollar investment portfolio.

Tomlin, a longtime South Carolina-based investor and entrepreneur, was born in Columbia and is a graduate of the University of South Carolina.

The mission of the State Workforce Development Board is “to create a competitive workforce advantage for South Carolina by ensuring that a quality and effective workforce system exists to improve the prosperity of businesses and the lives of South Carolinians.”

<https://apnews.com/147168d9a0ec4ae9872e1430353d31a8>



**U. S. Department of Justice**

*United States Attorney*

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FAX (864) 233-3158

Reply to: Columbia

**August 13, 2019**

Alan Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

Dear Mr. Nix,

The U.S. Attorney's Office is in receipt of your letter dated July 19, 2019. From your letter, it appears as if you are requesting additional information from an article in a paper or from a news media. We have no affiliation with the said newspaper or news media therefore we would not be able to provide you any information in reference to that.

You also asked the best way to submit a case to our office. The United States Attorney's Office undertakes federal prosecutions; however, we are not an investigative agency. If you believe potential criminal conduct may have taken place, please report the activity to your local law enforcement agency. Should you wish to pursue the matter in a civil or administrative context, you may wish to consult private legal counsel. You may also attempt to contact a local law school that has a legal clinic program, or a legal aid society regarding your rights and any remedies that may be available to you in this matter.

The South Carolina Bar has a helpful list of resources on the SC Bar website located at <http://www.sctbar.org/Public-Information>, or call (803) 799-6653. The direct contact for the SC Bar Lawyer Referral Service is 888-346-5592 or <http://www.sctbar.org/lrs>.

Please find enclosed also an information sheet that may be of assistance to you.

Sincerely,

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Reply to: Greenville

August 26, 2020

Mr. Alan Nix  
1401 Densmore Circle  
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Re: Your letter regarding civil action pending in State Court (Charleston Co)

Dear Mr. Nix,

Thank you for the letter dated August 9, 2020, regarding the above-referenced matter. (I am attaching copies of what you sent.) We appreciate the information you provided to our office.

However, after careful consideration of the information submitted to our office, we have concluded that we are not able to assist you. We lack the resources and/or jurisdiction to investigate this matter. Our decision to take no action here does not indicate whether or not we believe there has been a violation of a federal law.

We also cannot provide legal advice or opinions to private citizens. Nor do we represent private individuals in suits brought to recover money damages or any other personal relief. If you would like to pursue this matter further, you may wish to consult a private attorney to discuss what claims, if any, you may have under applicable federal and state laws. I am also enclosing information sheets regarding: FAQs to our office.

Please be aware that submitting a complaint to us has no effect on any statute of limitations that might apply to any claim you may have. By filing a complaint with this office, you have not commenced a lawsuit or other legal proceeding, and this office has not initiated a suit or proceeding on your behalf.

I wish you the best of luck.

Sincerely,

PETER M. MCCOY, JR.  
United States Attorney

By:

Robert Sneed

Robert Sneed  
Assistant United States Attorney

# Origins Of SC State House Probe Unearth Additional Corruption Allegations

December 4, 2014

By FITSNews

## THE DAWN OF A SCANDAL ...

By FITSNEWS || An internal investigation into a corrupt U.S. Attorney is reportedly what led the U.S. Department of Justice (USDOJ) and the S.C. Attorney General's office to uncover – and begin investigating – a veritable smorgasbord of public corruption at the S.C. State House.

Months ago a federal law enforcement source who fancies himself as a modern day “Deep Throat” (the name given to Watergate informant **Mark Felt**) approached FITS with the story of this internal USDOJ investigation – which reportedly began several years ago.

According to this “Deep Throat,” the feds stumbled into a web of alleged “pay-to-play” campaign contributions after they followed up on a specific allegation made against this government lawyer – who was based in the agency's Charleston, S.C. office.

Specifically, these alleged contributions were made to influential lawmakers by a “powerful Charleston business interest” which had a vested interest in a pending court case.

“(It's) an open and shut case of judicial corruption,” the source told us at the time. “They weren't even clever about it.”

At that point, the seeds were planted for the larger corruption investigation – the existence of which this website exclusively reported on back in September.

FITS was advised against publishing anything at the time due to the fear our reporting might compromise an ongoing investigation. However recent revelations – most importantly the goahead from a well-placed source within Attorney General **Alan Wilson**'s office – have resulted in our decision to share what we know about the origins of “the probe.”

According to our sources, the court case that prompted the internal investigation into this corrupt U.S. Attorney involved powerful and politically connected Lowcountry real estate interests – a “follow-the-money” trail that not only wasn't followed, but was actively buried in an effort to protect these interests.

“(The case) ran into road blocks behind the court house doors that were so numerous that they got attention of local investigators who presented the case to the (U.S. Attorney) in Charleston,”

one source explained. "When the USA informed the investigator that he had already met with the victims of the fraud on several occasions as well as reviewed the victims complaint and determined it a civil matter, the investigator went back to the victim to ask the victim why he didn't tell him about the meeting with the USA."

Well guess what ...

"The victim told the investigator he had never met the USA nor ever given him anything," our source said.

Wow ... straight out of a *Law and Order* episode, right?

At this point, the internal investigation began – which according to our source uncovered "significant false statements" made by the attorney to both the Federal Bureau of Investigation (FBI) and a USDOJ deputy director, **Norman Wong**.

But that's not all it uncovered ...

"Further investigation into the fraud case found conflict up and down the halls of justice in Charleston and Columbia," the source added.

And that, we're told, is what started the current investigation ... which has already brought down (and secured the ongoing cooperation of) powerful S.C. Speaker of the House **Bobby Harrell**. The probe is also said to be closing in on other powerful state lawmakers.

And yes ... a central thrust of that investigation involves judicial corruption (including specific cases already exposed by this website).

FITS is continuing to dig into the specifics of all this, naturally ... so stay tuned for much, much more.