

22 February 2021

Alan Nix
1401 Densmore Circle
Mt. Pleasant, SC 29466

RECEIVED
FEB 26 2021
SC Court of Appeals

Jenny Abbott-Kitchings
Clerk of Court, SC Court of Appeals
1220 Senate St.
Columbia, SC 29201

Desire Allen
Court Reporter Program Manager
1220 Senate St.
Columbia, SC 29201

RE: Transcript Request: 7 January 2021, Case Number: 2017-CP-10-04031 and 2014-CP-10-05407: "Churchill Park" v. Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix

Ms. Allen and Ms. Kitchings.

Please find enclosed a copy of a transcript request for the transcript for the apparent hearing in these matters from 7 January 2021.

I was not notified this hearing was taking place so the only information I have about it is the order Sgt. Craven emailed me on 9 January 2021. A copy of the four page order is included for reference and is one of the same orders I appealed on 19 January 2021 under appeal 2020-001304.

To further significantly complicate matters in being able to request this transcript without getting thrown in jail again by Charleston County, please see the three page order included titled "Bail Proceeding Form II". Specifically the second page under "Other Conditions". As you can see, I can't contact verbally, electronically, by phone, social media, in writing, **OR BY THIRD PARTY** any of the new Alleged Victims nor Family Members of the new Alleged Victims at any of the new Alleged Victim's Residences, Schools, Businesses and/or Works.

Since this "Other Condition" applies to "ENTIRE MASTER AND EQUITY OFFICE (CURRENT AND PREVIOUS) EMPLOYEES): LAURA BECK, KATIE BUIRUNSON, JAN ONEALE HEARN, CINDY YARBOROUGH, **CHRISTINE SMITH, MIKELL SCARBOROUGH,** MARIT DENNIS, RYAN CONNOR, SPENCER GILL, JUDY DAWKINS, HUNTER JAMES, BARNWELL RASWELL, I imagine you all can tell the pickle this BAIL PROCEEDING FORM II has placed us in relative to ordering the transcript for this apparent hearing that occurred on 7 January 2021.

So, what I really need your assistance with is to figure out who the court reporter was on 7 January 2021, and if it is any of those new Alleged Victims in Judge Haselden's BAIL PROCEEDING FORM II, or their FAMILY MEMBERS, I need y'all to figure out how to request that transcript from them without letting them know I asked you to request that transcript cause, if y'all let them know I'm the one requesting this transcript, then I'm pretty sure you would be

considered one of those "THIRD PARTY("s) and I will be thrown back in the Sheriff Al Cannon Detention Center for another two plus weeks. (I'm guessing a lot longer than two weeks this time since it was pretty darn difficult to get out of jail in fifteen days just recently and obviously this BAIL PROCEEDING FORM II trap is set with the hopes of letting me spend a lot more quality time in the Sheriff Al Cannon Detention Center....)

Another note about Judge Haselden's BAIL PROCEEDING FORM II Order from 26 January 2021. You will note that I cannot go back within a FIVE mile radius of 1401 DENSMORE CIRCLE. That is obviously my family's home and where my mail box is located. I'm trying to sort out how to handle mail at the moment and hoping that may be sorted better by the end of this week. For now, just send it to my normal mailing address and if it gets returned or if I don't get something from you in the next ten days, I will contact you again with a different plan.

Best regards,



Alan Nix

cc.

Stephanie Trotter
McCabe Trotter
4500 Fort Jackson Blvd.
Columbia, SC 29209

Chris Craven
Charleston County Sheriff's Dept.
3691 Leeds Ave.
Charleston, SC 29405

M.P Morris
M.P. Morris Law Firm
336 Old Chapin Rd.
Lexington, SC 29072

Alan Wilson
SC Attorney General
1000 Assembly St.
Columbia, SC 29201

Todd Musheff
Law Office of Todd Musheff
1121 Park West Blvd., Ste. B141 (Pak Mail)
Charleston, SC 29401

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SC Court of Appeals

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@secourts.org. Click here for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name <u>ALAN NIX</u>	Phone Number <u>843-991-4170</u>	Email Address <u>AGENIX1@HOTMAIL.COM</u>	
Mailing Address <u>1401 DENSMORE CIRCLE</u>	City <u>MOUNT PLEASANT</u>	State <u>SC</u>	Zip Code <u>29466</u>
Transcript Information			
Docket Number <u>2014-CP-10-05407</u>	Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>"CHURCHILL PARK" V. ALAN G NIX, NORMA J. NIX + ESTATE</u>		
Date(s) of Proceeding <u>7 JAN 2021</u>	Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>	County <u>CHARLESTON</u>	
Presiding Judge <u>MIKEL SCARBOROUGH</u>	Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Court Reporter(s) <u>MOST LIKELY CHRISTINE SMITH ***</u>	Opposing Counsel <u>STEPHANIE TROTTER, CHRIS CRAVEN + TODD MUSHEFF + M.P. MORRIS</u>		

Requestor's Signature: [Signature]
(Typed name will serve as signature)

Date: 22 FEB 2021

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name	Date Received	Email Address	
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment	City	State	Zip Code

Ex. 6
Pg. 1

2021A1010200476 2021A1010200475
2021A1010200444

CRIMINAL CHARGING DOCUMENT NO.

**BAIL PROCEEDING
FORM II**

STATE OF SOUTH CAROLINA

COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

ALAN GREGORY NIX
NAME OF DEFENDANT

Offense Charged: TRESPASS AFTER NOTICE / RESISTING ARREST / INTIMIDATION OF COURT OFFICIAL JURORS OR WITNESS

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- The release of the defendant on recognizance will not reasonably assure his appearance as required.
- The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

[Considerations: Nature and circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
2. That the above named defendant be released from custody provided as follows (check all that apply):

CASH IN LIEU OF BOND

The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the State.


APPEARANCE RECOGNIZANCE WITH SURETY

The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of **\$65,440.00**.

3. That the defendant shall appear at (check one):

the term of COURT OF GENERAL SESSIONS beginning on Upon Call of Court at 2:00 o'clock, P.M. at CHARLESTON COUNTY JUDICIAL CENTER, 100 BROAD STREET, CHARLESTON and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

the session of Summary: 6185 Rivers Ave., Ste E, N. Chas. beginning on Friday, March 19, 2021 at 10 o'clock, A.M. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

INITIALS OF DEFENDANT 

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.


SIGNATURE OF JUDGE Haselden

January 26, 2021
DATE

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

ADDRESS	SIGNATURE OF DEFENDANT: <i>Alan Gregory Nix</i> ALAN GREGORY NIX	
CITY/STATE/ZIP	TELEPHONE	DATE: January 26, 2021
SOCIAL SECURITY NUMBER	DRIVER'S LICENSE OR ID NUMBER	ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SPECIAL CONDITIONS OF RELEASE

a. Placement in custody. The defendant is placed in the custody of: _____
NAME OF PERSON OR ORGANIZATION

ADDRESS	CITY/STATE	ZIP	TELEPHONE
---------	------------	-----	-----------

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

SIGNATURE OF CUSTODIAN (IF APPROVED)	DATE
--------------------------------------	------

b. Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

c. Part-time Release. The defendant will be released from custody from _____ o'clock, _____ to _____ o'clock, _____
on _____ on condition that he return to the custody of _____
at _____ as designated.
LOCATION

d. Other Conditions. The defendant will comply with the following other conditions of release: You will be advised by mail of your next court appearance. It is your responsibility to maintain your current mailing address with the Clerk of Court for General Sessions. **NO CONTACT WITH VICTIMS NOR ANY FAMILY MEMBERS OF THE VICTIM VERBALLY, ELECTRONICALLY, BY PHONE, ON SOCIAL MEDIA OR BY THIRD PARTY, OR IN WRITING. YOU ARE BARRED FROM WITHIN ONE BLOCK OF THE VICTIM'S RESIDENCE, SCHOOL, BUSINESSES AND/OR WORK.**

THE VICTIM'S ARE AS FOLLOWS: ENTIRE MASTER AND EQUITY OFFICE (CURRENT AND PREVIOUS) EMPLOYEES):

LAURA BECK, KATIE BURUNSON, JAN ONEALE HEARN, CINDY YARBOUROUGH, CHRISTINE SMITH, MIKELL SCARBOROUGH, MARTI DENNIS, RYAN CONNOR, SPENCER GILL, JUDY DAWKINS, HUNTER JAMES, BARNWELL RASWELL.

CHARLESTON COUNTY MAGISTRATE TOM LYNN

DEF IS NOT TO POSSESS OR AQUIRE ANY FIREARMS, KNIVES OR WEAPONS OF ANY KIND DURING THE PENDENCY OF THIS CASE. ANY WEAPONS MUST BE TURNED OVER TO ATTORNEY LE, OR FAMILY MEMBERS THAT WILL GO ON RECORD

DEF IS NOT TO RETURN TO THE INCIDENT LOCATION

DEF IS TO WEAR A GPS MONITOR AND IS NOT TO GO WITHIN A 5 MILE RADIUS OF 1401 DENSMORE CIRCLE. GPS MONITOR DOES NOT PROHIBIT DEF FROM LIVING ANYWHERE IN THE STATE NO CONTACT WITH VICTIMS NOR ANY FAMILY MEMBERS OF THE VICTIM VERBALLY, ELECTRONICALLY, BY PHONE, ON SOCIAL MEDIA OR BY THIRD PARTY, OR IN WRITING. YOU ARE BARRED FROM WITHIN ONE BLOCK OF THE VICTIM'S RESIDENCE, SCHOOL, BUSINESSES AND/OR WORK.

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LAURA BECK, KATIE BURUNSON, JAN ONEALE HEARN, CINDY YARBOUROUGH, CHRISTINE SMITH, MIKELL SCARBOROUGH, MARTI DENNIS, RYAN CONNOR, SPENCER GILL, JUDY DAWKINS, HUNTER JAMES, BARNWELL RASWELL.

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**DEF IS TO WEAR A GPS MONITOR AND IS NOT TO GO WITHIN A 5 MILE RADIUS OF 1401 DENSMORE CIRCLE.
GPS MONITOR DOES NOT PROHIBIT DEF FROM LIVING ANYWHERE IN THE STATE**

APPEARANCE RECOGNIZANCE WITH SURETY

On the _____ day of _____, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of _____, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

NAME OF SURETY BONDSMAN COMPANY TELEPHONE SIGNATURE OF SURETY BONDSMAN

ADDRESS OF SURETY BONDSMAN

CITY/STATE/ZIP SIGNATURE OF JUDGE

NAME OF INSURANCE COMPANY DATE

ADDRESS OF INSURANCE COMPANY

CITY/STATE/ZIP

Form Approved By State General Counsel
Revised 11/13/10
March 21, 2012

SC J.A. 711 (Revised 1/2012)

Ex. A
4 PAGES

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON :

Churchill Park

Plaintiff,

vs.

Alan G. Nix; and The Estate Of Norma J.
Nix,

Defendants.

IN THE COURT OF COMMON PLEAS

C/A NO: 2017-CP-10-04031

ORDER

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SC Court of Appeals

This matter came before the court on January 7, 2021.

The court issued an Order for Writ of Assistance on December 31, 2020 ordering the ejectment of Defendant Alan Nix from his former property on January 22, 2021 at 12 Noon pursuant to this court's Final Order of Judgment filed November 9, 2017.

The Master's Final Order of Judgment filed November 9, 2017 states in paragraph 14, "[t]he undersigned will retain jurisdiction to do all necessary acts incident to this foreclosure including, but not limited to, the issuance of a Writ of Assistance."

On December 21, 2020, Michael Morris, attorney for State Street Holdings, LLC, the successful purchaser at the foreclosure sale, filed a Summons and Motion for Writ of Assistance. The Motion for Writ of Assistance requested that this court issue its Rule to Show Cause and an Order granting a Writ of Assistance.

Acting pursuant to the Supreme Court of South Carolina Order Re: Operation of the Trial Courts During the Coronavirus Emergency (as Amended December 16, 2020), Appellate Case No. 2020-000447, this court determined the Rule to Show Cause hearing is not necessary.

As to the Order for Writ of Assistance, the court determined to elect not to hold a hearing because the Motion may be readily decided without further input. Appellate Case No. 2020-000447 (c)(4). The court pursuant to its usual procedure, wherein the court retained jurisdiction to issue a Writ of Assistance without need for an additional hearing, issued its Order for Writ of Assistance on December 31, 2020 ordering Mr. Nix to vacate on or before January 22, 2021.

The court finds the correspondences received from the Defendant, Alan G. Nix, subsequent to the issuance of the Writ of Assistance, to be without merit and, hereby affirms its ruling issued December 31, 2020 to evict Mr. Nix if he does not voluntarily leave. Therefore,

IT IS HEREBY ORDERED that no further hearings need be held on the Motion for Writ of Assistance,

IT IS FURTHER ORDERED that State Street, the new owner of the property, is entitled to recover possession of the premises described as follows:

All that certain piece, parcel, or lot of land, together with the improvements thereon, situate, lying and being in the Town of Mount Pleasant, County of Charleston, State of South Carolina, and being more particularly shown and delineated as Lot "22" on that certain Plat by Southeastern Surveying, Inc., entitled, "A Final Subdivision Plat Of Churchill Park, Phase III, Parcel 10, Parkwest Owned By C. Richard Dobson Builders, Inc., Located In The Town Of Mount Pleasant Charleston County, South Carolina", dated December 31, 1999, and recorded in Plat Book ED at Page 904, in the Register of Deeds Office for Charleston County, South Carolina. Said lot having such size, shape, dimensions, butting's, and bounding's as will by reference to said Plat more fully appear. Being a portion of the property conveyed to the grantor herein by deed from Venture Management of South Carolina, LLC dated August 12, 1999 and recorded in the Register of Deeds Office for Charleston County in Book C334 at Page 486 on September 09, 1999.

Subject to any and all easements, restrictions, rights-of-way or other zoning ordinances which may appear of record in Charleston County.

TMS: 598-03-00-096

Derivation: This being the same property conveyed to Alan G. Nix and Norma J. Nix by deed of C. Richard Dobson Builders, Inc dated July 13, 2001 and recorded July 20, 2001 in Book 377 at Page 595; thereafter conveyed to Sate Street Holdings, LLC by Master's Deed recorded on December 9, 2020 in Book 0941 at Page 914 in the Office of the Register of Deeds for Charleston County.

Property Address:
1401 Densmore Circle
Mt. Pleasant, SC 29466

IT IS FURTHER ORDERED that, upon service of a copy of this Order, the Sheriff of Charleston County, South Carolina or his authorized deputies is, and they hereby are, directed and authorized to post a copy of this Order, and/or serve a copy of this Order upon the Occupant(s) of the referenced property.

IT IS FURTHER ORDERED that not less than ten (10) days subsequent to said posting or service, the Sheriff shall be authorized to enter upon the afore-described premises, by force if necessary, and seize the said premises and to remove therefrom any and all such persons who may be occupying the same, together with all of their possessions, and to put State Street in full, peaceful and quiet possession of the premises without delay, and thereafter, within ten (10) days, make due return to the Clerk of Court for Charleston County, South Carolina, showing how this Order has been executed.

IT IS FURTHER ORDERED that the property described herein be vacated by 12 o'clock Noon on January 22, 2021.

AND IT IS SO ORDERED.

[ELECTRONIC SIGNATURE PAGE TO FOLLOW]



Charleston Common Pleas

Case Caption: Churchill Park VS Alan G Nix , defendant, et al
Case Number: 2017CP1004031
Type: Master/Order/Other

So Ordered

s/Mikell R. Scarborough 3062

Electronically signed on 2021-01-07 14:40:44 page 4 of 4



Nix
1401 Densmore Circle
Mount Pleasant, SC 29466

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FEB 26 2021

SC Court of Appeals

JENNY ABBOTT - KITCHINGS
CLERK OF COURT, COURT OF APPEALS
1220 SENATE ST.
COLUMBIA, SC 29201



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