

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

96033

RECEIVED

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

APR 14 2022

The Honorable??? Mikell Scarborough and
The Honorable? Maite Murphy

SC Court of Appeals

Case Nos.: 2017-CP-10-04031 and
2014-CP-10-05407 and
2018-CP-10-03315

Appellate Case No. 2021-00074

Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix,

Appellants,

v.

Churchill Park,
(not to be confused with the Real Party in
Interest, Churchill Park Homeowners'
Association, Inc.)

Respondent,

APPELLANTS' MOTION TO RESTORE APPEAL, REMAND TO LOWER COURT TO
OFFICIALLY VOID ALL ORDERS AND DEEDS OF MIKELL SCARBOROUGH
BEGINNING ON OR AFTER 6 MAY 2020, OR IN THE ALTERNATIVE, PLACE IN
ABEYANCE UNTIL SUCH TIME AS APPELLANT CAN ORDER TRANSCRIPT
WITHOUT BEING ARRESTED FRO IMPROPER PURPOSES

LIST OF EXHIBITS INCLUDED WITH MOTION

T1: Writ of Assistance From MP Morris Law Firm filed 31 Dec 2020

T2: Order dated 7 Jan 2021

T3: Maite Murphy / SC Attorney General / Auto Owners Insurance Company “ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF” dated 20 Sept 2019 Portions of Notice of Motion and Motion for Rule to Show Cause dated 18 Mar 2022

T4: Haselden BAIL PROCEEDING FORM II dated 26 Jan 2021 and associated arrest warrants and affidavits dated 21 Jan 2021 through 24 Jan 2021

T5: 22 February 2021 letter and Transcript Request Form for 2014-CP-10-05407 and 2017-CP-10-04031

T6: Order for appellate case 2020-000447 as amended 16 Dec 2020 (NOTE: four pages which appear to be related to probate and family court omitted.

T7: SC Rule 201 – Judicial Notice of Adjudicative Facts

T8: Federal Rule 201 – Judicial Notice of Adjudicative Facts

T9: SC Rule 301 – Presumptions in General in Civil Actions and Proceedings

T10: Emails and Motion related to “Motion for Rule to Show Cause with dates between 18 March 2022 and 30 March 2022. (NOTE: not complete but omissions are deemed to be of a non material nature. Judicial Notice may be taken of the original filing if so desired)

T11: SC Supreme Court Order dated 6 May 2020 and entitled “RE: Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Evictions and Foreclosure Forms. This version is taken from <https://www.charlestoncounty.org/departments/master-in-equity/links.php>.

T12: McCabe Trotter “Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act (Foreclosures) dated 27 July 2020

T13: Motion for Emergency Injunction Staying Sale of Property dated 4 Oct 2020. (included for several purpose, one of which would an example of a proper use of judicial notice by the Court of Appeals.....)

T14: Article entitled “Origins of SC State House Probe Unearth Additional Corruption Allegations”

NOTE: Exhibits are labeled T1 through T14 and incorporated by inclusion / reference. The addition of "T" (as in Tree) to the number is primarily intended to avoid confusion with exhibits included in motions filed as exhibits with this motion.

BACKGROUND

The Appellants' have recently become aware of Ms. Abbott-Kitchings Order dated 30 March 2022 stating the reasons she believes it was proper for her to dismiss this matter (Eg. Appeal 2020-00074). Specifically, Ms. Abbott-Kitchings states her reason for believing she had the right to enter said order as: *"Appellant has failed to serve and file the initial brief and designation of matter, as required by Rule 208 of the South Carolina Appellate Court Rule and this Court's letter dated December 01, 2021. Accordingly, this matter is dismissed."*

Appellant does not dispute Ms. Abbott-Kitchings authority to enter such an order as Clerk of Court or Ms. Abbott-Kitching's statement that Appellant has not served or file an initial brief and designation of matter.

The Appellant argues thought that the remainder of Ms. Abbott-Kitchings apparent logic for entering said order is, at a minimum, highly flawed and without merit.

ARGUMENT

Ms. Abbott-Kitchings' stated rationale for signing and filing said order is apparently based on two primary arguments, which are interrelated both logically and legally.

Ms. Abbott-Kitchings primary argument is based on the fact that Appellant has failed to serve and file the initial brief and designation of matter as required by Rule 208 of the South Carolina Appellate Court Rules. Appellant does not disagree with Ms. Abbott-Kitchings that Alan Nix has not filed an initial brief and designation of matter, but does disagree with Ms. Abbott-Kitchings that appellant was required to file an initial brief and designation matter on or before 30 March 2022, including up until the date of this motion.

South Carolina Rule 208 of the South Carolina Appellate Court Rules states that: *(a)(1) Brief of Appellant. Within thirty (30) days after receiving the transcript, or, if no transcript is ordered, within thirty (30) days after serving the notice of appeal, appellant shall serve one copy of his*

brief on all parties to the appeal, and file with the clerk of the appellate court one copy of the brief with proof of service”

Appellant Alan Nix ordered the transcript as soon as practicable after being released from an illegal (and highly related) fifteen day imprisonment at the Sheriff Al Cannon (Esq.) Detention Center in February 2021. See Exhibits T4 and T5.

As of the date of this motion, Alan Nix has not received said transcript or received any correspondence at all from the Charleston County Master in Equity Court Reporter, Ms. Christine Smith of Sandlapper Reporting, LLC. Hence, as it would seem Ms. Abbott-Kitchings should know, the start of the thirty (30) day period to serve Appellants’ initial brief and designation of matter has not started, and thus, could not have expired as Ms. Abbott-Kitchings states.

It is worth noting that Ms. Haselden’s overtly obstructive BAIL PROCEEDING FORM II order dated 26 January 2021 (Ex. T5), which cites Ms. Christine Smith as an alleged Victim, despite Ms. Smith not being identified as a Victim in any of the arrest warrants or associated Affidavits, is of key importance in this matter, as is fairly well laid out in the 22 February 2021 letter to Ms. Abbott Kitchings and Desire Allen, who is most likely related to Ms. Claire Allen, Ms. Abbott-Kitchings Chief Deputy Clerk.

Appellant acknowledges that Ms. Abbott-Kitchings cites as a part her belief in filing said order of dismissal that her Chief Deputy Clerk’s (Ms. Claire Allen) letter dated December 01, 2021 forms a proper basis for starting the thirty (30) day clock cited in Rule 208. Given Ms. Abbott-Kitchings’ education and job responsibilities, it seems highly likely that Ms. Abbott-Kitchings knows such argument is without legal merit and not even minimally supported by sufficient facts to make such an allegation. Appellant has also previously asked Ms. Abbott-Kitchings, by way of motion, to provide any verifiable evidence to support her and Ms. Allen’s “*understanding*” laid out in Ms. Allen’s 1 December 2021 letter. As of the date of this motion, Appellant is unaware of Ms. Abbott-Kitchings making an even remote attempt to support her and Ms. Allen’s “*understanding*”, thereby raising the distinct possibility that Ms. Abbott-Kitchings knew on 30 March 2022, just like she knew in December 2021, that such evidence does not exist.

CHIEF DEPUTY CLERK CLAIRE ALLEN’S 1 DECEMBER 2021 LETTER

Ms. Allen's 1 December 2021 letter reads as follow:

"Our records do not reflect a hearing held by the master in equity before issuance of the order on appeal in this case. Thus, based on our understanding that there is not a transcript of the proceedings below, the appellant must serve and file his initial brief and designation of matter within thirty (30) days of the date of this letter or the appeal will be dismissed."

The following analysis of Ms. Claire Allen's 1 December 2021 letter, as related to potentially forming a proper basis for Ms. Abbott-Kitchings order, follows.

1. Ms. Claire Allen does not state with any particularity whatsoever what records she alleges she and Ms. Abbott-Kitchings has in the Clerk of Court's records that support their stated "*understanding*" that a hearing was not held by the master in equity before issuance of the order on appeal in this case.
2. It is indisputable that Mikell Scarborough and his employees are employees of the County of Charleston and that based on Magistrate Laura Dukes-Beck's comments in 2017, when she was Mikell Scarborough's Scheduler, the Charleston County Master in Equity does not utilize Ms. Julie Armstrong's organization for managing his court, but rather, does so separate and distinct from Clerk of Court Armstrong. Thus, it seems unlikely that Ms. Abbott-Kitchings and/or Ms. Claire Allen have any legally valid records from Charleston County in their records at the SC Court of Appeals unless that Appellants or Respondents submitted such records. Appellant is unaware of such records being properly filed with the SC Court of Appeals and Ms. Abbott-Kitchings, formerly of Thurmond, Kirchner and Timbes in downtown Charleston, would only have such records if obtained from another improper and undisclosed source.
3. Ms. Claire Allen alleges that only one order is on appeal in this case, when in reality, two orders are on appeal in this case. Both orders are included with this motion as Exhibits T1 and T2.
4. The legal definition of understanding, as defined by the Free Dictionary is as follows: "*A general term referring to an agreement, either express or implied, written or oral. The term understanding is an ambiguous one; in order to determine where a particular*

understanding would constitute a contract that is legally binding on the parties involved, the circumstances must be examined to discover wheter a meeting of the minds and an intent to be bound occurred” . Appellant acknowledge this definition is contract oriented, which may or many not be relevant to the issue at hand, but points out two key points from the definition. 1. “The term understanding is an ambiguous one” 2. Due to being ambiguous, “the circumstances must be examined” to discover what occurred.

5. Appellant agrees that whatever Ms. Abbott-Kitchings and Ms. Claire Allen did, or didn’t do, in December 2021 is quite ambiguous, and even when Appellant offered them a chance to clarify, neither Ms. Abbott-Kitchings nor Ms. Claire Allen have even minimally attempted to do so. Consequently, Ms. Abbott-Kitchings reliance on Ms. Allen’s 1 December 2021 letter to attempt to justify her 30 March 2022 order is without legal merit, not supported by even remotely sufficient facts and obviously improper.

POTENTIAL APPLICABILITY OF JUDICIAL NOTICE

In an attempt to try to understand how Ms. Abbott-Kitchings and Ms. Claire Allen expected to justify Ms. Claire Allen’s 1 December 2021 letter, and thus it’s proper applicability to Ms. Abbott-Kitchings 30 March 2022 Order, Appellant has explored the possibility that Ms. Abbott-Kitchings and Ms. Allen have attempt to utilize judicial notice of some type without stating that was what they were attempting to do. For the reasons provided above, along with the following reasons, Appellant does not believe judicial notice is applicable and is not available to either Ms. Abbott-Kitchings or Ms. Claire Allen to justify their conduct. (Also reference Exhibits T7, T8 and T9)

1. The first obvious issue related to allowing Ms. Abbott-Kitchings and / or Ms. Claire Allen to rely on some type of judicial notice is that from all research done by Appellant, judicial notice is reserved for judges with proper jurisdiction. While the South Carolina Rules related to the Appellate courts do confer upon clerks of court authority to enter orders in cases, clerk of courts authority related to orders is limited to enforcing the rules of the appellate courts, not determining what facts outside of the records of the appellate court apply. For instance, if Ms. Abbott-Kitchings knew that the Appellant had received the transcript requested by the 22 February 2021 transcript request around the first of March 2022, then she would likely be safe utilizing her authority to enter orders

enforcing the rules of the appellate court to dismiss this / an appeal. In this scenario, Ms. Abbott-Kitchings 30 March 2020 order would have read something like the following:

Appellant received the transcript he ordered on 22 February 2021 on or about 28 February 2022. Rule 208 of the South Carolina Appellate Court Rules require that Appellant file his or her initial brief and designation of matter within thirty (30) days of receiving his transcript. The Appellant has failed to timely serve and file his initial brief and designation of matter, accordingly, this matter is dismissed.

2. The second issue related to allowing Ms. Abbott-Kitchings and/or Ms. Claire Allen to rely on some type of judicial notice is that Appellant has objected to Ms. Abbott-Kitchings and Ms. Claire Allen's use of their non public records to supposedly support their "*understanding*" but has not been given an opportunity to be heard whether such apparent finding of fact is legitimate. Only very recently has Appellant found the concept of judicial notice and analyzed if Ms. Abbott-Kitchings and/or Ms. Claire Allen could potentially attempt to justify their actions via such a concept. If so, Appellant demands a right to be heard and object to such apparent findings.
3. The third issue related to allowing Ms. Abbott-Kitchings and/or Ms. Claire Allen to rely on some type of judicial notice related to their "*understanding*" is that they would have to be vested with some authority to be a finder of facts. This does not appear to apply to the positions of either Ms. Abbott-Kitchings nor Ms. Claire Allen.
4. The fourth issue is that whatever still unidentified, non-public records Ms. Allen and Ms. Abbott-Kitchings apparently have that led to their "*understanding*" would have to be indisputable. Based on Appellant's review of the orders on appeal, this element of judicial notice is almost impossible for Ms. Abbott-Kitching and/or Ms. Allen to prove, even if they are able to prove that they are capable of relying on judicial notice in the first place, including, but not limited to jurisdiction. Additionally, Ms. Allen's and Ms. Abbott-Kitching own conduct in this matter post 1 December 2021 suggest they themselves knew in December 2021, as well as knew on 30 March 2022, that their "*understanding*" is readily disputable. This point will be spoke to in more detail later in this motion.

(An example of where the Court of Appeals could have, and should have, properly applied judicial notice without having to be requested to do so is related to the Court of Appeals denial of Appellant's 4 October 2020 Emergency Motion for an injunction to stay the sale of his family's home, included as Ex. T13. In this instance, the Court of Appeals had to be aware of Chief Justice Beatty's 6 May 2020 order, just like Scarborough was aware of said order since 6 May 2020, could have reviewed the courts records and determined that "*Churchill Park*" and McCabe, Trotter & Musheff had not complied Chief Justice Beatty's 6 May 2020 order and granted Appellants' motion, thereby saving the State of South Carolina and Ms. Flynn millions of dollars in related damages and prevented significant pain, suffering and intentional infliction of mental distress needlessly suffered by Appellant and numerous of his family members..)

ORDER DATED 30 DECEMBER 2020 (Ex. T1)

Appellant acknowledges that Michael P. Morris wrote the Order dated 30 December 2020 with a caption of "WRIT OF ASSISTANCE" and that this order was issued after the motion for a rule to show cause and summons, also filed by Michael P. Morris, came before the court pursuant to the same motion for a rule to show cause and issuance of a WRIT OF ASSISTANCE". Appellant also acknowledges there is no mention of a hearing in this order.

(NOTE: It is worth nothing that the first paragraph of this order is less than accurate in a highly material and legally significant manner. While it is true that the Final Order filed on 9 November 2017 had language in it related to "*retain(ing)ed jurisdiction to do all necessary acts incident to this foreclosure including, but not limited to, the issuance of a Writ of Assistance*", this language does not legally overcome "Churchill Park"'s, Scarborough's, and McCabe, Trotter & Musheff's indisputable lack of compliance with Chief Judge Beatty's 6 May 2020 Order entitled "*RE: Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Evictions and Foreclosure Forms*", included as Exhibit T11)

ORDER DATED 7 JANUARY 2021 (Ex. T2)

Scarborough's order dated 7 January 2021, unlike MP's order dated 30 December 2020, does reference hearings and an order of the Supreme Court of South Carolina, specifically the order entitled "RE: Operation of the Trial Courts During the Coronavirus Emergency (as amended 16 December 2020)", hereinafter referred to as 16 Dec 2020 Coronavirus order.

First, Scarborough states at the opening of the order that *“This matter came before the court on 7 January 2021.”*

Next, Scarborough attempt to explain that because of the 16 Dec 2020 Coronavirus order, he determined that MP’s Rule to Show Cause hearing was not necessary. Hence, it is alleged that no hearing took place between 29 December 2020 and 31 December 2020. At the moment, Appellant has no reason to dispute this apparent fact.

Next, Scarborough states that when filing MP’s Writ of Assistance, he utilized section (c)(4) of the 16 Dec 2020 Coronavirus order because he claims MP’s motion could be readily decided without further input. Clearly Scarborough didn’t want to chance anyone bringing up Chief Justices’s 6 May 2020 order forbidding him from illegally evicting the Appellant and his family.

Next, on page two paragraph two, Scarborough states that he *“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 issues December 31, 2020 to evict Mr. Nix if he does not voluntarily leave.”* This paragraph is important for several reasons. First, the Appellant has confirmed that he did not communicate with Scarborough or anyone in his office between 5 January 2021 when Sgt. Christopher Craven notified him of MP’s and Scarborough’s Writ of Assistance and 7 January 2021 at 1440 when Scarborough signed the second order. Second, this paragraph, when taken in the context of the order, seems to be attempting to rationalize and retroactively cure the issue raised in (c)(4) of the 16 Dec 2020 Coronavirus order which states *“In all other situations except those where a motion may be made on an ex parte basis, a ruling shall not be made until the opposing party or parties have had an opportunity to file a return or other response to the motion.”*

It is undisputed that due to Thames, SC Attorney General and Auto Owner’s Insurance Matie Chris Murphy order date 20 Sept 2019, (See Exhibit T3) and Julie Armstrong’s multiple improper utilizations of the same, Appellant Alan Nix didn’t file a return or other response to the motion because he was never served with the motion, and even if he had been served with the motion, then Ms. Armstrong would have sent it back with one of her colored sheets saying she couldn’t file it because of Maite’s Chris Murphy’s Order dated 20 Sept 2019.

Appellant Alan Nix has no knowledge of any of this being timely served on his son Ethan Nix related to his Mother’s estate. Likewise, Appellant doesn’t know of a valid legal reason for

anything to have occurred in secret ex parte fashion, but believes such conduct did occur starting at least by 23 October 2020.

The main take aways of this paragraph is that:

1. Scarborough alleges he received correspondences from Defendant, Alan G. Nix, between 5 January 2021 and 1440 on 7 January 2021. This is an untrue statement.
2. Appellant didn't file a return or other response to MP's motion, because he wasn't served with MP's motion, and even if he had been, couldn't have filed a return or other response because of Maite Chris Murphy's order dated 20 Sept 2019
3. There is no evidence that the other party, Norma Nix's estate and her son were timely served with any of this as required by paragraph (c)(4)
4. The only way this could have legitimately come before the court on 7 January 2021 is due to a filed return or response from the Defendant's or a motion or something similar made in a hearing, potentially a secret one.
5. It is indisputable that the Defendants didn't have the opportunity or ability to file a return or other response.
6. Scarborough once again knew about Chief Justice Beatty's 6 May 2020 Order, knew, or should have known, that "Churchill Park" and McCabe Trotter and Musheff still had not complied with it, and continued with a knowingly illegal eviction.

The third paragraph of page two states: ***"IT IS HEREBY ORDERED that no further hearings need to be held on the Motion for Writ of Assistance"***. This sentence clearly indicates at least one hearing had to have occurred between 29 December 2020 and 7 January 2021, with the most likely time being on 7 January 2021. The circumstance of one or more of these hearings is unknown but Appellant believes Ms. Christine Smith is always the court reporter for hearings for Scarborough and there must be at least one transcript of one or more of these hearings Scarborough references in this sentence.

For all of these reasons, Ms Abbott Kitchings 30 March 2022 order much be set aside. The thirty day deadline for Appellant to file an initial brief and designation of matter can not start until he receives at least one transcript from the hearing or hearings Scarborough states occurred, and which had to have occurred, for him to issue his order dated 7 January 2021. .

WHEREFORE, Appellants respectfully requires this Court:

1. Enter an Order setting aside Ms. Abbott-Kitchings order dated 30 March 2022.
2. Remand this case back to the lower court with permission to file a Rule 60(b) motion to sort out in an indisputable manner what did or did not occur between 30 December 2020 and 8 January 2022, or in the alternative, place this appeal on hold until Appellant can order these transcripts from Ms. Christine Smith / Sandlapper Reporting without being illegally arrested again.
3. Any other and further relief as the Court deems just, legal, ethical, prudent and proper.

April 14, 2022

Respectfully submitted,



Alan G. Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991-4170

Michael and Taryn Lazroff: By way of being copied on this motion, along with the attached exhibits, consider yourselves on notice that you are required to vacate my family's home located at 1401 Densmore Circle, Mt. Pleasant, SC no later than noon on Friday, 13 May 2022.

Scarlett Wilson: Please ensure that all criminal charges related to my unlawful eviction of 22 January 2021 are dismissed no later than 1300 on Friday, 29 April 2022. Simultaneously, file all necessary documents with the SC Law Enforcement Division to expunge from my record all related charges. Hopefully I will not have to hire an attorney to force you to timely take these required actions.

Exhibit

T1

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

Churchill Park

Plaintiff,

vs.

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

Defendants.

(3001-20060)

IN THE COURT OF COMMON PLEAS

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

WRIT OF ASSISTANCE

**THIS WRIT OF ASSISTANCE APPLIES TO ALL OCCUPANTS AND
PERSONAL PROPERTY LOCATED WITHIN OR ON THE PROPERTY DESCRIBED
BELOW.**

Pursuant to the Final Order filed on November 9, 2017, the undersigned retained jurisdiction to do all necessary acts incident to this foreclosure including, but not limited to, the issuance of a Writ of Assistance.

This matter came before me pursuant to a motion filed by State Street Holdings, LLC (hereinafter "State Street") seeking a Writ of Assistance ordering and directing the Sheriff of Charleston County to remove peaceably or forcibly any occupant of the property located at 1401 Densmore Circle, Mount Pleasant, South Carolina 29466 together with all of the personal property located within or on the subject premises.

It appears that the subject premises was sold by public auction on October 6, 2020. As a result of said sale, State Street became the owner of the subject property by virtue of a Master's Deed recorded on December 9, 2020 in Book 0941 at Page 914 in the office of the Register of

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Deeds for Charleston County. State Street is entitled to possession of the subject premises. Therefore,

IT IS HEREBY ORDERED that State Street 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 State 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.

Mikell R. Scarborough
Master in Equity for Charleston County

Charleston, South Carolina

_____, 20__

**Charleston Common Pleas**

Case Caption: Churchill Park VS Alan G Nix , defendant, et al
Case Number: 2017CP1004031
Type: Order/Writ Of Assistance

So Ordered

s/Mikell R. Scarborough 3062

Electronically signed on 2020-12-30 14:48:20 page 4 of 4

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agnix1@hotmail.com

From: Chris Craven <ccraven@charlestoncounty.org>
Sent: Tuesday, January 5, 2021 1:48 PM
To: agnix1@hotmail.com
Cc: Kristin Graziano; David Burnsed; Charles Barton
Subject: Writ of Assistance 2017-CP-10-04031

Mr. Nix,

I am contacting you to let you know that the Charleston County Sheriff's Office has received a Writ of Assistance for 1401 Densmore Circle Mt. Pleasant SC which was signed by Judge Scarborough on 12/30/2020. The order states that you are to vacate the property by noon on 1/22/2021. I need to serve this document to you as soon as possible and I wanted to know if you would like to come to my office to pick it up? If not I will have my deputy bring the document to your house, whichever is convenient for you? I also wanted to give you as much notice as I possibly can. Please let me know the best way to serve this order to you and if you have any questions please let me know.

Sgt. Chris Craven
Civil Process Unit
Charleston County Sheriff's Office
(843) 958-2107

Exhibit T2

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

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

Exhibit T3

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
Civil Action No.: 2018-CP-10-03315

Alan Nix)
)
)
Plaintiffs,)

**ORDER ENJOINING THE PLAINTIFF
FROM RE-FILING THIS MATTER
AND IMPOSING SANCTIONS UPON
THE PLAINTIFF**

vs.)

Churchill Park, Churchill Park at Park)
West, Inc., Churchill Park Homeowner's)
Association, Inc., David Brown, and)
Catherine Brown)

Defendants.)

THIS MATTER COMES BEFORE THE COURT pursuant to a Motion for Sanctions filed on behalf of Defendants David Brown and Catherine Brown. A hearing on this Motion was held on August 28, 2018, at the Charleston County Courthouse, in Charleston, South Carolina. Present at the hearing was G. Troy Thames, Esquire, on behalf of Defendants David Brown and Catherine Brown. Also present at the hearing was the *pro se* Plaintiff, Alan Nix. The Defendants' motion is made pursuant to the South Carolina Frivolous Proceedings Act. Upon review of the record, pleadings, and file available to the Court, including Plaintiff's previous filings, and oral arguments, this Court now rules, and grants the Defendants' motion.

FACTUAL AND PROCEDURAL HISTORY

This claim arises from an Order of Judgment from the Charleston County Small Claims Court, North Charleston Division. The underlying judgment order regarded a contested foreclosure action against Plaintiff. In response to instituting foreclosure proceedings against him, Plaintiff filed numerous complaints with city, county and state offices complaining of Defendant Churchill Park's business practices. Further, Plaintiff sent numerous requests to state agencies for the

registration and financial information of Defendant Churchill Park.¹

On February 24, 2017, Plaintiff initiated this lawsuit by filing a Complaint in the Charleston County Small Claims Court, North Charleston Division, under Case No. 2017CV1011500354. A pre-trial conference was held on April 18, 2017; wherein, the Honorable James A. Turner dismissed this action. Plaintiff filed a motion to clarify the April 18, 2017 order and restore the case to an active docket on April 18, 2018. A motion hearing was held on April 30, 2018, and the court issued a written order on May 9, 2018 denying the motion and delineating the grounds for denial. On May 21, 2018, Plaintiff filed a motion for reconsideration of the denial of the Magistrate Court order, which was denied on May 31, 2018. Plaintiff filed another motion for clarification of the previous orders, which was denied on June 20, 2018. Plaintiff filed a Notice of Civil Appeal on June 28, 2018. The Magistrate's Return was filed on July 11, 2018.

On September 19, 2018, the Honorable Roger M. Young, acting as Chief Administrative Judge in Charleston County, executed an Order of Substitution for defense counsel. On November 1, 2018, Plaintiff filed a Motion to Set Aside, or in the Alternative, Amend Order dated 19 September 2018. On November 19, 2018, Judge Young denied Plaintiff's Motion. On November 21, 2018, Plaintiff filed a second Motion to Set Aside and Clarify Order of 19 Sept 2018, Reconsider Order of 19 November 2018 and Continuance of Hearing Scheduled for 29 November 2018. Plaintiff submitted a subpoena *duces tecum* request directed to Judge Young on November 30, 2018 for "any and all physical and electronically stored documents, including but not limited to, emails, electronic notes and archived documents pertaining to the orders filed in the above captioned case on 25 September 2018 and 19 November 2018[.]" Plaintiff filed a Motion for Judicial Recusal, Return Case to Judge McCoy's Roster and Continue the Appeal Hearing Until

¹ Additionally, Plaintiff filed a police report against Defendant Churchill Park's counsel, Stephanie Trotter, accusing Ms. Trotter of misdemeanor notary fraud.

the Order Substituting Counsel was Properly Resolved, on December 4, 2018. On December 7, 2018, Judge Young filed an Order Denying Plaintiff's Motion to Reconsider/Clarify.

Following the December 7, 2018 hearing, Plaintiff issued subpoenas to: G. Troy Thames – counsel for Defendants Brown; Joseph Kaiser – former counsel for Defendants Brown; Lyndsay Luthringer – law clerk to Judge Young; Caroline Leonard – Charleston County Common Pleas Docket Manager; and Julie Armstrong – Charleston County Clerk of Court, for “any and all physically and electronically stored documents, including but not limited to, emails, electronic notes and archived documents pertaining to the orders filed by Judge Roger Young in the above captioned case on 25 September 2018[.]”

On December 17, 2018, a Motion to Quash Plaintiff's Subpoena of Lyndsay Luthringer, was filed. On December 21, 2018, a Motion to Quash Subpoenas issued to G. Troy Thames and Joseph Kaiser, was filed. On December 28, 2018, Plaintiff filed a Rule 59 Motion. On December 31, 2018, Defendant David Brown and Catherine Brown filed this Motion for Sanctions against Plaintiff. On May 24, 2019, Plaintiff filed a Request for Continuance and Change of Venue; Defendants filed a Motion to Quash Subpoenas Issues to G. Troy Thames, Joseph Kaiser, Kevin Mims, Roger M. Young, and Lyndsay Luthringer. On May 29, 2019, a Motion to Quash Plaintiff's Subpoenas to Appear Issued to James A. Turner, Julie L. Armstrong, Johanna S. Gardner, and Caroline C. Leonard, was filed.

On June 4, 2019, the Honorable Grace Gilchrist Knie heard arguments concerning Plaintiff's Request for Continuance and Change of Venue. On July 7, 2019, Judge Knie denied Plaintiff's Request for a Change of Venue.

STANDARD OF REVIEW

The South Carolina Frivolous Civil Proceedings Sanctions Act (FCPSA) allows for

imposition of sanctions for the initiation and prosecution of civil claims without merit where the court finds, by a preponderance of the evidence, that:

- (a) a reasonable attorney in the same circumstances would believe that under the facts, his claim or defense was clearly not warranted under existing law and that a good faith or reasonable argument did not exist for the extension, modification, or reversal of existing law;
- (b) a reasonable attorney in the same circumstances would believe that his procurement, initiation, continuation, or defense of the civil suit was intended merely to harass or injure the other party; or
- (c) a reasonable attorney in the same circumstances would believe that the case or defense was frivolous as not reasonably founded in fact or was interposed merely for delay, or was merely brought for a purpose other than securing proper discovery, joinder of proposed parties, or adjudication of the claim or defense upon which the proceedings are based.

S.C. Code Ann. § 15-36-10(C)(1).

In determining if a pro se litigant has violated provisions of the FCPSA, Section 15-36-10(E) sets forth the following factors the court should consider:

- (1) the number of parties;
- (2) the complexity of the claims and defenses;
- (3) the length of time available to the attorney, party, or pro se litigant to investigate and conduct discovery for alleged violations of the provisions of subsection (A)(4);
- (4) information disclosed or undisclosed to the attorney, party, or pro se

- litigant through discovery and adequate investigation;
- (5) previous violations of the provisions of this section;
- (6) the response, if any, of the attorney, party, or pro se litigant to the allegation that he violated the provisions of this section; and
- (7) other factors the court considers just, equitable, or appropriate under the circumstances.

The decision of whether to award sanctions under the FCPSA is treated as one in equity. *Pee Dee Health Care, PA v. Estate of Thompson*, 418 S.C. 557, 563, 795 S.E.2d 40, 43 (Ct. App. 2016). The Court has wide discretion when ordering sanctions, to include: (1) reasonable costs and attorneys' fees; (2) a reasonable fine to the court; or (3) a directive of a nonmonetary nature, including injunctive relief, designed to deter a future frivolous action or an action brought in bad faith. S.C. Code Ann. § 15-36-10(G),

DISCUSSION AND ANALYSIS

Defendants move for this Court to impose sanctions upon Plaintiff, pursuant to the FCPSA, for continuing to make frivolous claims in an attempt to harass and injure the other parties and this Court. Defendants request that Plaintiff be enjoined from filing additional pleadings until Plaintiff has consulted with, and hired, legal counsel, licensed in the State of South Carolina. This Court finds that such remedies are within the inherent authority of the Court, and are appropriate under these circumstances.

This Court acknowledges that Plaintiff is *pro se*; however, lack of familiarity with legal proceedings is not an acceptable excuse and the court will hold a layman to the same standard as an attorney. *Hill v. Dotts*, 345 S.C. 304, 310, 547, S.E.2d 894, 897 (Ct.App.2001). The applicable law specifically provides that *pro se* plaintiffs are subject to FCPSA, and "sanctions may be

awarded regardless of whether or not the case has been tried to verdict so long as the trial court finds by a preponderance of the evidence that the party should be sanctioned.” *Holmes v. East Cooper Community Hospital, Inc.*, 408 S.C. 138, 758 S.E.2d 483 (2012).

Pursuant to Section 15-36-10, a *pro se* litigant, participating in a civil action may be sanctioned for filing a frivolous pleading, motion, or document, if:

a reasonable attorney in the same circumstances would believe that his claim or defense was clearly not warranted under existing law and that a good faith or reasonable argument did not exist for the extension, modification, or reversal of existing law; a reasonable attorney presented with the same circumstances would believe that the procurement, initiation, continuation, or defense of a civil cause was intended merely to harass or injure the other party ... is frivolous, interposed for merely delay, or merely brought for any purpose other than securing proper discovery, joinder of parties, or adjudication of the claim or defense upon which the proceedings are based ... making frivolous arguments a reasonable attorney would believe were not reasonably supported by the facts.

S.C. Code Ann. § 15-36-10(C)(1)(a)-(c). South Carolina courts have acted on this statute and awarded sanctions against *pro se* litigants when the case was frivolous in nature; the *pro se* litigant could not substantiate claims with facts; and *pro se* litigants engage in tactics to delay proceedings, including appeals of interlocutory matters. *Holmes v. Haynsworth, Sinkler & Boyd, P.A.*, 408 S.C. 620, 760 S.E.2d 399 (2014)(holding sanctions are proper against *pro se* appellant for frivolous and dilatory litigation tactics).

This Court finds that Plaintiff has violated the FCPSA. Specifically, Plaintiff has filed three motions in regard to the September 19, 2018 Order of Substitution, which allowed Defendants Brown to substitute counsel. These motions have been denied each time. After the

first two motions had been denied by the court, any reasonable plaintiff in these “circumstances would understand that under the fact his claim was clearly not warranted under existing law.” S.C. Code Ann. § 15-36-10(A)(4)(a)-(c).

In the current instance, Plaintiff proceeded to make additional motions and filings associated with the denial of the September 19, 2018 Order, as well as a series of subpoenas to parties and non-parties of the underlying case. This Court finds that there are no facts or issues in this matter to support a subpoena to former and current counsel associated with this action. Further, Plaintiff has filed subpoenas for Charleston County Judicial staff, pertaining to orders issued by Judge Young. Judge Young has not heard any of the merits of this case, and Charleston County Judicial staff has relayed all pertinent information to Plaintiff’s requests prior to the issuance of these subpoenas.

It is important to note, the September 19, 2018 Order is a minor, interlocutory matter, which has no overall effect on Plaintiff. Plaintiff has continued to harass this Court, as well as past and present counsel, and the Charleston County Judicial staff with subpoenas *duces tecum*. The subpoenaed information has already been discussed, argued, decided, and ruled upon by this Court. Plaintiff’s continued motions and filings have demonstrated a pattern which shows a clear disdain for the judicial process, as Plaintiff continues to ignore the Court’s direction. Further, Plaintiff’s continued filings regarding a minor, interlocutory matter waste the Court’s resources, and frivolously subject Defendants to costs and fees to defend the repetitive litigation.

The Court finds that this is a prime example of a scenario where sanctions are appropriate. At this point, Plaintiff’s recalcitrant efforts to continue to litigate motions that have been repeatedly denied are undoubtedly frivolous, and potentially malicious. This Court will not allow Plaintiff to continue to abuse and harass the Judicial System and subject Defendants to the unnecessary burden

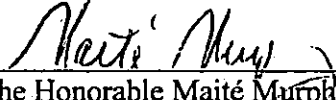
and expense of continuing to re-litigate these matters. Therefore, this Court hereby **GRANTS** the Defendants request for sanctions, and hereby imposes an Injunctive Order preventing the Clerk of Court from hereafter filing any pleadings from Plaintiff, acting pro se, regarding the matters set forth in Civil Action No. 18-CP-10-03315. The Clerk of Court may only accept further pleadings regarding the matters set forth in Civil Action No. 18-CP-10-03315 when filed by licensed, legal counsel, retained by Plaintiff.

CONCLUSION

Based on the pleadings, affidavits, and arguments of counsel, the Court finds that the Defendants have made the requisite showing that Plaintiff's motions and filings are frivolous and unduly burdensome acts.

IT IS THEREFORE ORDERED that the Clerk of Court of Charleston County shall refrain from filing any additional Complaints or other Pleadings related to the matters set forth in Civil Action No. 18-CP-10-03315, until such time that Plaintiff has retained legal counsel, licensed in the State of South Carolina.

IT IS SO ORDERED.


The Honorable Maité Murphy

Sept - 20, 2019.

J. George, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

Alan Nix

Plaintiff,

vs.

Churchill Park, et al.,

Defendant.

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT

CASE NO.: 2018-CP-10-03315

**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

Plaintiff's Attorney:

Alan Nix, Pro Se, Bar No. _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____ Other: _____

Defendant's Attorney:

Wesley Vorberger, Bar No. 103301

Address: _____

P.O. Box 11549, Columbia, SC 29211-1549

Phone: 803-734-3177 Fax: _____

E-mail: wvorberger@scag.gov Other: _____

☐ MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)

☐ FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)

☒ PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: _____

Estimated Time Needed: _____ Court Reporter Needed: ☐ YES/☐ NO

SECTION II: Motion/Order Type

☐ Written motion attached

☒ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for ☐ Plaintiff/☒ Defendant

9/3/19

Date submitted

SECTION III: Motion Fee

☒ PAID - AMOUNT: \$ 25⁰⁰

☐ EXEMPT:

(check reason)

☐ Rule to Show Cause in Child or Spousal Support

☐ Domestic Abuse or Abuse and Neglect

☐ Indigent Status ☐ State Agency v. Indigent Party

☐ Sexually Violent Predator Act ☐ Post-Conviction Relief

☐ Motion for Stay in Bankruptcy

☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRPC)

☐ Proposed order submitted at request of the court; or,
reduced to writing from motion made in open court per judge's instructions

Name of Court Reporter: _____

☐ Other: _____

JUDGE'S SECTION

☐ Motion Fee to be paid upon filing of the attached order.

☐ Other: _____

JUDGE CODE _____

Date: _____

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____

☐ MOTION FEE COLLECTED: \$ _____

☐ CONTESTED - AMOUNT DUE: \$ _____

Exhibit

T4

**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

v.

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 Summey: 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 AN

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: 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 _____
DATE(S) _____ NAME OF PERSON OR ORGANIZATION _____
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 ACQUIRE 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.

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 ACQUIRE 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**

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 SC Attorney General
Section 17-15-40
March 21, 2012

SCCA/511A (Revised 3/2012)

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

AFFIDAVIT

OCA # 2021-000600

Personally appeared before me, a magistrate of this County, one Sgt. C. Craven, who, first being duly sworn, deposes and says that

Alan Gregory Nix

did within this County and State on or about the 21st day of January 2021 violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE
Intimidation of Court Officials
16-9-340

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

That on January 21, 2021, while at 4045 Bridge view Drive, North Charleston S.C., in the County of Charleston and State aforesaid, the above named defendant, **Alan Gregory Nix**, did commit the offense of violation section 16-9-340 of the South Carolina State Code of Laws, 1976 as amended, **Intimidation of Court Officials**, in that he did willfully and unlawfully, provided written communications to intimidate the deputies of the Charleston County Sheriff's Office into not enforcing a Writ of Assistance signed by Master in Equity Mikell R. Scarborough on December 30, 2020 (2017CP1004031) ordering the property to be vacated by 12:00 P.M. on January 22, 2021."

That on January 21, 2021, the defendant arrived at the Charleston County Legal office and provided copies of court documents, and on the cover page a handwritten note stating "Joe, Here is the Headline: shootout & standoff between Charleston County Sheriff's Office & Homeowner Intentionally & Premeditatedly set up by corrupt Judge, Mikell Scarborough"

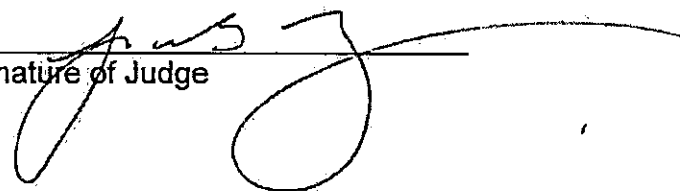
The above information was revealed through the investigation of Sgt. C. Craven and the victim identified as Joe Dawson who is an attorney that represents the County of Charleston are witnesses to prove the same against the form of the statute in such case made and provided against the peace and dignity of the State.

Sworn to and Subscribed before me

This 21 day of Jan, 2021


Affiant

3691 Leeds Ave
North Charleston, SC 29405
843-202-1700


Signature of Judge

ARREST WARRANT

2021A1010200444

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

THE STATE

against

Alan Gregory Nix

Address:

Mount Pleasant, SC 29466-9040

Phone: _____ SSN: _____

Sex: M Race: W Height: 5 10 Weight: 180DL State: SC DL #: _____DOB: _____ Agency ORI #: SC0100000Prosecuting Agency: Charleston County SheriffProsecuting Officer: Christopher R Craven - S00418Offense: Courts / Intimidation of court officials, jurors, or witnesses (after April 1, 1996)Offense Code: 2451Code/Ordinance Sec: 16-09-0340This warrant is **CERTIFIED FOR SERVICE** in the☐ County/ ☐ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to defendant on 01/25/21

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

Personally appeared before me the affiant Christopher R Craven who being duly sworn deposes and says that defendant Alan Gregory Nix did within this county and state on or about 1/21/2021 violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Charleston) in the following particulars:DESCRIPTION OF OFFENSE: Courts / Intimidation of court officials, jurors, or witnesses (after April 1, 1996)

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

COPY

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

Affiant's Address 3691 Leeds Avenue
North Charleston, SC 29405-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/21/2021 defendant Alan Gregory Nixdid violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Charleston) as set forth below:DESCRIPTION OF OFFENSE: Courts / Intimidation of court officials, jurors, or witnesses (after April 1, 1996)Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.
Sworn to and subscribed before me on 1/22/2021Judge's Address 3831 Leeds Avenue, Ste 100
North Charleston, SC 29405-Judge's Telephone (843)745-2390Issuing Court: ☒ Magistrate ☐ Municipal ☐ CircuitSignature of Issuing Judge
James Benjamin Gosnell Jr.
Judge Code: 5904

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

DEFENDANT
COPYForm Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

ARREST WARRANT

2021A1010200476

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

THE STATE

against

Alan Gregory Nix

Address:

Mount Pleasant, SC 29466-9040

Phone: SSN: Sex: M Race: W Height: 5 10 Weight: 180

DL State: SC DL #: DOB: Agency ORI #: SC0100000

Prosecuting Agency: Charleston County Sheriff

Prosecuting Officer: Christopher R Craven - S00418

Offense: Trespassing / Entering premises after warning or refusing to leave on request

Offense Code: 1167

Code/Ordinance Sec: 16-11-0620

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant on 01/25/21

on

Signature of Constable/Law Enforcement Officer

Signature of Constable/Law Enforcement Officer

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

North Area 3 Magistrate
6185 Rivers Avenue, Suite E
North Charleston, SC 29406

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

AFFIDAVIT

DEFENDANT
COPYForm Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

Personally appeared before me the affiant Christopher R. Craven | K. Craven who

being duly sworn deposes and says that defendant Alan Gregory Nix

did within this county and state on or about 1/22/2021 violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Charleston)

in the following particulars:

DESCRIPTION OF OFFENSE: Trespassing / Entering premises after warning or refusing to leave on request

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT

COPY

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

Affiant's Address 3691 Leeds Avenue
North Charleston, SC 29405-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

it appearing from the above affidavit that there are reasonable grounds to believe that

on, or about 1/22/2021 defendant Alan Gregory Nix

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Charleston as set forth below:

DESCRIPTION OF OFFENSE: Trespassing / Entering premises after warning or refusing to leave on request

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable
Sworn to and subscribed before me on 1/24/2021

Judge's Address

North Charleston, SC 29405-

Judge's Telephone: (843)746-9822

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

Judge Code: 7391

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

AFFIDAVIT

OCA # 2021-000600

Personally appeared before me, a magistrate of this County, one K. Guter, who, first being duly sworn, deposes and says that

Alan Gregory Nix

did within this County and State on or about the 22nd day of January 2021 violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE
Trespassing after notice

16-11-620 dty

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

That on January 22, 2021, while at 1401 Densmore Circle, Mt. Pleasant S.C., in the County and State aforesaid, the above named defendant, **Alan Gregory Nix**, did commit the offense of violation section 16-9-620 of the South Carolina State Code of Laws, 1976 as amended, **Trespassing after notice**, in that he did willfully and unlawfully, refused to leave the property as ordered by a Writ of Assistance (2017CP1004031) signed by Judge Scarborough on December 30, 2020, and posted to the defendant's residence on January 11, 2021.

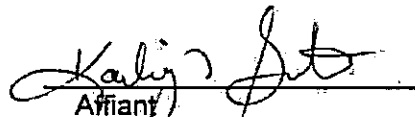
That on January 22, 2021, at 09:37hrs, the defendant sent an email to members of the Charleston County Sheriff's Office stating "I haven't packed a single thing to move". At 12:06 pm Sgt. Craven spoke to the defendant's daughter who advised that her father had not left the residence nor was he planning to leave on his own. At 16:48hrs the defendant sent another email asking for an "accurate schedule of the stated intent to forcibly remove me from my home" He continues on further stating "I've been sitting here waiting for such actions for 4.75 hours" Members of the Charleston County Sheriff's Office were also conducting surveillance of the residence prior to and after 12pm on January 22, 2021, and confirmed that the defendant had not left the property as ordered. On January 23, 2021, at 15:45hrs the defendant sent another email advising "I've been barricaded in my family's home now for 28 hours, waiting for the assault by the Charleston County Sheriff's Dept. / Charleston County SWAT team that was supposed to happen 27.5 hours ago." The defendant has acknowledge the courts order posted on his residence advising him to vacate the property and he has adamantly refused to leave the property which is currently owned by State Street Holdings Co, LLC.

The above information was revealed through the investigation of Sgt. C. Craven and he along with a representative of the Victim, State Street Holdings Co, LLC, are witnesses to prove the same against the form of the statute in such case made and provided against the peace and dignity of the State.

Sworn to and Subscribed before me

this 24 day of Jan, 2021

Signature of Judge


Affiant
3691 Leeds Ave
N. Charleston, SC 29405
843-202-1700

ARREST WARRANT

2021A1010200475

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

THE STATE
against

Alan Gregory Nix

Address:

Mount Pleasant, SC 29466-9040

Phone: _____ SSN: _____
 Sex: M Race: W Height: 5 10 Weight: 180
 DL State: SC DL #: _____
 DOB: _____ Agency ORI #: SC0100000
 Prosecuting Agency: Charleston County Sheriff
 Prosecuting Officer: Christopher R Craven - S00418
 Offense: Resisting / Resisting Arrest; Oppose or resist law enforcement officer serving process or making
enforcement officer serving process or making
 Offense Code: 0326
 Code/Ordinance Sec: 16-09-0320(A)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused
 is to be arrested and brought before me to be
 dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to
 defendant on 01/25/21

Silva
 Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
 Charleston County Judicial Center
 100 Broad Street, Suite 106
 Charleston, SC 29401

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

AFFIDAVIT

DEFENDANT
COPY

Form Approved by
 S G Attorney General
 April 21, 2003
 SCCA 516

Personally appeared before me the affiant Christopher R Craven / K. Guth who
 being duly sworn deposes and says that defendant Alan Gregory Nix
 did within this county and state on or about 1/22/2021 violate the criminal laws of the
 State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Charleston)
 in the following particulars:

DESCRIPTION OF OFFENSE: Resisting / Resisting Arrest; Oppose or resist law enforcement officer serving process or making arrest

I further state that there is probable cause to believe that the defendant named above did commit
 the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT

COPY

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Charleston

Affiant's Address 3691 Leeds Avenue
North Charleston, SC 29405-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/22/2021 defendant Alan Gregory Nix

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Charleston) as set forth below:DESCRIPTION OF OFFENSE: Resisting / Resisting Arrest; Oppose or resist law enforcement officer serving process or making arrest

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable
 Sworn to and subscribed before me
 on 1/24/2021

John C. Kenney
 Signature of Issuing Judge
 John C. Kenney

Judge Code: 7391

(L.S.)

Judge's Address

North Charleston, SC 29405-Judge's Telephone (843)746-9822Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

AFFIDAVIT

OCA # 2021-000600

Personally appeared before me, a magistrate of this County, one K. Guth, who, first being duly sworn, deposes and says that

Alan Gregory Nix

did within this County and State on or about the 22nd day of January 2021 violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE
Opposing law enforcement officer serving process
16-9-320

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

That on January 22, 2021, while at 1401 Densmore Circle, Mt. Pleasant S.C., in the County and State aforesaid, the above named defendant, **Alan Gregory Nix**, did commit the offense of violation section 16-9-340 of the South Carolina State Code of Laws, 1976 as amended, **Opposing law enforcement officer serving process**, in that he did willfully and unlawfully, opposed law enforcement officers attempting to serve a legal writ. The defendant provided written communications to the Charleston County Sheriff's office that he was not vacating his residence at 12pm on January 2021, as he was ordered to do so. A Writ of Assistance (2017CP1004031) stating the same was signed by Judge Scarborough on December 30, 2020 and posted to the defendant's residence on January 11, 2021.

That on January 22, 2021, at 09:37 the defendant sent an email to the Charleston County Sheriff's Office stating "I haven't packed a single thing to move". As well as the statement "I have prepared to defend my family's property" This email also included a list of items entitled "rules of engagement today". At 12:06 pm, Sgt. Craven spoke to the defendant's daughter who advised that her father had not left the residence nor was he planning on leaving on his own. At 16:48hrs on January 22, 2021, the defendant sent another email to members of the Charleston County Sheriff's Office asking for an "accurate schedule of the stated intent to forcibly remove me from my home" He continues on further stating "I've been sitting here waiting for such actions for 4.75 hours" Members of the Charleston County Sheriff's Office were also conducting surveillance of the residence, prior to and after 12pm, and confirmed that the defendant had not left as ordered. On January 23, 2021, at 15:45hrs, the defendant sent another email advising "I've been barricaded in my family's home now for 28 hours, waiting for the assault by the Charleston County Sheriff's Dept. / Charleston County SWAT team that was supposed to happen 27.5 hours ago."

The above information was revealed through the investigation of Sgt. C. Craven and M/Dep. J. Booker, who are witnesses to prove the same against the form of the statute in such case made and provided against the peace and dignity of the State.

Sworn to and Subscribed before me

this 24 day of Jan, 2021

Signature of Judge


Affiant
3691 Leeds Ave
N. Charleston, SC 29405
843-202-1700

Exhibit

T5

22 February 2021

Alan Nix
1401 Densmore Circle
Mt. Pleasant, SC 29466

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

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@sccourts.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>AGNIX2@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 NIX, NORMA J. NIX + ESTATE</u>		
Date(s) of Proceeding <u>7 JAN 2021</u>	Circuit ☒ Family ☐	County <u>CHARLESTON</u>	
Presiding Judge <u>MIKEEL SCARBOROUGH</u>	Expedited Yes ☐ No ☒		
Court Reporter(s) <u>MOST LIKELY CHRISTINE SMITH ***</u>	Opposing Counsel <u>STEPHANIE TROTTER, CHRIS CRAVEN + JORD MUSEFF + M.P. MORRIS</u>		

*** SEE ATTACH ***
 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 _____

Exhibit

T6

The Supreme Court of South Carolina

RE: Operation of the Trial Courts During the Coronavirus Emergency
(As Amended December 16, 2020)1

Appellate Case No. 2020-000447.

ORDER

(a) Purpose. The purpose of this order is to provide guidance on the continued operation of the trial courts during the current coronavirus (COVID-19) emergency. The measures contained in this order are intended to allow essential operations to continue while minimizing the risk to the public, litigants, lawyers and court employees.

In the past, the South Carolina Judicial Branch has shown great resilience in responding to hurricanes, floods, and other major disasters, and this Court is confident that the same will be true in this emergency. This emergency, however, differs from these prior emergencies in many aspects. The current emergency will significantly impact every community in South Carolina while the prior emergencies, although potentially horrific for the individuals and communities directly impacted, did not. The impact of the prior emergencies could be minimized or avoided by traveling away from the site of the disaster; this is not the case for the current emergency. Further, in the prior emergencies, the circumstances giving rise to the emergency involved a single event with a beginning and a predictable end. This is not the case for the coronavirus, and even conservative estimates indicate the direct impacts of this pandemic will continue for many months.

In light of the extraordinary challenges presented by the current emergency, this Court finds it necessary to supplement and, in some situations, to alter significantly, the current practices regarding the operation of the trial courts. In the event of a conflict between this order and the South Carolina Rules of Civil Procedure (SCRCP), the South Carolina Rules of Criminal Procedure (SCRCrimP), the South Carolina Rules of Family Court (SCRFC), the South Carolina Rules of Probate Court (SCRPC), the South Carolina Rules of Magistrates Court (SCRMCMC), the South Carolina Court-Annexed Alternative Dispute Resolution Rules (SCADR), South Carolina Rules of Evidence (SCRE) or any other rule or administrative order regarding the operation of a trial court, this order shall control.

(b) Terminology. The following terminology is used in this order.

(1) Judge: a judge of the circuit court, family court, probate court, magistrate court and municipal court, including masters-in-equity and special referees.

(2) Remote Communication Technology: technology such as video conferencing and teleconferencing which allows audio and/or video to be shared at differing locations in real time.

(3) Summary Court: the magistrate and municipal courts.

(4) Trial Court: the circuit court (including masters-in-equity court), family court, probate court, magistrate court and municipal court.

(c) General Guidance. This section provides general guidance applicable to all trial courts or to several court types, and later sections will provide guidance that is limited to one court type. While this order remains in effect, the following general guidance shall apply:

(1) Jury Trials. If done in accordance with a plan approved by the Chief Justice,² jury selections and jury trials may be conducted. These plans should adhere to the guidance contained in section (c)(3) below.

(2) Non-Jury Trials and Hearings. Subject to the guidance provided in section (c)(3) below, non-jury trials and hearings may be conducted.

(3) General Guidance Regarding Trials and Hearings.

(A) Remote Non-Jury Trials and Hearings. Except as may be restricted by any constitutional provision, statutory provision or other provision of this order, a non-jury trial or a hearing on a motion or other matter, including a first appearance in a criminal case, may be conducted using remote communication technology to avoid the need for a physical appearance by any party, witness or counsel.

(B) In-Person Trials and Hearings.³ An in-person trial or hearing may be conducted if a judge determines (1) it is appropriate to conduct an in-person trial or hearing and (2) the trial or hearing can be safely be conducted. If an in-person trial or hearing is held, the following will apply:

(i) Start and end times for trials and hearings must be staggered to minimize the number of persons who will be present at the same time in the courtroom or hearing room, and the waiting rooms, hallways or other common areas which support the courtroom or hearing room.

(ii) Unless the judge authorizes another person to attend, attendance at the trial or hearing shall be limited to the attorneys or parties in the matter, necessary witnesses and necessary court staff. In the event the matter has numerous counsel or parties, the judge may further limit attendance as may be necessary to safely conduct the hearing.

(iii) Except as restricted by constitutional or statutory provision, a judge may allow a party to appear or a witness to testify using remote communication technology. As an example, allowing

a person who is at a heightened risk from COVID-19 due to age or serious underlying medical condition to appear or testify remotely might be an appropriate accommodation if requested by that person.

(iv) Except when necessary for the proceeding (such as handing an exhibit to the judge or opposing counsel, or counsel consulting with their client), all persons in the courtroom or hearing room must maintain at least six feet of distance from other persons in the room. Masks must be worn by all persons as specified by order of the Chief Justice dated July 30, 2020.⁴ To ensure social distancing can be maintained, it is recommended the maximum number of persons not exceed one person per 113 square feet of space in the courtroom or hearing room. This area may be reduced if plexiglass shields are being used, but the six foot distancing set forth above should be maintained.

(v) Efforts should be made to sanitize the witness stand and/or podium between witnesses and presentation by counsel. Further, before a subsequent trial or hearing is held, the courtroom or hearing room surfaces which may have been touched by participants in the prior matter, including door handles, should be sanitized.

(4) Minimizing Hearings on Motions. While the practice has been to conduct hearings on virtually all motions, this may not be possible during this emergency. If, upon reviewing a motion, a judge determines that the motion is without merit, the motion may be denied without waiting for any return or other response from the opposing party or parties. In all other situations except those where a motion may be made on an ex parte basis, a ruling shall not be made until the opposing party or parties have had an opportunity to file a return or other response to the motion. A trial judge may elect not to hold a hearing when the judge determines the motion may readily be decided without further input from the lawyers. If a hearing is held, the hearing shall be conducted in the manner specified by (c)(3) above. Consent motions should be decided without a hearing; in the event a party believes that the order issued exceeds the scope of the consent, the party must serve and file a motion raising that issue within ten (10) days of receiving written notice of entry of the order.

(5) Determination of Probable Cause Following Warrantless Arrest. When a warrantless arrest has occurred, the arresting officer shall provide the appropriate judge with an affidavit or a written statement with the certification provided by section (c)(16) below setting forth the facts on which the warrantless arrest was made within eight (8) hours of the arrest. The judge shall consider this affidavit or written statement with the certification and, if appropriate, may have the officer or others supplement the affidavit or written statement with the certification with sworn testimony given over the telephone or other remote communication technology. The judge may administer any necessary oath using the telephone or other remote communication technology. If the judge finds a lack of probable cause for the arrest, the defendant shall be released. The goal is to have this determination of probable cause be made within twenty-four (24) hours of the arrest. Only in the most extraordinary and exceptional circumstances should this determination not be made within forty-eight (48) hours of the arrest. If this determination is not made within forty-eight (48) hours after arrest, the judge making the determination shall explain in writing the facts and circumstances giving rise to this delay, and a copy of this explanation shall be provided to the Office of Court Administration.

(6) Preliminary Hearings in Criminal Cases. Preliminary hearings may be conducted in-person or by remote communication technology subject to the requirements specified by section (c)(3) above. However, a preliminary hearing conducted by remote communication technology will not be conducted over the objection of the defendant. In the event a defendant objects to a preliminary hearing being conducted using remote communication technology, and the judge determines that an in-person hearing cannot safely be conducted, the preliminary hearing may be continued until such time as the judge determines an in-person hearing can be safely conducted.⁵

(7) Remote Administration of Oaths. Where this order authorizes a hearing, trial or other matter to be conducted using remote communication technology, any oath necessary during that hearing, trial or other matter may be administered by the same remote communication technology. While it is preferable that the person administering the oath have both audio and visual communication with the person taking the oath, the oath may be administered if only audio communication is available, provided the person administering the oath can reasonably verify the identity of the person taking the oath. Notaries who are authorized to administer oaths may administer oaths utilizing remote communication technology in the case of depositions. Nothing in this order shall be construed as authorizing remote administration of oaths for any other purpose than those contained in this order.

(8) Scheduling Orders.

(A) Scheduling Orders Issued Prior to April 3, 2020. Under a prior version of this order, all deadlines under scheduling orders issued prior to April 3, 2020, were stayed, retroactive to March 13, 2020. Forty-five (45) days following the date on which the Governor lifts or rescinds the emergency orders relating to the coronavirus emergency, this stay shall end.

(B) Scheduling Orders Issued On or After April 3, 2020. A new or amended scheduling order issued on or after April 3, 2020, will not be subject to any stay under this order. Both the decision to issue such an order and the terms of that order must consider the impact the emergency has on the ability of the parties and counsel to proceed. Judges are encouraged to seek input from the parties and counsel before issuing a new or amended scheduling order.

(9) Extensions of Time and Forgiveness of Procedural Defaults.

(A) Extensions of Time. Due to the increased need for extensions at the start of this emergency, the filing fees for a motion for an extension of time were waived, and the due dates for trial court filings due on or after April 3, 2020 were automatically extended for thirty (30) days. That need has now decreased.⁶ Accordingly, the filing fee waiver shall not apply to any motions for extensions filed on or after January 16, 2021. Further, the automatic extension shall not apply to any action or event due on or after January 16, 2021.

(B) Forgiveness of Procedural Defaults Since March 13, 2020, to April 3, 2020. In the event a party to a case or other matter pending before a trial court was required to take certain action on or after March 13, 2020, but failed to do so, that procedural default was forgiven, and

the required action was required to be taken by May 4, 2020. If a dismissal or other adverse action has been taken, that adverse action was to be rescinded.

(C) Extensions by Consent. The provision in Rule 6(b), SCRCP, which permits the granting of only one extension of time by agreement of counsel, is suspended. Counsel may agree to further extensions of time without seeking permission from the court, and parties are strongly encouraged to do so upon request.

(D) Limitation. The provisions of (A) thru (C) above shall not extend or otherwise affect the time for taking action under Rules 50(b), 52(b), 59, and 60(b), SCRCP, or Rule 29, SCRCrimP. Further, these provisions do not extend or otherwise affect the time for the serving of a notice of appeal under the South Carolina Appellate Court Rules, or the time to appeal from a lower court to the circuit court.

(10) Alternatives to Court Reporters and Digital Courtrooms. A trial or hearing in the court of common pleas (including the master-in-equity court), the court of general sessions or the family court is usually attended by a court reporter (before the master-in-equity this is usually a private court reporter) or is scheduled in one of the digital courtrooms with a court reporter or court monitor. While every effort will be made to continue these practices, this may not be possible as this emergency progresses. In the event such resources are not reasonably available, a trial or hearing authorized under this order may proceed if a recording (preferably both audio and video) is made. The judge shall conduct the proceedings in a manner that will allow a court reporter to create a transcript at a later date. This would include, but is not limited to, making sure the names and spelling of all of the persons speaking or testifying are placed on the record; ensuring exhibits or other documents referred to are clearly identified and properly marked; controlling the proceeding so that multiple persons do not speak at the same time; and noting on the record the start times and the time of any recess or adjournment.

(11) Courthouses.

(A) Filings. To the extent possible, courthouses should remain open to accept filings and payments, and to report criminal information to the South Carolina Law Enforcement Division and the National Crime Information Center. For the acceptance of documents or payments submitted by delivery to the courthouse, this may be accomplished by providing access to a portion of the courthouse even if the rest of the courthouse is closed to the public; providing an alternate location where the documents or payments may be delivered; or by providing a drop box where filings may be deposited. Adequate signage should be provided at the courthouse to alert persons about how to make filings by delivery, and this information should also be posted to the court's website, if available.

(B) Closure. In the event of the closure of a courthouse, information about the closure shall be provided by signage at the courthouse, and on the court's website if available.

(C) Quarantine of Incoming Paper Documents. To protect the safety of the staff of the trial courts, incoming paper documents, whether delivered or mailed to the trial court, may be quarantined for a period of up to forty-eight (48) hours once the documents are physically

received by the trial court.⁷ Once the quarantine period has ended, these documents will be file stamped with the date on which they were received, and court staff will then process the documents.

(D) Entrance Screening and Protective Masks. All persons entering a courthouse shall be screened for fever and shall wear a protective mask while in the courthouse as required by the order of the Chief Justice dated July 30, 2020.⁸

(12) Statute of Limitations, Repose and Other Similar Statutes. This Court is aware this emergency has already affected the ability of litigants to commence legal actions and this adverse impact will most likely increase significantly as this pandemic progresses. The Judicial Branch has raised this concern to the leadership of the General Assembly as this issue relates to the statute of limitations, statutes of repose and similar statutes such as S.C. Code Ann. § 15-36-100. While this Court has recognized the existence of judicial authority to toll a statute of limitations in other situations, it would be inappropriate for this Court to consider at this time what relief, if any, may be afforded to a litigant who is unable to file a civil action or take other actions under these statutory provisions due to this emergency.

(13) Service Using AIS Email Address. A lawyer admitted to practice law in this state may serve a document on another lawyer admitted to practice law in this state using the lawyer's primary email address listed in the Attorney Information System (AIS).⁹ For attorneys admitted pro hac vice, service on the associated South Carolina lawyer under this method of service shall be construed as service on the pro hac vice attorney; if appropriate, it is the responsibility of the associated lawyer to provide a copy to the pro hac vice attorney. For documents that are served by email, a copy of the sent email shall be enclosed with the proof of service, affidavit of service, or certificate of service for that document. This method of service may not be used for the service of a summons and complaint, subpoena, or any other pleading or document required to be personally served under Rule 4 of the South Carolina Rules of Civil Procedure, or for any document subject to mandatory e-filing under Section 2 of the South Carolina Electronic Filing Policies and Guidelines. In addition, the following shall apply:

(A) Documents served by email must be sent as an attachment in PDF or a similar format unless otherwise agreed by the parties.

(B) Service by email is complete upon transmission of the email. If the serving party learns the email did not reach the person to be served, the party shall immediately serve the pleading or paper by another form of service in Rule 5(b)(1), SCRCP, or other similar rule, together with evidence of the prior attempt at service by email.

(C) In those actions governed by the South Carolina Rules of Civil Procedure, Rule 6(e), SCRCP, which adds five days to the time a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, shall also apply when service is made by email under this provision.

(D) Lawyers are reminded of their obligation under Rule 410(g), SCACR, to ensure that their AIS information is current and accurate at all times.

(14) Signatures of Lawyers on Documents. A lawyer may sign documents using "s/[typed name of lawyer]," a signature stamp, or a scanned or other electronic version of the lawyer's signature. Regardless of form, the signature shall still act as a certificate under Rule 11, SCRPC, that the lawyer has read the document; that to the best of the lawyer's knowledge, information, and belief there is good ground to support it; and that the document is not interposed for delay.

(15) Optional Filing Methods. During this emergency, clerks of the trial courts may, at their option, permit documents to be filed by electronic methods such as fax and email. If the clerk elects to do so, the clerk will post detailed information on the court's website regarding the procedure to be followed, including any appropriate restrictions, such as size limitations, which may apply. Documents filed by one of these optional filing methods shall be treated as being filed when received by the clerk of court and a document received on or before 11:59:59 p.m., Eastern Standard Time, shall be considered filed on that day. These optional filing methods shall not be used for any document that can be e-filed under the South Carolina Electronic Filing Policies and Guidelines. If a trial court does not have a clerk of court, the court shall determine whether to allow the optional filing methods provided by this provision.

(16) Certification in Lieu of Affidavit. If a statute, court rule or other provision of law requires an affidavit to be filed in an action, the requirement of an affidavit may be satisfied by a signed certification of the maker stating, "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt."

(17) Arrest and Search Warrants. Due to this emergency, it may not be possible for an officer seeking an arrest warrant or a search warrant to appear before the judge to be sworn and sign the warrant. Therefore, a judge may use the procedures provided in section (c)(7) above to remotely administer the oath to the officer and, if appropriate, the judge may take sworn testimony using remote communication technology to supplement the allegations in the warrant. The judge shall make a notation on the warrant indicating the oath was administered remotely and the officer was not available to sign the warrant in the presence of the judge. If probable cause is found, the judge shall sign the warrant and return the warrant to the officer for execution. While the officer may sign the warrant when it is returned, the failure to do so shall not affect the validity of the warrant. The warrant may be transmitted to the judge and returned to the officer by e-mail, fax or other electronic means. For the purpose of this section, the term "search warrant" shall also include applications under South Carolina Homeland Security Act, S.C. Code Ann. §§ 17-30-10 to -145.

(18) Discovery. Depositions and other discovery matters may be conducted using remote communication technology.

(d) Court of General Sessions. The following additional guidance is provided regarding the Court of General Sessions:

(1) Rule 3(c), SCRCrimP. Based on this emergency, the ninety (90) day period provided by Rule 3(c), SCRCrimP, is hereby increased to one-hundred and twenty (120) days.

(2) County Grand Juries. The Solicitor or the Attorney General is hereby authorized to present an indictment to the grand jury using remote communication technology such as video conferencing and teleconferencing, and any necessary oath may be administered using this same remote communication technology pursuant to (c)(7) above. County grand juries may convene in-person so long as the Chief Judge for Administrative Purposes determines grand jurors can be safely distanced and equipped with protective gear, and meeting rooms and courtrooms sanitized. To help ensure appropriate social distancing can be maintained, a minimum of 113 square feet of space per person should be available during any grand jury proceedings, including deliberations.

(3) Guilty Pleas. Guilty pleas may be conducted as specified by section (c)(3) above. However, a guilty plea by remote communication technology will not be conducted unless both the defendant and prosecutor consent. If the defendant will participate by remote communication technology, the trial court must make a determination that the defendant is knowingly and intelligently waiving his right to be physically present for the plea. If the defendant's counsel will participate by remote communication technology, the trial court must determine that the defendant is knowingly and intelligently waiving any right to have counsel physically present, and the court must ensure that the defendant has the ability to consult privately with counsel during the plea proceeding as may be necessary.

(e) Court of Commons Pleas. The following additional guidance is provided regarding the Court of Common Pleas, including the Master-in-Equity Courts:

(1) Isolation and Quarantine Orders. As this pandemic continues, it is possible the provisions of the South Carolina Emergency Health Powers Act, S.C. Code Ann. §§ 44-4-100 to 44-4-570, may be triggered as it relates to isolation and quarantine orders. Therefore, the Chief Judges for Administrative Purposes for Common Pleas should familiarize themselves with the procedures for judicial review and petitions under that Act, most notably section 44-5-540, and begin to formulate a strategy to meet the timelines specified in that statute for judicial action.

(2) Procedural Guidance Regarding Filing. While the trial court case management system does not have a case type and subtype for these matters, the clerks of court should use "Nature of Action Code 699 (Special/Complex Other)" for these matters, and these matters will be exempt from any ADR requirement. Detailed instructions for attorneys to Electronically File in these cases are available at <https://www.sccourts.org/efiling/ARGs/ARG-26%20Quarantine%20Petitions.pdf>. It is also anticipated that all of these hearings will be conducted using remote communication technology. In coordination with the Pro Bono Program of the South Carolina Bar, a list of lawyers willing to serve as counsel for individuals or groups of individuals who are or are about to be isolated and quarantined under section 44-5-540(F), has been compiled.

(f) Family Court. The following additional guidance is provided regarding the Family Court:

information, a separate plan will need to be submitted for the circuit court in each county. Further, a separate plan will need to be submitted by each magistrate, municipal and probate court. Court Administration should be contacted to obtain additional advice and assistance regarding the content and requirements that should be addressed in any plan.

3 The guidance in this order is, of course, subject to such additional orders and directions as the Chief Justice may prescribe as the administrative head of the unified judicial system under Article V, § 4, of the South Carolina Constitution. As it relates to live hearings or trials, the ability to safely conduct live proceedings will undoubtedly vary significantly over time, and we are confident the Chief Justice will provide the trial courts with additional guidance and instructions as may be necessary to either expand or restrict live proceedings as this pandemic progresses.

4 This order is available at <https://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=2523>.

5 If a preliminary hearing is not held before the defendant is indicted by the grand jury, a preliminary hearing will not be held. Rule 2(b), SCRCrimP.

6 As explained by the order of April 3, 2020, the automatic extension was intended to give "lawyers and self-represented litigants appearing before the trial courts ... time to take actions to protect themselves and their families." Since sufficient time has been provided for this to occur, and most lawyers and litigants have been able to adjust to working remotely, this automatic extension is no longer warranted.

7 One scientific study has reported that the coronavirus can live for up to 24 hours on cardboard. <https://www.medrxiv.org/content/10.1101/2020.03.09.20033217v1.full.pdf>.

8 This order is available at <https://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=2523>.

9 The email addresses for lawyers admitted in South Carolina can be accessed utilizing the Attorney Information Search at: <https://www.sccourts.org/attorneys/dspSearchAttorneys.cfm>.

10 See Orders of the Chief Justice dated May 7, 2020 and June 5, 2020 (available at <https://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=2510> and <https://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=2497>).

11 Currently, the Chief Justice has directed bond hearings be held twice a day. See Memorandum of the Chief Justice dated September 25, 2020 (available at <https://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=2530>).

12 This language regarding pleas by affidavit or certification incorporates language from a May 7, 2020, order of the Chief Justice (available at <https://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2020-05-07-01>).

s/Donald W. Beatty C.J.

s/John W. Kittredge J.

s/Kaye G. Hearn J.

s/John Cannon Few J.

s/George C. James, Jr. J.

Columbia, South Carolina
April 3, 2020

As Amended December 16, 2020

Exhibit

T7

RULE 201
JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) Scope of Rule. This rule governs only judicial notice of adjudicative facts.

(b) Kinds of Facts. A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

(c) When Discretionary. A court may take judicial notice, whether requested or not.

(d) When Mandatory. A court shall take judicial notice if requested by a party and supplied with the necessary information.

(e) Opportunity to Be Heard. A party is entitled upon timely request to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. In the absence of prior notification, the request may be made after judicial notice has been taken.

(f) Time of Taking Notice. Judicial notice may be taken at any stage of the proceeding.

(g) Instructing Jury. The court shall instruct the jury to accept as conclusive any fact judicially noticed.

Note:

Except for subsection (g), this rule is identical to the federal rule. As stated by subsection (a), this rule governs only judicial notice of adjudicative facts. Adjudicative facts are "facts about the particular event which gave rise to the lawsuit and ... [help] explain who did what, when, where, how and with what motive and intent." Legislative facts, on the other hand, are the factual grounds on which judges base their opinions "when deciding upon the constitutional validity of a statute, interpreting a statute, or extending or restricting a common law rule." C. McCormick, McCormick on Evidence 328 and 331 (4th ed. 1992). The courts of this State continue to have authority to take judicial notice of legislative facts. Cf. Davenport v. City of Rock Hill, 315 S.C. 114, 432 S.E.2d 451 (1993) (history of tax anticipation notes considered).

Subsection (b) is consistent with prior case law in this State. See In Re Harry C., 280 S.C. 308, 313 S.E.2d 287 (1984); State v. Broad River Power Co., 177 S.C. 240, 181 S.E. 41 (1935). This rule does not allow a judge to take judicial notice of a fact merely because it is within his personal knowledge, and the case of Gamble v. Price, 289 S.C. 538, 347 S.E.2d 131 (Ct. App. 1986) is inconsistent with this rule.

Regarding subsection (c), no South Carolina case has been found discussing this matter.

Subsection (d) is consistent with prior case law in this State. See Toole v. Salter, 249 S.C. 354, 154 S.E.2d 434 (1967); State v. Broad River Power Co., 177 S.C. 240, 181 S.E. 41 (1935).

Regarding subsection (e), the law of this State has not previously entitled a party to be heard on the issue of taking judicial notice. This opportunity appears to be a useful safeguard to protect a party's rights. J. Weinstein and M. Berger, Weinstein's Evidence, 201[05] (1994).

Subsection (f) is consistent with prior case law in this State. Cf. State v. Squires, 311 S.C. 11, 426 S.E.2d 738 (1992) (Supreme Court took judicial notice that infrared spectroscopy process had gained general acceptance in the scientific community); McCoy v. Town of York, 193 S.C. 390, 8 S.E.2d 905 (1940) (Supreme Court took judicial notice of dangerous qualities of gasoline and kerosene).

Subsection (g) requires a court to instruct the jury to accept as conclusive any fact judicially noticed. The rule differs from the federal rule in that it makes no distinction between civil and criminal cases. The language of the rule is taken from the 1974 Uniform Rules of Evidence, Rule 201.

Exhibit T8

Rule 201. Judicial Notice of Adjudicative Facts

Primary tabs

(a) Scope. This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) Timing. The court may take judicial notice at any stage of the proceeding.

(e) Opportunity to Be Heard. On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

(f) Instructing the Jury. In a civil case, the court must instruct the jury to accept the noticed fact as conclusive. In a criminal case, the court must instruct the jury that it may or may not accept the noticed fact as conclusive.

Notes

(Pub. L. 93-595, §1, Jan. 2, 1975, 88 Stat. 1930; Apr. 26, 2011, eff. Dec. 1, 2011.)

Notes of Advisory Committee on Proposed Rules

Subdivision (a). This is the only evidence rule on the subject of judicial notice. It deals only with judicial notice of “adjudicative” facts. No rule deals with judicial notice of “legislative” facts. Judicial notice of matters of foreign law is treated in Rule 44.1 of the Federal Rules of Civil Procedure and Rule 26.1 of the Federal Rules of Criminal Procedure.

The omission of any treatment of legislative facts results from fundamental differences between adjudicative facts and legislative facts. Adjudicative facts are simply the facts of the particular case. Legislative facts, on the other hand, are those which have relevance to legal reasoning and the lawmaking process, whether in the formulation of a legal principle or ruling by a judge or court or in the enactment of a legislative body. The terminology was coined by Professor Kenneth Davis in his article *An Approach to Problems of Evidence in the Administrative Process*, 55 Harv.L.Rev. 364, 404–407 (1942). The following discussion draws extensively upon his writings. In addition, see the same author's *Judicial Notice*, 55 Colum.L. Rev. 945 (1955); *Administrative Law Treatise*, ch. 15 (1958); *A System of Judicial Notice Based on Fairness and Convenience*, in *Perspectives of Law* 69 (1964).

The usual method of establishing adjudicative facts is through the introduction of evidence, ordinarily consisting of the testimony of witnesses. If particular facts are outside of reasonable controversy, this process is dispensed with as unnecessary. A high degree of indisputability is the essential prerequisite.

Legislative facts are quite different. As Professor Davis says:

“My opinion is that judge-made law would stop growing if judges, in thinking about questions of law and policy, were forbidden to take into account the facts they believe, as distinguished from facts which are ‘clearly * * * within the domain of the indisputable.’ Facts most needed in thinking about difficult problems of law and policy have a way of being outside the domain of the clearly indisputable.” *A System of Judicial Notice Based on Fairness and Convenience*, *supra*, at 82.

An illustration is *Hawkins v. United States*, 358 U.S. 74, 79 S.Ct. 136, 3 L.Ed.2d 125 (1958), in which the Court refused to discard the common law rule that one spouse could not testify against the other, saying, “Adverse testimony given in criminal proceedings would, we think, be likely to destroy almost any marriage.” This conclusion has a large intermixture of fact, but the factual aspect is scarcely “indisputable.” See Hutchins and Slesinger, *Some Observations on the Law of Evidence—Family Relations*, 13 Minn.L.Rev. 675 (1929). If the destructive effect of the giving of adverse testimony by a spouse is not indisputable, should the Court have refrained from considering it in the absence of supporting evidence?

“If the Model Code or the Uniform Rules had been applicable, the Court would have been barred from thinking about the essential factual ingredient of the problems before it, and such a result would be obviously intolerable. What the law needs as its growing points is more, not less, judicial thinking about the factual ingredients of problems of what the law ought to be, and the needed facts are seldom ‘clearly’ indisputable.” Davis, *supra*, at 83.

“Professor Morgan gave the following description of the methodology of determining domestic law:

“In determining the content or applicability of a rule of domestic law, the judge is unrestricted in his investigation and conclusion. He may reject the propositions of either party or of both parties. He may consult the sources of pertinent data to which they refer, or he may refuse to do so. He

may make an independent search for persuasive data or rest content with what he has or what the parties present. * * * [T]he parties do no more than to assist; they control no part of the process.” Morgan, Judicial Notice, 57 Harv.L.Rev. 269, 270–271 (1944).

This is the view which should govern judicial access to legislative facts. It renders inappropriate any limitation in the form of indisputability, any formal requirements of notice other than those already inherent in affording opportunity to hear and be heard and exchanging briefs, and any requirement of formal findings at any level. It should, however, leave open the possibility of introducing evidence through regular channels in appropriate situations. See *Borden's Farm Products Co. v. Baldwin*, 293 U.S. 194, 55 S.Ct. 187, 79 L.Ed. 281 (1934), where the cause was remanded for the taking of evidence as to the economic conditions and trade practices underlying the New York Milk Control Law.

Similar considerations govern the judicial use of nonadjudicative facts in ways other than formulating laws and rules. Thayer described them as a part of the judicial reasoning process.

“In conducting a process of judicial reasoning, as of other reasoning, not a step can be taken without assuming something which has not been proved; and the capacity to do this with competent judgement and efficiency, is imputed to judges and juries as part of their necessary mental outfit.” Thayer, Preliminary Treatise on Evidence 279–280 (1898).

As Professor Davis points out, A System of Judicial Notice Based on Fairness and Convenience, in Perspectives of Law 69, 73 (1964), every case involves the use of hundreds or thousands of non-evidence facts. When a witness in an automobile accident case says “car,” everyone, judge and jury included, furnishes, from non-evidence sources within himself, the supplementing information that the “car” is an automobile, not a railroad car, that it is self-propelled, probably by an internal combustion engine, that it may be assumed to have four wheels with pneumatic rubber tires, and so on. The judicial process cannot construct every case from scratch, like Descartes creating a world based on the postulate *Cogito, ergo sum*. These items could not possibly be introduced into evidence, and no one suggests that they be. Nor are they appropriate subjects for any formalized treatment of judicial notice of facts. See Levin and Levy, Persuading the Jury with Facts Not in Evidence: The Fiction-Science Spectrum, 105 U.Pa.L.Rev. 139 (1956).

Another aspect of what Thayer had in mind is the use of non-evidence facts to appraise or assess the adjudicative facts of the case. Pairs of cases from two jurisdictions illustrate this use and also the difference between non-evidence facts thus used and adjudicative facts. In *People v. Strook*, 347 Ill. 460, 179 N.E. 821 (1932), venue in Cook County had been held not established by testimony that the crime was committed at 7956 South Chicago Avenue, since judicial notice would not be taken that the address was in Chicago. However, the same court subsequently ruled that venue in Cook County was established by testimony that a crime occurred at 8900 South Anthony Avenue, since notice would be taken of the common practice of omitting the name of the city when speaking of local addresses, and the witness was testifying in Chicago. *People v. Pride*, 16 Ill.2d 82, 156 N.E.2d 551 (1951). And in *Hughes v. Vestal*, 264 N.C. 500, 142 S.E.2d 361 (1965), the Supreme Court of North Carolina disapproved the trial judge's admission in evidence of a state-published table of automobile stopping distances on the basis of judicial

notice, though the court itself had referred to the same table in an earlier case in a “rhetorical and illustrative” way in determining that the defendant could not have stopped her car in time to avoid striking a child who suddenly appeared in the highway and that a non-suit was properly granted. *Ennis v. Dupree*, 262 N.C. 224, 136 S.E.2d 702 (1964). See also *Brown v. Hale*, 263 N.C. 176, 139 S.E.2d 210 (1964); *Clayton v. Rimmer*, 262 N.C. 302, 136 S.E.2d 562 (1964). It is apparent that this use of non-evidence facts in evaluating the adjudicative facts of the case is not an appropriate subject for a formalized judicial notice treatment.

In view of these considerations, the regulation of judicial notice of facts by the present rule extends only to adjudicative facts.

What, then, are “adjudicative” facts? Davis refers to them as those “which relate to the parties,” or more fully:

“When a court or an agency finds facts concerning the immediate parties—who did what, where, when, how, and with what motive or intent—the court or agency is performing an adjudicative function, and the facts are conveniently called adjudicative facts. * * *

“Stated in other terms, the adjudicative facts are those to which the law is applied in the process of adjudication. They are the facts that normally go to the jury in a jury case. They relate to the parties, their activities, their properties, their businesses.” 2 Administrative Law Treatise 353.

Subdivision (b). With respect to judicial notice of adjudicative facts, the tradition has been one of caution in requiring that the matter be beyond reasonable controversy. This tradition of circumspection appears to be soundly based, and no reason to depart from it is apparent. As Professor Davis says:

“The reason we use trial-type procedure, I think, is that we make the practical judgement, on the basis of experience, that taking evidence, subject to cross-examination and rebuttal, is the best way to resolve controversies involving disputes of adjudicative facts, that is, facts pertaining to the parties. The reason we require a determination on the record is that we think fair procedure in resolving disputes of adjudicative facts calls for giving each party a chance to meet in the appropriate fashion the facts that come to the tribunal's attention, and the appropriate fashion for meeting disputed adjudicative facts includes rebuttal evidence, cross-examination, usually confrontation, and argument (either written or oral or both). The key to a fair trial is opportunity to use the appropriate weapons (rebuttal evidence, cross-examination, and argument) to meet adverse materials that come to the tribunal's attention.” A System of Judicial Notice Based on Fairness and Convenience, in *Perspectives of Law* 69, 93 (1964).

The rule proceeds upon the theory that these considerations call for dispensing with traditional methods of proof only in clear cases. Compare Professor Davis' conclusion that judicial notice should be a matter of convenience, subject to requirements of procedural fairness. *Id.*, 94.

This rule is consistent with Uniform Rule 9(1) and (2) which limit judicial notice of facts to those “so universally known that they cannot reasonably be the subject of dispute,” those “so generally known or of such common notoriety within the territorial jurisdiction of the court that

they cannot reasonably be the subject of dispute,” and those “capable of immediate and accurate determination by resort to easily accessible sources of indisputable accuracy.” The traditional textbook treatment has included these general categories (matters of common knowledge, facts capable of verification), McCormick §§324, 325, and then has passed on into detailed treatment of such specific topics as facts relating to the personnel and records of the court, *Id.* §327, and other governmental facts, *Id.* §328. The California draftsmen, with a background of detailed statutory regulation of judicial notice, followed a somewhat similar pattern. California Evidence Code §§451, 452. The Uniform Rules, however, were drafted on the theory that these particular matters are included within the general categories and need no specific mention. This approach is followed in the present rule.

The phrase “propositions of generalized knowledge,” found in Uniform Rule 9(1) and (2) is not included in the present rule. It was, it is believed, originally included in Model Code Rules 801 and 802 primarily in order to afford some minimum recognition to the right of the judge in his “legislative” capacity (not acting as the trier of fact) to take judicial notice of very limited categories of generalized knowledge. The limitations thus imposed have been discarded herein as undesirable, unworkable, and contrary to existing practice. What is left, then, to be considered, is the status of a “proposition of generalized knowledge” as an “adjudicative” fact to be noticed judicially and communicated by the judge to the jury. Thus viewed, it is considered to be lacking practical significance. While judges use judicial notice of “propositions of generalized knowledge” in a variety of situations: determining the validity and meaning of statutes, formulating common law rules, deciding whether evidence should be admitted, assessing the sufficiency and effect of evidence, all are essentially nonadjudicative in nature. When judicial notice is seen as a significant vehicle for progress in the law, these are the areas involved, particularly in developing fields of scientific knowledge. See McCormick 712. It is not believed that judges now instruct juries as to “propositions of generalized knowledge” derived from encyclopedias or other sources, or that they are likely to do so, or, indeed, that it is desirable that they do so. There is a vast difference between ruling on the basis of judicial notice that radar evidence of speed is admissible and explaining to the jury its principles and degree of accuracy, or between using a table of stopping distances of automobiles at various speeds in a judicial evaluation of testimony and telling the jury its precise application in the case. For cases raising doubt as to the propriety of the use of medical texts by lay triers of fact in passing on disability claims in administrative proceedings, see *Sayers v. Gardner*, 380 F.2d 940 (6th Cir. 1967); *Ross v. Gardner*, 365 F.2d 554 (6th Cir. 1966); *Sosna v. Celebrezze*, 234 F.Supp. 289 (E.D.Pa. 1964); *Glendenning v. Ribicoff*, 213 F.Supp. 301 (W.D.Mo. 1962).

Subdivisions (c) and (d). Under subdivision (c) the judge has a discretionary authority to take judicial notice, regardless of whether he is so requested by a party. The taking of judicial notice is mandatory, under subdivision (d), only when a party requests it and the necessary information is supplied. This scheme is believed to reflect existing practice. It is simple and workable. It avoids troublesome distinctions in the many situations in which the process of taking judicial notice is not recognized as such.

Compare Uniform Rule 9 making judicial notice of facts universally known mandatory without request, and making judicial notice of facts generally known in the jurisdiction or capable of determination by resort to accurate sources discretionary in the absence of request but mandatory

if request is made and the information furnished. But see Uniform Rule 10(3), which directs the judge to decline to take judicial notice if available information fails to convince him that the matter falls clearly within Uniform Rule 9 or is insufficient to enable him to notice it judicially. Substantially the same approach is found in California Evidence Code §§451–453 and in New Jersey Evidence Rule 9. In contrast, the present rule treats alike all adjudicative facts which are subject to judicial notice.

Subdivision (e). Basic considerations of procedural fairness demand an opportunity to be heard on the propriety of taking judicial notice and the tenor of the matter noticed. The rule requires the granting of that opportunity upon request. No formal scheme of giving notice is provided. An adversely affected party may learn in advance that judicial notice is in contemplation, either by virtue of being served with a copy of a request by another party under subdivision (d) that judicial notice be taken, or through an advance indication by the judge. Or he may have no advance notice at all. The likelihood of the latter is enhanced by the frequent failure to recognize judicial notice as such. And in the absence of advance notice, a request made after the fact could not in fairness be considered untimely. See the provision for hearing on timely request in the Administrative Procedure Act, 5 U.S.C. §556(e). See also Revised Model State Administrative Procedure Act (1961), 9C U.L.A. §10(4) (Supp. 1967).

Subdivision (f). In accord with the usual view, judicial notice may be taken at any stage of the proceedings, whether in the trial court or on appeal. Uniform Rule 12; California Evidence Code §459; Kansas Rules of Evidence §60–412; New Jersey Evidence Rule 12; McCormick §330, p. 712.

Subdivision (g). Much of the controversy about judicial notice has centered upon the question whether evidence should be admitted in disproof of facts of which judicial notice is taken.

The writers have been divided. Favoring admissibility are Thayer, Preliminary Treatise on Evidence 308 (1898); 9 Wigmore §2567; Davis, A System of Judicial Notice Based on Fairness and Convenience, in Perspectives of Law, 69, 76–77 (1964). Opposing admissibility are Keeffe, Landis and Shaad, Sense and Nonsense about Judicial Notice, 2 Stan.L.Rev. 664, 668 (1950); McNaughton, Judicial Notice—Excerpts Relating to the Morgan-Whitmore Controversy, 14 Vand.L.Rev. 779 (1961); Morgan, Judicial Notice, 57 Harv.L.Rev. 269, 279 (1944); McCormick 710–711. The Model Code and the Uniform Rules are predicated upon indisputability of judicially noticed facts.

The proponents of admitting evidence in disproof have concentrated largely upon legislative facts. Since the present rule deals only with judicial notice of adjudicative facts, arguments directed to legislative facts lose their relevancy.

Within its relatively narrow area of adjudicative facts, the rule contemplates there is to be no evidence before the jury in disproof. The judge instructs the jury to take judicially noticed facts as established. This position is justified by the undesirable effects of the opposite rule in limiting the rebutting party, though not his opponent, to admissible evidence, in defeating the reasons for judicial notice, and in affecting the substantive law to an extent and in ways largely

unforeseeable. Ample protection and flexibility are afforded by the broad provision for opportunity to be heard on request, set forth in subdivision (e).

Authority upon the propriety of taking judicial notice against an accused in a criminal case with respect to matters other than venue is relatively meager. Proceeding upon the theory that the right of jury trial does not extend to matters which are beyond reasonable dispute, the rule does not distinguish between criminal and civil cases. *People v. Mayes*, 113 Cal. 618, 45 P. 860 (1896); *Ross v. United States*, 374 F.2d 97 (8th Cir. 1967). Cf. *State v. Main*, 94 R.I. 338, 180 A.2d 814 (1962); *State v. Lawrence*, 120 Utah 323, 234 P.2d 600 (1951).

Note on Judicial Notice of Law. By rules effective July 1, 1966, the method of invoking the law of a foreign country is covered elsewhere. Rule 44.1 of the Federal Rules of Civil Procedure; Rule 26.1 of the Federal Rules of Criminal Procedure. These two new admirably designed rules are founded upon the assumption that the manner in which law is fed into the judicial process is never a proper concern of the rules of evidence but rather of the rules of procedure. The Advisory Committee on Evidence, believing that this assumption is entirely correct, proposes no evidence rule with respect to judicial notice of law, and suggests that those matters of law which, in addition to foreign-country law, have traditionally been treated as requiring pleading and proof and more recently as the subject of judicial notice be left to the Rules of Civil and Criminal Procedure.

Notes of Committee on the Judiciary, House Report No. 93-650

Rule 201(g) as received from the Supreme Court provided that when judicial notice of a fact is taken, the court shall instruct the jury to accept that fact as established. Being of the view that mandatory instruction to a jury in a criminal case to accept as conclusive any fact judicially noticed is inappropriate because contrary to the spirit of the Sixth Amendment right to a jury trial, the Committee adopted the 1969 Advisory Committee draft of this subsection, allowing a mandatory instruction in civil actions and proceedings and a discretionary instruction in criminal cases.

Committee Notes on Rules—2011 Amendment

The language of Rule 201 has been amended as part of the restyling of the Evidence Rules to make them more easily understood and to make style and terminology consistent throughout the rules. These changes are intended to be stylistic only. There is no intent to change any result in any ruling on evidence admissibility.

Exhibit T9

RULE 301
PRESUMPTIONS IN GENERAL IN CIVIL ACTIONS AND PROCEEDINGS

In all civil actions and proceedings not otherwise provided for by statute or by these rules, a presumption imposes on the party against whom it is directed the burden of going forward with evidence to rebut or meet the presumption, but does not shift to such party the burden of proof in the sense of the risk of nonpersuasion, which remains throughout the trial upon the party on whom it was originally cast.

Note:

This rule is the same as the federal rule. It is consistent with the case law in this State. See Long v. Metropolitan Life Insurance Co., 228 S.C. 498, 90 S.E.2d 915 (1956); Ford v. Atlantic Coast Line R. Co., 169 S.C. 41, 168 S.E. 143 (1932).

Exhibit T10

agnix1@hotmail.com

From: Nicholas Uricchio <UricchioN@SCSolicitor9.org>
Sent: Wednesday, March 30, 2022 10:57 AM
To: agnix1@hotmail.com
Cc: Benjamin A. Mack; Ashley Pennington; Amanda Hiouel
Subject: RE: Rule to Show Cause -Scheduled for Thursday, March 31, 2021 at 9:30 am
Attachments: Filed State's Motion For Rule to Show Cause - Alan Nix.pdf

Importance: High

Good morning Mr. Nix,

The State's Motion for Rule to Show Cause is scheduled for tomorrow, Thursday, March 31, 2022, at 9:30 am at the Charleston County Judicial Center located at 100 Broad Street Charleston, SC 29401. Circuit Court Judge R. Kirk Griffin will preside over the hearing in Courtroom 3B.

Your appearance is required.

Attached is a filed copy of the State's Motion for Rule to Show Cause.

Please direct any questions to your attorney, Benjamin Mack.

Your attorney of record, Benjamin Mack, is copied on this email. Chief Public Defender Ashley Pennington is also copied to this email. Ninth Circuit Solicitor's Office Investigator Amanda Hiouel is copied to this email as well.

With kind regards,



Nick Uricchio

Assistant Solicitor

101 Meeting Street, Suite 400
Charleston, SC 29401

o: 843-958-1903 | f: 843-958-1905

e: uricchion@scsolicitor9.org | web: www.scsolicitor9.org

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From: Nicholas Uricchio
Sent: Monday, March 21, 2022 9:56 AM

To: agnix1@hotmail.com

Cc: Benjamin A. Mack <BMack@charlestoncounty.org>; Ashley Pennington <APennington@charlestoncounty.org>; Amanda Hiouel <Hiouela@scsolicitor9.org>

Subject: RE: Rule to Show Cause -Scheduled for Thursday, March 31, 2021 at 9:30 am

Importance: High

Good morning Mr. Nix,

The State's Motion for Rule to Show Cause is scheduled for Thursday, March 31, 2022, at 9:30 am at the Charleston County Judicial Center located at 100 Broad Street Charleston, SC 29401.

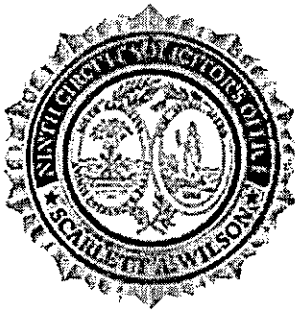
Your appearance is required.

Attached is a filed copy of the State's Motion for Rule to Show Cause.

Please direct any questions in your previous email to your attorney, Benjamin Mack.

Your attorney of record, Benjamin Mack, is copied on this email. Chief Public Defender Ashley Pennington is also copied to this email. Ninth Circuit Solicitor's Office Investigator Amanda Hiouel is copied to this email as well.

With kind regards,



Nick Uricchio

Assistant Solicitor

101 Meeting Street, Suite 400
Charleston, SC 29401

o: 843-958-1903 | f: 843-958-1905

e: uricchion@scsolicitor9.org | web: www.scsolicitor9.org

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From: agnix1@hotmail.com <agnix1@hotmail.com>

Sent: Friday, March 18, 2022 4:52 PM

To: Nicholas Uricchio <UricchioN@SCSolicitor9.org>

Cc: Ashley Pennington <APennington@charlestoncounty.org>; Benjamin A. Mack <BMack@charlestoncounty.org>; Amanda Hiouel <Hiouela@scsolicitor9.org>; Courtney Kinowski <CKinowski@charlestoncounty.org>; Gaylord R. Combs <GRCombs@charlestoncounty.org>; Cassandra Woosley <cwoosley@charlestoncounty.org>; Solicitor <Solicitor@scsolicitor9.org>; awilson@scag.gov; 'Jeff Young' <JYoung@scag.gov>; mkeel@sled.sc.gov; Scarlett Wilson <wilsons@scsolicitor9.org>; Nicholas Uricchio <UricchioN@SCSolicitor9.org>; 'Kevin Mims' <kmims@lmlawllp.com>; tthames@wjlaw.net; Natalie A. Ham <NHam@charlestoncounty.org>; hyoung@sccid.sc.gov; aclifford@cpc.sc.gov; Julie

Armstrong <JArmstrong@charlestoncounty.org>; elizabeth.hutto@scdmh.org; 'Transcripts' <transcripts@sccourts.org>; tkohn@sccourts.org; drachmar@musc.edu; 'Bill Mulbry' <mulbry@sforensicspsychiatry.com>; sandy@sennlegal.com; mulld@musc.edu; fieldsc@musc.edu; sussman@musc.edu; elizabeth.hutto@scdmh.org; kenneth.rogers@scdmh.org; 'Adam Lambert' <adam@alhfirm.com>; aflynn@irf.sc.gov; ilias.nigamatov@scdmh.org; 'Laura Westbrook' <laura.westbrook@scdmh.org>; stephanie.trotter@mccabetrotter.com; ryanmccabe@schouse.gov; Amanda S. Haselden <AHaselden@charlestoncounty.org>

Subject: RE: Rule to Show Cause -Scheduled for Thursday, March 31, 2021

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk!

Good afternoon Ms. Wilson, Mr. Wilson, Ms. Hiouel and Mr. Uricchio.

I will get back with you all on other items as soon as possible but two obvious issues are apparent from a very quick read.

First, you state my appearance is required but Ms. Haselden, as you know, stated I couldn't come within a block of Scarborough, etc. Please explain how exactly how I am supposed to navigate this Catch 22 safely.

Second, you state as fact that I (*The Defendant, Alan Gregory Nix*) failed "*to appear for a Motion to Clarify Representation on Friday, January 7, 2022.*" but then curiously do not include any exhibits to provide a single bit of proof that "Circuit Court Judge R. Ferrell Cothran, Jr." had a motion roster on that day, had a Motion to Clarify Representation on his apparent Motion Roster that day or any proof that Ms. Armstrong sent a Notice of a Motion Hearing for a Motion to Clarify Representation at least ten days prior to said motion hearing.

Please file an amended motion including these additional exhibits to prove your apparent statement of fact as quickly as you filed this motion.

Additionally, I recommend you move the hearing date out to at least 6 April 2022 so that assuming you properly serve an amended motion on me by this coming Monday I will have at least 15 days to file a memo in opposition or a counter motion. Also, please take all necessary actions to required to ensure Ms. Armstrong files the motion from 30 December 2021 and files any motions or memos I file before this hearing.

Best regards,
Alan Nix

From: Nicholas Uricchio <UricchioN@SCSolicitor9.org>

Sent: Friday, March 18, 2022 4:19 PM

To: agnix1@hotmail.com

Cc: Ashley Pennington <APennington@charlestoncounty.org>; Benjamin A. Mack <BMack@charlestoncounty.org>; Amanda Hiouel <Hiouela@scsolicitor9.org>

Subject: Rule to Show Cause -Scheduled for Thursday, March 31, 2021

Importance: High

Good afternoon Mr. Nix,

The State's Motion for Rule to Show Cause is scheduled for **Thursday, March 31, 2022 at the Charleston County Judicial Center located at 100 Broad Street Charleston, SC 29401.** At this point the exact time of the hearing is undetermined. When a time is determined for the hearing further notice will be provided.

Your appearance is required.

Attached is a filed copy of the State's Motion for Rule to Show Cause.

Your attorney of record, Benjamin Mack, is copied on this email. Chief Public Defender Ashley Pennington is also copied to this email. Ninth Circuit Solicitor's Office Investigator Amanda Hiouel is copied to this email as well.

With kind regards,



Nick Uricchio
Assistant Solicitor

101 Meeting Street, Suite 400
Charleston, SC 29401

o: 843-958-1903 | f: 843-958-1905

e: uricchion@scsolicitor9.org | web: www.scsolicitor9.org

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STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

MOTION COVERSHEET

vs.

ALAN GREGORY NIX,
DEFENDANT.

Arrest Warrant #2021A1010200475
Arrest Warrant #2021-GS-10-02599

Indictment #
Indictment #2021-GS-10-02600
Indictment #2021-GS-10-02599

Solicitor: Nicholas B. Uricchio
Bar No. 103552
Address: 101 Meeting Street, Suite 400
Charleston, SC 29401

Phone: (843) 958-1903
E-mail: UricchioN@SCSolicitor9.org

Defendant's Attorney: Benjamin A. Mack
Bar No. 102068
Address: 101 Meeting Street, Suite 500
Charleston, SC 29401

Phone: (843) 958-1850
E-mail: bmack@charlestoncounty.org

☒ MOTION HEARING REQUESTED
☐ FORM MOTION, NO HEARING REQUESTED
☐ PROPOSED ORDER/CONSENT ORDER

SECTION I: Hearing Information

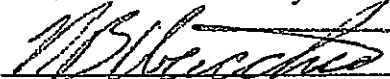
Nature of Motion: Notice of Motion and Motion For Rule to Show Cause

Estimated Time Needed: 10 minutes Court Reporter Needed: ☒ YES ☐ NO

SECTION II: Motion/Order Type

☒ Written motion attached
☐ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.


Signature of ☒ Solicitor ☐ Attorney for Defendant

3/18/2022
Date submitted

FILED
2022 MAR 18 PM 12:02
JULIE A. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

STATE OF SOUTH CAROLINA,)

vs.)

ALAN GREGORY NIX.,)
Defendant.)

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

Warrant No(s): 2021A1010200475;
2021-GS-10-02599

Indictment No(s): 2021-GS-10-02600;
2021-GS-10-02599

Charges: Opposing Law Enforcement Officer Serving Process;
Threatening Life, Person, or Family of a Public Official

Notice of Motion and Motion For Rule to Show Cause

BY

JULIE J. ARNOLD
CLERK OF COURT

2022 MAR 10 PM 12:03

FILED

TO: ALAN GREGORY NIX, DEFENDANT AND BENJAMIN MACK, ATTORNEY FOR THE DEFENDANT

PLEASE TAKE NOTICE that the State of South Carolina, by and through the undersigned attorney, moves this Honorable Court to issue a Rule To Show Cause in the above referenced cases. The Rule To Show Cause is made on the following grounds:

1. The Defendant, Alan Gregory Nix, failed to appear for a Motion to Clarify Representation on Friday, January 7, 2022. Upon hearing from the State, Circuit Court Judge R. Ferrell Cothran, Jr. ordered the Defendant to be evaluated for competency to stand trial. The Order for Competency to Stand Trial Evaluation was signed by Judge R. Ferrell Cothran and filed on January 13, 2022. (Copy of the Order for Competency to Stand Trial Evaluation is attached here unto as Exhibit One.)
2. On February 1, 2022, Medical University of South Carolina (MUSC) sent a letter notifying the Defendant's Attorney Benjamin Mack that Alan Nix's competency evaluation was scheduled for Tuesday, February 15, 2022 at 9:00 A.M. at the MUSC Forensic Psychiatry Program located at 29-C Leinbach Drive, Charleston, SC 29407. (Copy of MUSC Appointment Letter is attached here unto as Exhibit Two.)
3. On February 15, 2022, the Defendant missed his scheduled competency evaluation appointment with MUSC Forensic Psychiatry Program. (Copy of MUSC Missed Appointment Letter is attached here unto as Exhibit Three.)

4. On February 15, 2022, MUSC sent a letter notifying the Defendant's Attorney Benjamin Mack and Charleston County Sheriff Kristin Graziano that Alan Nix's second competency evaluation was scheduled for Friday, March 18, 2022 at 9:00 A.M. at the MUSC Forensic Psychiatry Program located at 29-C Leimbach Drive, Charleston, SC 29407. (Copy of MUSC Appointment Letter is attached here unto as Exhibit Four.)
5. On Thursday, March 17, 2022, the Defendant sent an email to multiple parties stating he was aware of the scheduled competency evaluation at MUSC Forensic Psychiatry Program on Friday, March 18, 2022, at 9:30 A.M. (Copy of Defendant's Email is attached here unto as Exhibit Five.)
6. On Friday, March 18, 2022, the Defendant sent an email to multiple parties stating he was unlikely to attend the scheduled competency evaluation at MUSC Forensic Psychiatry Program on Friday, March 18, 2022, at 9:30 A.M. (Copy of Defendant's Email is attached here unto as Exhibit Six.)
7. On March 18, 2022, the Defendant missed his scheduled competency evaluation appointment with MUSC Forensic Psychiatry Program. (Copy of MUSC Missed Appointment Letter is attached here unto as Exhibit Seven.)

The State moves this Court to order the Defendant to appear before the Court of General Sessions to show cause, why the Defendant should not be held in contempt of court for failure to abide by the Order for Competency to Stand Trial Evaluation of the Court of General Sessions dated January 13, 2022, and why such provisions of said Order should not be strictly adhered to.

Respectfully Submitted:



Nicholas Brooks Uricchio,
Assistant Solicitor
Ninth Circuit Solicitor's Office

Charleston, South Carolina
March 18, 2022

BY

JULIE J. ARROYO
CLERK OF COURT

2022 MAR 18 PM 12:03

FILED

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

FILED

2022 JAN 13 PM 1:48

The State of South Carolina

JULIE J. ARMSTRONG
CLERK OF COURT
BY 14

THE COURT OF GENERAL SESSIONS

Judgment No. (S): 2021-68-10-02599

Warrant No. (S): 2021-10-0200475

Plaintiff

v.

ORDER FOR COMPETENCY TO STAND
TRIAL EVALUATION PURSUANT TO
STATE V. BLAIR

EVALUATION BY:
(Select Only One)

☒ Department of Mental Health (Mental
Illness)

OR

☐ Department of Disabilities and Special Needs
(Intellectual Disability or Related Disability)

ALAN GREGORY NIX

Defendant

This matter is before me for an order requiring defendant ALAN GREGORY NIX, charged with Threatening Life of Public Official; Resisting Service of Process, to submit to an evaluation for competency to stand trial pursuant to State v. Blair, 276 S.C. 529, 273 S.E.2d 536 (1981) and S.C. Code Ann. § 44-23-410 (1976).

BASIS FOR ORDER. I have considered the showing made in support of the motion requesting this evaluation and have reason to believe defendant may lack the competency to understand the criminal proceedings or to assist with the defense as a result of a lack of mental competence.

This order is issued for the following reasons:

The Defendant failed to appear for a hearing before the Court on January 7, 2022. The hearing was on the defense's motion to clarify the defendant's representation. Defense Counsel verified that the defendant had actual notice of the date, time, and location of the hearing. The Defendant emailed counsel for the state at 4:40 am that he had had a bad dream that morning and that he feared he was suffering from delusions regarding an arrest that he could not remember on November 2021. The defendant said he was going for medical care. The defendant did not appear at the hearing.

THEREFORE, IT IS ORDERED: Defendant shall be examined and observed at an appropriate facility by two examiners of the Department of Mental Health if suspected of having

FILING, SERVICE, AND TRANSMITTAL OF ORDER. It is the responsibility of counsel for the party requesting the evaluation to file and serve this order as outlined herein. In the event, the evaluation has been requested by consent, or the moving party cannot be determined, defense counsel shall be responsible. After being signed by the Court, the original order without attachments shall be immediately filed with the Clerk of Court and a certified copy served upon the opposing party. Further, within five (5) business days, a certified copy of this order, together with the attachments listed at the end of this order, must be served upon the examining agency at the address listed below. To expedite commencement of the evaluation process and scheduling of the clinical interview, counsel is instructed to immediately contact the examining agency to advise of the issuance of this order and forthcoming service upon the agency.

Evaluation Order Service Information

Department of Mental Health

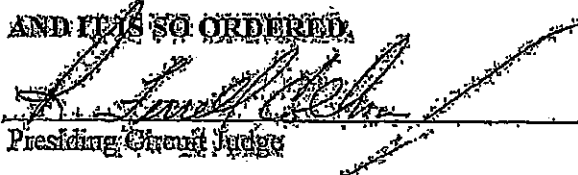
Forensic Evaluation Service Paralegal
S. C. Department of Mental Health
OBFS Forensic Corner
7901 Farrow Road
Columbia, S.C. 29203-3220
(803) 933-5540 (Phone)
(803) 933-5544 (Fax)
Email: FBF-PARALEGAL@SCDMH.ORG

Department of Disabilities and Special Needs

Office of Clinical Services
Department of Disabilities and Special Needs
Post Office Box 4706
Columbia, S.C. 29240

(803) 898-9694 (Phone)
(803) 898-9660 (Fax)
Email: OBFSForensics@dds.sc.gov

AND IT IS SO ORDERED.


Presiding Circuit Judge

R. Ferrell Colbran, Jr.
Printed Name of Presiding Circuit Judge

Charleston, South Carolina

Dated: January 7, 2021

Nick Unichio
Prosecutor
101 Meeting St. Ste. 400

D. Ashley Raddington
Defense Counsel
Charleston County Public Defender's
Office, 101 Meeting St. 5th Fl.

FILED
2022 JAN 13 PM 1:03
JULIE J. ARMSTRONG
CLERK OF COURT
BY 



Forensic Psychiatry Program
Department of Psychiatry and Behavioral Sciences
29C Leinbach Drive
Charleston, SC 29407
Tel 843.792.1461
Fax 843.792.2254
forensicpsychiatry@musc.edu

February 1, 2022

Benjamin A. Mack, Esquire
101 Meeting Street, 5th Floor
Charleston, SC 29401

Dear Attorney Mack:

A court ordered evaluation for Alan G. Nix [REDACTED] is scheduled for Tuesday, February 15, 2022 at 9:00 A.M. at the Medical University of South Carolina, Forensic Psychiatry Program, 29-C Leinbach Drive, Charleston, SC 29407. The officers must stay in the building until the evaluation is completed.

Competence to stand trial evaluations may include questions about potential evidence and limited discussion of the alleged offense(s). Criminal responsibility evaluations may include extensive discussion of the alleged offense(s). Consequently, some defendants decline to participate before consulting with their attorney or ask that their attorney attend the evaluation. Therefore, we ask that you speak with your client prior to this appointment to advise him or her of the non-confidential nature of the evaluation and how to proceed. We also ask that you do not forward this letter directly to your client or to the client's family. Please note, due to security concerns and space constraints, we ask that you limit accompanying parties during the evaluation process. Contact our office in advance, should you require special accommodations.

Because we do not provide transportation, please arrange for your client to be transported. If your client is in jail, you may need to obtain a transport order that directs a detention facility or sheriff's department to bring your client to the appointment.

Additionally, if you have any information that may be relevant to this defendant's past or current mental health, which you have not yet discussed with us or forwarded to us, please do so immediately. Our telephone number is (843) 792-1461. Our fax number is (843) 792-2254.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Allison Floyd".

Allison Floyd
Forensic Administrative Assistant

cc: Nick Uricchio, Esquire
Tamika Daniels, DMH

EXHIBIT THREE



Forensic Psychiatry Program
Department of Psychiatry and Behavioral Sciences
29C Leinbach Drive
Charleston, SC 29407
Tel 843.792.1461
Fax 843.792.2254
forensicpsychiatry@musc.edu

February 15, 2022

Benjamin A. Mack, Esquire
101 Meeting Street, 5th Floor
Charleston, SC 29401

Re: The State of South Carolina v Alan G. Nix
Department of Mental Health [REDACTED]
Charleston County Court of General Sessions

Dear Attorney Mack,

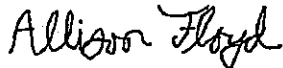
In accordance with the court order issued by the Honorable Judge R. Ferrell Cothran, Jr., a forensic evaluation was initiated by South Carolina Department of Mental Health (DMH). However, no report can be issued at this time due to the following:

1. ☐ The defendant, who is in custody, was not transported by law enforcement for the first scheduled appointment. The defense attorney should confirm the defendant's transportation arrangements for the next scheduled appointment.
2. ☐ The defendant, who is in custody, was not transported by law enforcement for the second scheduled appointment. **The defense attorney must contact our office within 15 days of the date of this letter in order to have the evaluation process resumed.**
3. ☒ The defendant, who is **not** in custody, failed to appear for the first scheduled appointment. **As provided for in the court order, once the evaluation has been rescheduled, the defendant will be taken into custody in order to complete the evaluation.**
4. ☐ The defendant refused to cooperate due to desire to not participate, to speak with attorney, or to have attorney present for the interview process. **The court must contact our office within 15 days of the date of this letter in order to have the evaluation process resumed.**
5. ☐ The defendant needs an additional interview.
6. ☐ The defendant needed emergency hospitalization, which was arranged by our office.
7. ☐ The defendant needs a joint evaluation with the Department of Disabilities and Special Needs, which our office will arrange
8. ☐ The defendant needs a 15-30 day period of inpatient evaluation, which our office will arrange.

9. ☐ The forensic examiner needs a psychological or medical consultation on the defendant, which our office will arrange.
10. ☐ Additional records and/or data from informants are needed.
11. ☐ Other:

As noted above, if no report can be issued due to reason(s) listed above the defense attorney must contact our office within 15 days of the date of this letter in order to have the evaluation process resumed. To have the process resumed, please contact Allison Floyd 843-792-1461. If after 15 days no contact has been made, the Court will be notified that the evaluation cannot be completed due to reason(s) outlined above.

Sincerely,



Allison Floyd
Forensic Administrative Assistant

cc: Nick Uricchio, Solicitor
Tamika Daniels, DMH

EXHIBIT FOUR



Forensic Psychiatry Program
Department of Psychiatry and Behavioral Sciences
29C Leinbach Drive
Charleston, SC 29407
Tel 843.792.1461
Fax 843.792.2254
forensicpsychiatry@musc.edu

February 15, 2022

Sheriff Kristin Graziano
Charleston County Sheriff's Office
100 Broad Street # 381
Charleston, SC 29401

Re: The State v. Alan G. Nix
Warrant #: 2021A1010200475

Dear Sheriff Graziano:

Mr. Alan G. Nix is on bond and court-ordered to undergo evaluations of competency to stand trial and/or criminal responsibility by The Honorable R. Ferrell Cothran, Jr.

Mr. Alan G. Nix was scheduled for an evaluation on February 15, 2022 but did not meet this appointment. The section of the court order entitled "COMPLIANCE DEADLINE/TRANSPORT FOR EVALUATION" states that "In the event defendant does not appear at the scheduled examination, upon written notice of such failure by the examining agency to the Sheriff of the county in which this case arose, defendant shall be taken into custody by the Sheriff and held until an examination can be scheduled and completed, and thereafter shall be released." As such, DMH respectfully requests that Mr. Alan G. Nix be taken into custody prior to the next appointment and held until the examination can be completed.

We have rescheduled the evaluation for Friday, March 18 at 9:00 am. Please make arrangements to have Mr. Alan G. Nix transported to the Medical University of South Carolina, Forensic Psychiatry Program, 29-C Leinbach Drive, Charleston, SC 29407. The officers must stay in the building until the evaluation is completed.

Thank you for your assistance with this matter. If you have any questions or concerns, please contact me at 843.792.1461.

Respectfully,

Allison Floyd
Allison Floyd

Forensic Administrative Assistant

cc: Nick Uricchio, Solicitor
Benjamin A. Mack, Defense Attorney
Tamika Daniels, DMH
Charleston County Detention Center

Attachment: Court order and Outpatient Information Appointment Sheet

EXHIBIT FIVE

Nicholas Uricchio

From: agnix1@hotmail.com
Sent: Thursday, March 17, 2022 8:58 PM
To: Benjamin A. Mack
Cc: Ashley Pennington; Courtney Kinowski; Gaylord R. Combs; Cassandra Woosley; Solicitor; awilson@scag.gov; 'Jeff Young'; mkeel@sled.sc.gov; Scarlett Wilson; Nicholas Uricchio; 'Kevin Mims'; tthames@wjlaw.net; Natalie A. Ham; hyoung@sccid.sc.gov; aclifford@cpc.sc.gov; Julie Armstrong; elizabeth.hutto@scdmh.org; 'Transcripts'; tkohn@sccourts.org; drachmar@musc.edu; 'Bill Mulbry'; mulld@musc.edu; fieldsc@musc.edu; sussman@musc.edu; elizabeth.hutto@scdmh.org; kenneth.rogers@scdmh.org; 'Adam Lambert'; ilias.nigamatov@scdmh.org; 'Laura Westbrook'; stephanie.trotter@mccabetrotter.com; ryanmccabe@schouse.gov
Subject: RE: State of SC v. Alan Gregory Nix
Attachments: 17 Mar 2022 requirements before 0700 18 Mar.pdf

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Apologize ALL for just getting to this.

As to the transcript issue, I will require a transcript from Court Administration as well as the previously requested written explanation for this two plus month delay and how the Charleston County Public Defender Corporation has this but I haven't even received a response from Court Administration yet. I will pay for the transcript so if there are any issues it is a direct relationship.

As for 0900 tomorrow morning, please ensure the four following documents / information are attached to a response to this email no later than 0645 in the morning.

1. Copy of Cothran's motion roster for 7 Jan 2022.
2. Copy of notice of motion hearing from Ms. Armstrong for the apparent 7 Jan 2022 motion hearing (most appropriately one mailed to me along with proof of mailing)
3. Copy a CERTIFICATION OF COMPLIANCE WITH THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (FORECLOSURES) (Example attached as Exhibit A) with
 - a. Case numbers 2014-CP-10-05407 and 2017-CP-10-04031 t
 - b. Owners names of Alan G Nix and Norma J Nix
 - c. Address of 1401 Denmore Circle, Mount Pleasant, SC 29466
 - d. Plaintiff of "Churchill Park" (incorporated 31 July 2003 by Southern Community Services, now known as Chucklehoover)
4. Copies of documentation which provide legal justification for Ms. Armstrong's court records stating I was arrested on 23 Nov 2021.
 - a. If such legitimate documentation does not exist, cite all actions taken to date related to reporting such fraudulent court records to law enforcement.

Assuming these documents are not provided before 0645 in the morning (18 Mar 2022), the likelihood of me being at MUSC / SCDMH in Charleston at 0900 is almost exactly the same as my appearance at 337 Main St., Easley, SC on 10 Mar 2021 (another instance of a court order obtained via fraud) See. Ex. B

If these documents are received before 0645 in the morning, I will make my best effort to be at MUSC / SCDMH by 0900.



Forensic Psychiatry Program
Department of Psychiatry and Behavioral Sciences
29C Leinbach Drive
Charleston, SC 29407
Tel 843.792.1461
Fax 843.792.2254
forensicpsychiatry@musc.edu

March 18, 2022

Benjamin A. Mack, Esquire
101 Meeting Street, 5th Floor
Charleston, SC 29401

Re: The State of South Carolina v Alan G. Nix
Department of Mental Health [REDACTED]
Charleston County Court of General Sessions

Dear Attorney Mack,

In accordance with the court order issued by the Honorable Judge R. Ferrell Cothran, Jr., a forensic evaluation was initiated by South Carolina Department of Mental Health (DMH). However, no report can be issued at this time due to the following:

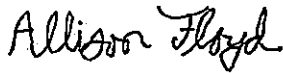
1. ☐ The defendant, who is in custody, was not transported by law enforcement for the first scheduled appointment. The defense attorney should confirm the defendant's transportation arrangements for the next scheduled appointment.
2. ☐ The defendant, who is in custody, was not transported by law enforcement for the second scheduled appointment. **The defense attorney must contact our office within 15 days of the date of this letter in order to have the evaluation process resumed.**
3. ☒ The defendant, who is **not** in custody, failed to appear for the second scheduled appointment..
4. ☐ The defendant refused to cooperate due to desire to not participate, to speak with attorney, or to have attorney present for the interview process. **The court must contact our office within 15 days of the date of this letter in order to have the evaluation process resumed.**
5. ☐ The defendant needs an additional interview.
6. ☐ The defendant needed emergency hospitalization, which was arranged by our office.
7. ☐ The defendant needs a joint evaluation with the Department of Disabilities and Special Needs, which our office will arrange
8. ☐ The defendant needs a 15-30 day period of inpatient evaluation, which our office will arrange.
9. ☐ The forensic examiner needs a psychological or medical consultation on the defendant, which our office will arrange.

10. ☐ Additional records and/or data from informants are needed.

11. ☐ Other:

As noted above, if no report can be issued due to reason(s) listed above the defense attorney must contact our office within 15 days of the date of this letter in order to have the evaluation process resumed. To have the process resumed, please contact Allison Floyd 843-792-1461. If after 15 days no contact has been made, the Court will be notified that the evaluation cannot be completed due to reason(s) outlined above.

Sincerely,



Allison Floyd
Forensic Administrative Assistant

cc: Nick Uricchio, Solicitor
Tamika Daniels, DMH

Exhibit

T11

Court News ...

2020-05-06-01

The Supreme Court of South Carolina**RE: Certification of Compliance with the
Coronavirus Aid, Relief, and Economic Security Act
in Evictions and Foreclosures Forms**

ORDER

The federal Coronavirus Aid, Relief, and Economic Security Act was adopted into law March 27, 2020. The Act includes provisions for a nationwide moratorium on some, but not all, eviction and foreclosure actions.

I **FIND** it is appropriate to ensure that evictions and foreclosures filed in the trial courts of this State comply with the protections provided in the Coronavirus Aid, Relief, and Economic Security Act for certain tenants and homeowners.

Therefore, pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution,

IT IS ORDERED that any party pursuing an eviction or foreclosure in a trial court of this State must submit to the court a signed, original Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act. For evictions and foreclosures filed on or after the date of this Order, the Certification of Compliance must be submitted along with the initial filing. For evictions and foreclosures filed before the date of this Order, the Certification of Compliance must be filed with the court prior to proceeding with the eviction or foreclosure. If a party required to file a Certification of Compliance neglects to do so the eviction or foreclosure shall terminate without further action taken.

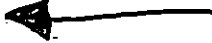
IT IS FURTHER ORDERED that magistrate courts statewide shall not issue a writ or warrant of ejectment in an eviction action until the party pursuing the eviction has complied with the provisions of this Order.

IT IS FURTHER ORDERED that Master-in-Equity courts statewide shall not hold a foreclosure sale, or issue a judgment of foreclosure, writ of assistance, or writ of ejectment in a foreclosure action until the party pursuing the foreclosure has complied with the provisions of this Order.

IT IS FURTHER ORDERED that the Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Evictions (SCCA256B) form, and the Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Foreclosures (SCCA256A) form are approved for use in the trial courts of this State effective as of the date of this Order.

This Order is effective immediately.

<https://www.charlestoncounty.org/departments/master-in-equity/links.php>

- [Home](#)
- [Forms & Templates](#)
- [Rosters](#)
- [Court Records](#)
- [Master's Auction List](#)
- [Bidding on Foreclosures](#)
- [Items of Legal Interest](#)
-
- [MIE Sales Procedures - 6-29-2020](#)
-
- [Foreclosure Auction Registration Form](#)
-
- [Chief Justices Order - May 6,2020](#) 
-
- [Notice of E-Filing System Procedures](#)
-
- [MIE - Public Announcement - 3-19-2020](#)
-
- [Master's Auction List](#)
-
- [Bidding on Foreclosures - General Information](#)
-
- [Priority of Courts memo from Supreme Court](#)
-
- [Order of Reference memo from Supreme Court](#)
-
- [Rule 71 Foreclosure and Partition](#)
-
- [Law on Appraisal Rights and Deficiency Judgments](#)
-
- [Judge Charles Simmons' Primer on Mortgage Foreclosures in South Carolina](#)
-

- [Judge Roger Young's Outline on Law of Tax Sales in South Carolina](#)
-
- [Judge Jasper Cureton's History of the Office of Master-in-Equity](#)
-
- [Lawyers and the Internet](#)
-
- [Judge Henry McKellar's Order on Tax Sales in Charleston County](#)
-



• **Contact**

- Master-In-Equity
- Charleston County Judicial Center



100 Broad Street, Suite 266
Charleston, SC 29401

- **Phone:** (843)958-5070
- **Fax:** (843)958-5077
- **Office Hours:**
Mon. - Fri. 8:30am - 5pm



• [All Departments](#)

Exhibit T12

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS

Brownswood Village Property Owners
Association, Inc.

2018-CP-10-05308

Plaintiff,

v.

**CERTIFICATION OF COMPLIANCE
WITH THE CORONAVIRUS AID,
RELIEF, AND ECONOMIC SECURITY
ACT
(FORECLOSURES)**

Kasey M. Knight And Benjamin M. Adams

Defendant(s)

21016.3

My Name is: Stephanie Trotter Kellahan.

I am an authorized agent of the Plaintiff in the foreclosure case described at the top of this page. I am capable of making this certification. The facts stated in the certification are within my personal knowledge and are true and correct.

1. Verification

Pursuant to the South Carolina Supreme Court Administrative Orders 2020-04-30-02 and 2020-05-06-01 and based upon the information provided by the Plaintiff and/or its authorized servicer as maintained in its case management/database records, the undersigned makes the following certifications:

Plaintiff is seeking to foreclose upon the following property:

1435 Milldam Pass , Johns Island, SC 29455

I verify that this property and specifically the mortgage loan subject to this action (*check one*):

- ☒ is NOT a "Federally Backed Mortgage Loan" as defined by § 4022(a)(2) of the federal Coronavirus Aid, Relief, and Economic Security Act.
- ☐ is a "Federally Backed Mortgage Loan" as defined by § 4022(a)(2) of the federal Coronavirus Aid, Relief, and Economic Security Act. Specifically, the foreclosure moratorium cited in Section 4022(c)(2) of the CARES Act has expired as of May 18, 2020, and the property and mortgage are not currently subject to a forbearance plan as solely defined in Sections 4022(b) and (c) of the CARES Act.

Please identify which database or the other information you have used to determine that the property does not have a federally backed mortgage loan or federally backed multifamily mortgage loan:

This is the foreclosure of an unpaid property owners' association assessment lien and is, to the best of my knowledge, not subject to the CARES Act.

2. Declaration:

I certify that the foregoing statements made by me are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt.

My name is: Stephanie Trotter Kellahan
First Middle Last

My address is: 4500 Fort Jackson Blvd. # 250 Columbia SC 29209
Street Address & Unit No. (if any) City State ZIP

Signed on: July 27, 2020 in Richland County, South Carolina.

/s Stephanie Trotter Kellahan
 Stephanie Trotter Kellahan (SC Bar #77680)
Attorney for Plaintiff

Exhibit

T13

4 October 2020

Alan Nix
1401 Densmore Circle
Mount Pleasant, SC 29466

Ms. Jennie Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201

RE: Churchill Park v. Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix
Motion for Emergency Injunction – Appellate Case Number 2020-001304 / Circuit Court Case
Number: 2017-CP-10-04031 and 2014-CP-10-05407

Ms. Abbott Kitchings,

Please find enclosed:

1. Motion for an Emergency Injunction
2. Proof of Service.
3. Check number 1247 drawn on Navy Federal Credit Union in the amount of \$50.00
4. Copies of the motion and Proof of Service to be returned with your clock stamp
5. Self-addressed and postage prepaid envelope to return the enclosed copies of the Motion and Proof of Service

Thank you very much for your assistance and please let me know if you require anything else related to this filing.

Best regards,



Alan Nix

cc.

Todd Musheff
Robert Wood
Kevin Mims

Troy Thames
Alan Wilson
Mikell Scarborough

David Thomas / US Fire Julie Armstrong
Stephanie Trotter Sarah Schreiber
Ryan McCabe

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

The Honorable Mikell R. Scarborough, Master in Equity

**Case No. 2014-CP-10-05407
2017-CP-10-04031**

Appellate Case No. 2020-001304

Churchill Park, Respondent

v.

Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix, Defendants,

Of which Alan G. Nix and the Estate of Norma J. Nix are the Appellants

PROOF OF SERVICE

The undersigned certifies that a copy of the Appellant's Motion for Emergency Injunction has been served upon the individuals listed below by mailing or hand delivering a copy of the same, postage prepaid, in the United States Mail, addressed as shown, this 5th day of October 2020 to:

Plaintiff Attorneys:

**Ryan McCabe & Stephanie Trotter
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd.**

**Todd M. Musheff, Esq.
Law Offices of Todd M. Musheff
1121 Park West Blvd., Ste. B 148.**

Columbia, SC 29209
(email and hand delivery)

Mount Pleasant, SC 29466
(email and hand delivery)

Judge Scarborough
Master in Equity, Charleston County
100 Broad St., Ste. 266
Charleston, SC 29401
(email and hand delivery)

Julie Armstrong
Clerk of Court, Charleston County
100 Broad St.
Charleston, SC 29401
(email and hand delivery)

Sarah Schreiber
Charleston Legal Access
3775 Spruill Ave., Ste. B
North Charleston, SC 29405
(email and USPS)

Alan Wilson
SC Attorney General
1000 Assembly St.
Columbia, SC 29201
(email and hand delivery)

David Thomas / Gregory Galvin
Crum & Foster / US Fire Insurance
305 Madison Ave.
Morristown, NJ 07960
(email)

Robert Wood
Rogers, Townsend & Thomas
1221 Main St., 14th Floor
Columbia, SC 29201
(email and hand delivery)

Troy Thames
Wilson, Jones, Carter and Baxley
421 Wando Park Blvd.
Mt. Pleasant, SC 29464
(email and hand delivery)

Kevin Mims
Luzuriaga Mims
50 Immigration St.
Charleston, SC 29403
(email and hand delivery)

Dated: October 4, 2020

Respectfully submitted,

By:



Alan G. Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991.4170

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

**The Honorable? Mikell Scarborough and
The Honorable? Maite Murphy**

**Case No. 2017-CP-10-04031 and
2014-CP-10-05407**

Appellate Case No. 2020-001304

Churchill Park

Respondent,

v.

**Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix, Defendants,
Of which Alan G. Nix and the Estate of Norma J. Nix are the Appellants,**

Appellate Case Number 2020-001304

**APPELLANT'S MOTION FOR EMERGENCY INJUNCTION STAYING SALE OF
PROPERTY**

The Appellants filed a Notice of Appeal in this case on 24 September 2020. It appears that the Respondent's and their numerous co-conspirators, including but not limited to Judge Scarborough, intend to sale the Appellant's property located at 1401 Densmore Circle, Mt. Pleasant, SC tomorrow, 6 October 2020, even though they all know that numerous meritorious motions of Appellant Alan Nix have not been validly ruled on as of the date of this motion. **Exhibit A.** This conduct can only be construed as willful, knowing and intended for (numerous) improper purposes.

The appeal bond from August 2018 in these cases remains in force and as of the date of this motion, no proof whatsoever has ever been served on Appellant Alan Nix that any of the more than \$100,000 in alleged actually incurred attorney fees has been served on Alan Nix, much less proven to be legally valid and reasonable.

Likewise, additional evidence has been found in the last two months to prove well beyond a clear and convincing level that the now known intentional fraud contrived to attempt to make this malicious prosecution somehow legitimate, was just that, an intentional fraud involving numerous parties, including but not limited to, Officers of the Court, and specifically the attorneys involved in this case, McCabe, Trotter & Beverly and the Law Offices of Todd Musheff. See **Exhibit B** which Appellant did not receive from the SC Department of Revenue until late July 2020 and **Exhibit C**, which was not produced by the Charleston County Attorneys office until December 2019.

Appellant requests the Court of Appeals to grant an emergency injunction against Respondent, Charleston County and Scarborough staying the sale of the subject property until this appeal is completed. Scarborough's and Charleston County's improper and willful utilization of Judge Murphy's Order dated 27 September 2019, for case 2018-CP-10-03315, entitled ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF has further injured Appellants by negatively impacting their ability to defend against another of Scarborough's knowing, willful, coercive, corrupt and improper rulings, for which he, in all likelihood, continues to have no jurisdiction to file a valid Order related to these matters.

WHEREFORE, Appellants respectfully requests this Court:

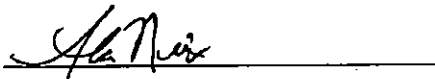
1. Stay the sale of the subject property.
2. Enjoin Charleston County and Scarborough from taking any further action related to the subject property and Defendants / Appellants.
3. Toll the Statute of Limitations related to all matters which could be validly asserted but can not be due to Judge Murphy's Order dated 27 September 2019, for case 2018-CP-10-03315, entitled ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF.
4. Any other and further relief as the Court deems just, prudent and proper.

October 4, 2020

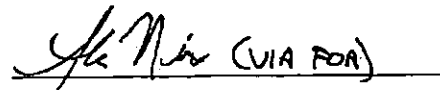
Respectfully submitted,



Alan G. Nix (individually)
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991-4170



Alan G. Nix (as co-PR for Estate of Norma J. Nix)
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991-4170

 (VIA FOR)

Ethan Nix, co-PR for Estate of Norma J. Nix
1784 Walhalla Hwy.
Pickens, SC 29671
(864) 419-8654

Exhibit

A

Technical Units Wanted Aircraft

1000 miles a year, from now.
Very clean, runs & drives great.

Type of Hearing: First Hearing

Cashmere State Bank - 1917

Exhibit

B



SC1120

Page 3

SCHEDULE D ANNUAL REPORT TO BE COMPLETED BY ALL CORPORATIONS

1. Name CHURCHILL PARK HOMEOWNERS ASSOC INC
2. Incorporated under the laws of the State of SC
3. Location of the Registered Office of the Corporation in the State of South Carolina is 1121 PARK WEST BLVD
In the City of MT PLEASANT Registered Agent at such address is LPPM INC
4. Location of principal office (street address) 1121 PARK WEST BLVD
Nature of principal business in SC _____
5. The total number of authorized shares of capital stock, itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
6. The total number of issued and outstanding shares of capital stock itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
7. The names and business addresses of the directors (or individuals functioning as directors) and principal officers in the Corporation are:
(If additional space is necessary, attach separate schedule).

NAME	TITLE	BUSINESS ADDRESS
8. Date Incorporated 01-24-2000 Date commenced business in the State of South Carolina was 01-24-2000
9. Date of this report 02-24-2017 FEIN _____
10. If Foreign Corporation, the date qualified to do business in the State of South Carolina is _____
11. Was the name of the Corporation changed during the year? NO Give old name _____
12. The Corporation's books are in the care of % CHURCHILL PARK HOMEOWNERS ASSOC INC
Located at (street address) 1121 PARK WEST BLVD; MOUNT PLEASANT, SC 29466
13. If filing consolidated, complete and attach Schedule J for each Corporation included in the consolidation.
14. The total amount of stated capital per balance sheet is:
A. Total paid in Capital Stock (cannot be a negative amount) . . . \$ _____
B. Total paid in Capital Surplus (cannot be a negative amount) . . . \$ _____
C. Total amount of stated Capital (cannot be a negative amount) . . . \$ _____

ATTACH COMPLETE COPY OF FEDERAL RETURN

Payment Only: Submit payment electronically for free at MyDORWAY.dor.sc.gov.

MAIL RETURN TO THE PROPER ADDRESS

BALANCE DUE:
SCDOR
CORPORATE TAXABLE
COLUMBIA, SC 29214-0033

REFUNDS OR ZERO TAX:
SCDOR
CORPORATE REFUND
COLUMBIA, SC 29214-0032

30913032



SC1120

Churchill Park Homeowners Asso

Page 3

SCHEDULE D ANNUAL REPORT TO BE COMPLETED BY ALL CORPORATIONS

1. Name Churchill Park Homeowners Assoc Inc.
2. Incorporated under the laws of the State of SC
3. Location of the Registered Office of the Corporation in the State of South Carolina is 317 Ruth Vista Road
In the City of Lexington Registered Agent at such address is InCorp Services, Inc.
4. Location of principal office (street address) 9500 Statesville Road, Charlotte, NC 28269
Nature of principal business in SC HOA
5. The total number of authorized shares of capital stock, itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
6. The total number of issued and outstanding shares of capital stock itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
7. The names and business addresses of the directors (or individuals functioning as directors) and principal officers in the Corporation are:
(If additional space is necessary, attach separate schedule).

NAME	TITLE	BUSINESS ADDRESS
8. Date Incorporated 01/24/2000 Date commenced business in the State of South Carolina was 01/24/2000
9. Date of this report 03/23/2018 FEIN _____
10. If Foreign Corporation, the date qualified to do business in the State of South Carolina is _____
11. Was the name of the Corporation changed during the year? No Give old name _____
12. The Corporation's books are in the care of Clear Management Group
Located at (street address) 9500 Statesville Rd Charlotte NC 28269
13. If filing consolidated, complete and attach Schedule J for each Corporation included in the consolidation.
14. The total amount of stated capital per balance sheet is:
A. Total paid in Capital Stock (cannot be a negative amount) \$ _____
B. Total paid in Capital Surplus (cannot be a negative amount) \$ _____
C. Total amount of stated Capital (cannot be a negative amount) \$ _____

ATTACH COMPLETE COPY OF FEDERAL RETURN

File electronically using Modernized Electronic Filing (MeF).
Submit payment electronically for free at MyDORWAY.dor.sc.gov.

MAIL RETURN TO THE PROPER ADDRESS

BALANCE DUE:
SC DEPARTMENT OF REVENUE
CORPORATE TAXABLE
COLUMBIA, SC 29214-0033

REFUNDS OR ZERO TAX:
SC DEPARTMENT OF REVENUE
CORPORATE REFUND
COLUMBIA, SC 29214-0032

30913040



SC1120 Churchill Park Homeowners Asso

Page 3

SCHEDULE D ANNUAL REPORT TO BE COMPLETED BY ALL CORPORATIONS

1. Name Churchill Park Homeowners Assoc Inc.
2. Incorporated under the laws of the State of SC
3. Location of the Registered Office of the Corporation in the State of South Carolina is 317 Ruth Vista Road
In the City of Lexington Registered Agent at such address is InCorp Services, Inc.
4. Location of principal office (street address) 9500 Statesville Rd, Charlotte, NC 28269
Nature of principal business in SC HOA
5. The total number of authorized shares of capital stock, itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
6. The total number of issued and outstanding shares of capital stock itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
7. The names and business addresses of the directors (or individuals functioning as directors) and principal officers in the Corporation are:
(If additional space is necessary, attach separate schedule).
- | NAME | TITLE | BUSINESS ADDRESS |
|------|-------|------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
8. Date incorporated 01/24/2000 Date commenced business in the State of South Carolina was 01/24/2000
9. Date of this report 03/28/2019 FEIN _____
10. If Foreign Corporation, the date qualified to do business in the State of South Carolina is _____
11. Was the name of the Corporation changed during the year? No Give old name _____
12. The Corporation's books are in the care of Cedar Management Group
Located at (street address) 9500 Statesville Rd, Charlotte, NC 28269
13. If filing consolidated, complete and attach Schedule J for each Corporation included in the consolidation.
14. The total amount of stated capital per balance sheet is:
A. Total paid in Capital Stock (cannot be a negative amount) \$ _____
B. Total paid in Capital Surplus (cannot be a negative amount) \$ _____
C. Total amount of stated Capital (cannot be a negative amount) . . . \$ _____

ATTACH COMPLETE COPY OF FEDERAL RETURN

File electronically using Modernized Electronic Filing (MeF).

Pay online by credit card or electronic check using our free tax portal, MyDORWAY, at dor.sc.gov/pay. Select Business
Income Tax Payment to get started.

MAIL RETURN TO THE PROPER ADDRESS

BALANCE DUE:
SC DEPARTMENT OF REVENUE
CORPORATE TAXABLE
PO BOX 100151
COLUMBIA, SC 29202

REFUNDS OR ZERO TAX:
SC DEPARTMENT OF REVENUE
CORPORATE REFUND
PO BOX 126
COLUMBIA, SC 29214-0032

Note: If submitting payment by check, make check payable to SC Department of Revenue. Include Business Name and FEIN on check.

30913057



SC1120 Churchill Park Homeowners Asso

Page 3

SCHEDULE D ANNUAL REPORT TO BE COMPLETED BY ALL CORPORATIONS

1. Name Churchill Park Homeowners Association Inc.
2. Incorporated under the laws of the state of SC
3. Location of the registered office of the corporation in South Carolina 1320 Main Street, Suite 300
In the city of Columbia Registered agent at this address Cedar Management Group
4. Location of principal office (street address) 9500 Statesville Road, Charlotte, NC 28269
Nature of principal business in SC HOA
5. Total number of authorized shares of capital stock, itemized by class and series, if any, within each class:
Number of shares Class Series
6. Total number of issued and outstanding shares of capital stock itemized by class and series, if any, within each class:
Number of shares Class Series
7. Names and business addresses of the directors (or individuals functioning as directors) and principal officers in the corporation:
Attach separate schedules if you need more space.
Name Title Business address
8. Date incorporated 01/24/2000 Date commenced business in South Carolina 01/24/2000
9. Date of this report 05/05/2020 FEIN _____
10. If foreign corporation, the date qualified to do business in South Carolina _____
11. Was the name of the corporation changed during the year? No Previous name _____
12. The corporation's books are in the care of Cedar Management Group
Located at (street address) 9500 Statesville Rd, Charlotte, NC 28269
13. If filing consolidated, complete and attach Schedule J for each corporation included in the consolidation.
14. Total amount of stated capital per balance sheet is:
A. Total paid in capital stock (cannot be a negative amount) \$ _____
B. Total paid in capital surplus (cannot be a negative amount) \$ _____
C. Total amount of stated capital (cannot be a negative amount) \$ _____

ATTACH COMPLETE COPY OF YOUR FEDERAL RETURN

File electronically using Modernized Electronic Filing (MeF).

Payments: Pay online using our free tax portal, MyDORWAY, at dor.sc.gov/pay.
Select Business Income Tax Payment to get started.

If you pay by check, make your check payable to SCDOR and include your business name and FEIN in the memo.

Mail Balance Due returns to:
SCDOR
Corporate Taxable
PO Box 100151
Columbia, SC 29202Mail Refund or Zero Tax returns to:
SCDOR
Corporate Refund
PO Box 125
Columbia, SC 29214-0032

30913057



SC1120

Page 3

SCHEDULE D ANNUAL REPORT TO BE COMPLETED BY ALL CORPORATIONS

1. Name Park West Amenity Association Inc.
 2. Incorporated under the laws of the State of South Carolina
 3. Location of the Registered Office of the Corporation in the State of South Carolina is c/o Southern Community Services P.O. Box 290189
In the City of Columbia Registered Agent at such address is Peter Oh
 4. Location of principal office (street address) c/o Southern Community Services P.O. Box 290189 Columbia SC 29229
Nature of principal business in SC Homeowners Association
 5. The total number of authorized shares of capital stock, itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
 6. The total number of issued and outstanding shares of capital stock itemized by class and series, if any, within each class is as follows:
NUMBER OF SHARES: _____ CLASS: _____ SERIES: _____
 7. The names and business addresses of the directors (or individuals functioning as directors) and principal officers in the Corporation are:
(If additional space is necessary, attach separate schedule).
- | NAME | TITLE | BUSINESS ADDRESS |
|-----------------|-------------------------|--|
| <u>Peter Oh</u> | <u>Property Manager</u> | <u>PO Box 290189 Columbia SC 29229</u> |
| | | |
| | | |
| | | |
| | | |
8. Date incorporated 11/10/1997 Date commenced business in the State of South Carolina was 11/10/1997
 9. Date of this report 12/31/2018 FEIN _____
 10. If Foreign Corporation, the date qualified to do business in the State of South Carolina is _____
 11. Was the name of the Corporation changed during the year? No Give old name _____
 12. The Corporation's books are in the care of Southern Community Services
Located at (street address) c/o Southern Community Services P.O. Box 290189 Columbia SC 29229
 13. If filing consolidated, complete and attach Schedule J for each Corporation included in the consolidation.
 14. The total amount of stated capital per balance sheet is:
 - A. Total paid in Capital Stock (cannot be a negative amount) \$ _____
 - B. Total paid in Capital Surplus (cannot be a negative amount) \$ _____
 - C. Total amount of stated Capital (cannot be a negative amount) \$ _____

ATTACH COMPLETE COPY OF FEDERAL RETURN

File electronically using Modernized Electronic Filing (MeF).

Pay online by credit card or electronic check using our free tax portal, MyDORWAY, at dor.sc.gov/pay. Select Business Income Tax Payment to get started.**MAIL RETURN TO THE PROPER ADDRESS**

BALANCE DUE:
SC DEPARTMENT OF REVENUE
CORPORATE TAXABLE
PO BOX 100151
COLUMBIA, SC 29202

REFUNDS OR ZERO TAX:
SC DEPARTMENT OF REVENUE
CORPORATE REFUND
PO BOX 125
COLUMBIA, SC 29214-0032

Note: If submitting payment by check, make check payable to SC Department of Revenue. Include Business Name and FEIN on check.

Exhibit C

PETER J. TECKLENBURG
Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614
Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-059
(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com
(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.
For water craft, contact SC Dept. of Natural Resources.

598-03-059

Year	Reference No.	Document No.	Date	Category	Parent	Module	UserID	Info
0	HOMEOWNERS ASSOCIATION INC		6/10/2019 2:01:16 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLBS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMEOWNERS ASSOCIATION INC		5/10/2019 2:01:16 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLBS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Deleted
0	CHURCHILL PARK		6/10/2019 1:58:17 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLBS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		6/10/2019 1:58:17 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLBS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		9/18/2017 9:53:03 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVB	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 9:53:03 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVB	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		9/18/2017 9:53:03 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVB	Communication for LP: CHURCHILL PARK , of Type: Home Created
0	HOMEOWNERS ASSOCIATION INC		9/18/2017 9:51:50 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVB	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMEOWNERS ASSOCIATION INC		9/18/2017 9:51:50 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVB	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMEOWNERS ASSOCIATION INC		7/22/2015 9:57:01 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDCLW	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Changed
0	CHURCHILL PARK		7/22/2015 9:58:04 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDCLW	Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J. TECKLENBURG
Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614

Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-033

(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com

(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.

For water craft, contact SC Dept. of Natural Resources.

598-03-00-033

Year	Receipt No	Document No	Date	Category	Event	Module	User ID	Info
D	HOMESOWNERS ASSOCIATION INC		6/10/2019 2:01:16 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLRS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
D	HOMESOWNERS ASSOCIATION INC		6/10/2019 2:01:16 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLRS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
D	CHURCHILL PARK		6/10/2019 1:58:11 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLRS	Communication for LP: CHURCHILL PARK , of Type: Default Created
D	CHURCHILL PARK		6/10/2019 1:58:11 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLRS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
D	CHURCHILL PARK		9/18/2017 9:53:00 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVS	Communication for LP: CHURCHILL PARK , of Type: Default Created
D	CHURCHILL PARK		9/18/2017 9:53:00 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
D	CHURCHILL PARK		9/18/2017 9:53:00 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
D	CHURCHILL PARK		9/18/2017 9:53:00 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
D	HOMESOWNERS ASSOCIATION INC		9/18/2017 9:51:50 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
D	HOMESOWNERS ASSOCIATION INC		9/18/2017 9:51:50 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
D	HOMESOWNERS ASSOCIATION INC		7/22/2015 9:59:01 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Changed
D	CHURCHILL PARK		7/22/2015 9:59:34 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW	Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J. TECKLENBURG
Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614
Phone: 843-958-4200 Fax: 843-958-4222

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AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-032
(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com
(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.
For water craft, contact SC Dept. of Natural Resources.

598-3-0-32

Year	Reference No	Document No	Date	Category	Event	Module	Client	Info
0	CHURCHILL PARK		6/10/2019 1:46:48 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLBS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		6/10/2019 1:46:48 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLBS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	HOMEOWNERS ASSOCIATION INC		6/10/2019 1:45:46 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLBS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMEOWNERS ASSOCIATION INC		6/10/2019 1:45:46 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLBS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 9:59:00 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 9:59:00 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		9/18/2017 9:59:00 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD	Communication for LP: CHURCHILL PARK , of Type: Home Created
0	HOMEOWNERS ASSOCIATION INC		9/18/2017 9:58:25 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMEOWNERS ASSOCIATION INC		9/18/2017 9:58:25 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMEOWNERS ASSOCIATION INC		7/22/2015 10:03:13 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Changed
0	CHURCHILL PARK		7/22/2015 10:02:43 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW	Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J. TECKLENBURG

Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614

Phone: 843-958-4200 Fax: 843-958-4222

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SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-031

(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd., Ste. B 171

**CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt. 2850 Ashley Phosphate Rd.,
Charleston, SC 29418**

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com

(For Notification of Receipt)

**For address change on motor vehicles, contact SC Div. of Motor Vehicles.
For water craft, contact SC Dept. of Natural Resources.**

598-03-031

Year	Reference No.	Document No.	Date	Category	Event	Module	User ID	Info
0	HOMOWNERS ASSOCIATION INC		5/10/2019 1:56:48 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLAS	Communication for LP: HOMOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMOWNERS ASSOCIATION INC		6/10/2019 1:56:48 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLAS	Communication for LP: HOMOWNERS ASSOCIATION INC , of Type: Default Deleted
0	CHURCHILL PARK		6/10/2019 1:56:00 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLAS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		6/10/2019 1:56:00 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLAS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		9/18/2017 9:50:56 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLAS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		9/18/2017 9:50:56 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVD	Communication for LP: CHURCHILL PARK , of Type: Home Created
0	CHURCHILL PARK		9/18/2017 9:50:56 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVD	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	HOMOWNERS ASSOCIATION INC		9/18/2017 9:49:00 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVD	Communication for LP: HOMOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMOWNERS ASSOCIATION INC		9/18/2017 9:49:00 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDLVD	Communication for LP: HOMOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMOWNERS ASSOCIATION INC		7/22/2015 9:57:35 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDCLW	Communication for LP: HOMOWNERS ASSOCIATION INC , of Type: Default Changed
0	CHURCHILL PARK		7/22/2015 9:56:54 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records	AUDCLW	Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J. TECKLENBURG
Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614
Phone: 843-958-4200 Fax: 843-958-4222

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SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-009
(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com
(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.
For water craft, contact SC Dept. of Natural Resources.

598-3-0-9

Special Events						
Event Reference No.	Document No.	Date	Category	Event	Module	User Id
0	HOMESOWNERS ASSOCIATION INC	6/10/2019 1:50:58 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLAS
						Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC	6/10/2019 1:50:57 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLES
						Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
0	CHURCHILL PARK	6/10/2019 1:50:19 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLOS
						Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK	6/10/2019 1:50:19 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLES
						Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK	9/18/2017 9:57:53 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD
						Communication for LP: CHURCHILL PARK , of Type: Name Created
0	CHURCHILL PARK	9/18/2017 9:57:52 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD
						Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK	9/18/2017 9:57:53 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD
						Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC	9/18/2017 9:57:20 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD
						Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC	9/18/2017 9:57:20 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDLVD
						Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMESOWNERS ASSOCIATION INC	7/22/2019 10:05:05 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW
						Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Changed
0	CHURCHILL PARK	7/22/2019 10:05:42 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW
						Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J. TECKLENBURG

Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614

Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-008

(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com

(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.

For water craft, contact SC Dept. of Natural Resources.

598-03-0-8

New Search							
Full Text		Reference	From		To		Client
Project			Category				
Year	Reference No.	Document No.	Date	Category	Event	Media	Notes
0	HOMECOWNERS ASSOCIATION INC		5/10/2015 1:43:15 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: HOMECOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMECOWNERS ASSOCIATION INC		5/10/2015 1:43:15 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: HOMECOWNERS ASSOCIATION INC , of Type: Default Created
0	CHURCHILL PARK		5/10/2015 1:41:58 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		5/10/2015 1:41:58 PM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		5/10/2015 9:34:30 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		5/10/2015 9:34:30 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		5/10/2015 9:34:30 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		5/10/2015 9:34:30 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	HOMECOWNERS ASSOCIATION INC		5/10/2015 9:34:30 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: HOMECOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMECOWNERS ASSOCIATION INC		5/10/2015 9:34:30 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: HOMECOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMECOWNERS ASSOCIATION INC		7/22/2015 10:07:41 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: HOMECOWNERS ASSOCIATION INC , of Type: Default Deleted
0	CHURCHILL PARK		7/22/2015 10:07:15 AM	Legal Party Meeting Address	Legal Party Meeting Address	Records AUDIO/MS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted

PETER J. TECKLENBURG
Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614
Phone: 843-958-4200 Fax: 843-958-4222

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JUN 05 2019

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID 5980300001
(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association Inc

CHANGE MY MAILING ADDRESS FROM 2850 Ashley Phosphate Road
CITY North Charleston STATE SC ZIP 29418

CHANGE MY MAILING ADDRESS TO PO Box 26844
CITY Charlotte STATE NC ZIP 28221

NAME OF REQUESTOR Steve Grimes

RELATIONSHIP TO OWNER Owners Agent

DATE June 05, 2019

E-MAIL ADDRESS SGrimes@MyCMG.com
(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.
For water craft, contact SC Dept. of Natural Resources.

598.3.0.1

Year	Reference No	Document No	Date	Category	Event	Module	User Id	Info
0	HOMESOWNERS ASSOCIATION INC		6/5/2019 11:08:22 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLB	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMESOWNERS ASSOCIATION INC		6/5/2019 11:08:22 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLB	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
0	CHURCHILL PARK		6/5/2019 11:07:51 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLB	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		6/5/2019 11:07:51 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLB	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		9/18/2017 9:55:42 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLD	Communication for LP: CHURCHILL PARK , of Type: Infile Created
0	CHURCHILL PARK		9/18/2017 9:55:32 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLD	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 9:55:32 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLD	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC		9/18/2017 9:55:04 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLD	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMESOWNERS ASSOCIATION INC		9/18/2017 9:55:04 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLD	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC		7/22/2015 9:52:21 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Changed
0	CHURCHILL PARK		7/22/2015 9:52:52 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records	AUDCLW	Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J. TECKLENBURG

Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614

Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-001

(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com

(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.

For water craft, contact SC Dept. of Natural Resources.

598-03-0-1

PETER J TECKLENBURG
Charleston County Auditor

PO Box 614, Charleston SC 29402-0614
Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

JUN 10 2019



AUDITOR'S OFFICE

CHANGE OF ADDRESS NOTIFICATION

FOR REAL ESTATE OR BUSINESS PERSONAL PROPERTY

OWNER'S INFORMATION

Owner's Name: CHURCHILL PARK HOMEOWNERS ASSOCIATION INC
Parcel ID Number(s): 5980300008 ✓ 5980300009 ✓ 5980300031
5980300032 ✓ 59803000033 ✓ 5980300059
5980300074 ✓ 5980300105 ✓

CHANGE MY ADDRESS FROM

Old Mailing Address: 2850 ASHLEY PHOSPHATE RD
Street Address
NORTH CHARLESTON SC 29418
City State Zip Code

CHANGE MY ADDRESS TO

New Mailing Address: PO BOX 26844
Street Address
CHARLOTTE NC 28221
City State Zip Code
In Care of/Attn: CEDAR MANAGEMENT GROUP

REQUESTOR'S INFORMATION

Requestor's Name: STEVE GRIMES
Relationship to Owner: ☐ Self/Owner ☐ Power of Attorney ☐ Property Manager
☐ Authorized Relative ☒ Owner's Agent ☐ Other _____
Phone Number: (843) 440-5549 Email Address: SGRIMES@MYCMG.COM

Are you authorized to update this mailing address? ☒ Yes ☐ No

I certify that I am authorized to update this mailing address.

Signature: Steve Grimes Date: 6/5/2019

PETER J. TECKLENBURG

Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614

Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-105
(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com
(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.
For water craft, contact SC Dept. of Natural Resources.

598-3-0-105

Event History							
Year	Reference No.	Document No.	Date	Category	Event	Media	User ID Info
0	CHURCHILL PARK		6/10/2019 1:54:53 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		6/10/2019 1:54:53 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC		6/10/2019 1:54:53 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC		6/10/2019 1:54:53 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 10:02:13 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: CHURCHILL PARK , of Type: Home Created
0	CHURCHILL PARK		9/18/2017 10:02:13 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 10:02:13 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC		9/18/2017 10:02:13 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMESOWNERS ASSOCIATION INC		9/18/2017 10:02:13 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMESOWNERS ASSOCIATION INC		7/22/2016 10:04:33 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: HOMESOWNERS ASSOCIATION INC , of Type: Default Changed
0	CHURCHILL PARK		7/22/2016 10:04:33 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIOVIS	Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J. TECKLENBURG

Charleston County Auditor

P. O. Box 614, Charleston, SC 29402-0614

Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

SEP 18 2017

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

USE THIS FORM FOR REAL ESTATE OR PERSONAL PROPERTY ONLY

Parcel ID or Receipt No. 598-03-00-074

(From Tax Bill or Plat)

OWNER'S NAME AS IT APPEARS ON DEED Churchill Park Homeowners Association, Inc.

CHANGE MY MAILING ADDRESS FROM 1121 Park West Blvd. Ste B171

CHANGE MY MAILING ADDRESS TO c/o Gold Crown Mgmt, 2850 Ashley Phosphate Rd.,
Charleston, SC 29418

NAME OF REQUESTOR Tracy Kapanke

RELATIONSHIP TO OWNER Owners Agent

DATE September 15, 2017

E-MAIL ADDRESS tracy.kapanke@gold-crown.com

(For Notification of Receipt)

For address change on motor vehicles, contact SC Div. of Motor Vehicles.
For water craft, contact SC Dept. of Natural Resources.

598-03-0-74

Detailed Data							
Year	Reference No.	Document No.	Date	Category	Event	Module	User Id Info
0	HOMEOWNERS ASSOCIATION INC		6/10/2019 1:49:05 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Created
0	HOMEOWNERS ASSOCIATION INC		6/10/2019 1:49:05 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Deleted
0	CHURCHILL PARK		6/10/2019 1:48:25 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		6/10/2019 1:48:25 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		9/18/2017 10:00:21 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 10:00:21 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		9/18/2017 10:00:21 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	HOMEOWNERS ASSOCIATION INC		9/18/2017 9:59:46 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Deleted
0	HOMEOWNERS ASSOCIATION INC		9/18/2017 9:59:46 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: HOMEOWNERS ASSOCIATION INC , of Type: Default Created
0	CHURCHILL PARK		7/22/2015 9:51:21 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDIUS	Communication for LP: CHURCHILL PARK , of Type: Default Changed

PETER J TECKLENBURG
Charleston County Auditor

PO Box 614, Charleston SC 29402-0614
Phone: 843-958-4200 Fax: 843-958-4222

COMPUTERIZED

JUN 10 2019

AUDITOR'S OFFICE



CHANGE OF ADDRESS NOTIFICATION

FOR REAL ESTATE OR BUSINESS PERSONAL PROPERTY

OWNER'S INFORMATION

Owner's Name: CHURCHILL PARK HOMEOWNERS ASSOCIATION INC

Parcel ID Number(s): 5980300062

CHANGE MY ADDRESS FROM

Old Mailing Address: 1121 PARK WEST BLVD B 171
Street Address Apartment/Unit #
MOUNT PLEASANT SC 29466
City State Zip Code

CHANGE MY ADDRESS TO

New Mailing Address: P O BOX 26044 NC 28221
Street Address Apartment/Unit #
CHARLOTTE City State Zip Code

In Care of/Attn: CEDAR MANAGEMENT GROUP

REQUESTOR'S INFORMATION

Requestor's Name: STEVE GRIMES

Relationship to Owner: ☐ Self/Owner ☐ Power of Attorney ☐ Property Manager
☐ Authorized Relative ☒ Owner's Agent ☐ Other

Phone Number: (843) 410-5549 Email Address: SGRIMES@MYCMG.COM

Are you authorized to update this mailing address? ☒ Yes ☐ No

I certify that I am authorized to update this mailing address.

Signature: Steve Grimes Date: 6/5/2019

598.3.0.62

Event History							
Year	Reference No	Document No	Date	Category	Event	Module	User Id Info
0	HOMESOWNERS ASSOCIATION		6/10/2019 1:30:22 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDLBS	Communication for LP: HOMESOWNERS ASSOCIATION , of Type: Default Created
0	HOMESOWNERS ASSOCIATION		6/10/2019 1:30:22 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDLBS	Communication for LP: HOMESOWNERS ASSOCIATION , of Type: Default Deleted
0	CHURCHILL PARK		6/10/2019 1:33:42 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDLBS	Communication for LP: CHURCHILL PARK , of Type: Default Deleted
0	CHURCHILL PARK		6/10/2019 1:33:42 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDLBS	Communication for LP: CHURCHILL PARK , of Type: Default Created
0	CHURCHILL PARK		6/30/2017 3:29:36 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDAEC	Communication for LP: CHURCHILL PARK , of Type: Default Changed
0	HOMESOWNERS ASSOCIATION		6/30/2017 3:29:15 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDAEC	Communication for LP: HOMESOWNERS ASSOCIATION , of Type: Default Changed
0	HOMESOWNERS ASSOCIATION		6/30/2017 3:27:29 PM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDAEC	Communication for LP: HOMESOWNERS ASSOCIATION , of Type: Default Changed
0	HOMESOWNERS ASSOCIATION		7/22/2015 10:09:25 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDCLW	Communication for LP: HOMESOWNERS ASSOCIATION , of Type: Default Changed
0	CHURCHILL PARK		7/22/2015 10:08:27 AM	Legal Party Mailing Address	Legal Party Mailing Address	Records AUDCLW	Communication for LP: CHURCHILL PARK , of Type: Default Changed

Exhibit

T14

Origins Of SC State House Probe Unearth Additional Corruption Allegations



Published

4 years ago on
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 go-ahead 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.

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

RECEIVED

APR 14 2022

SC Court of Appeals

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

The Honorable??? Mikell R. Scarborough, Master in Equity

**Case No. 2014-CP-10-05407
2017-CP-10-04031
2018-CP-10-03315**

Appellate Case No. 2021-00074

Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix,

Appellants,

v.

Churchill Park,

Respondent,

PROOF OF SERVICE

The undersigned certifies that a copy of Appellant Alan Nix's motion to reinstate appeal, set aside 30 March 2022 Order and require Ms. Abbott-Kitchings to prove her and her employee's still disputed and unproven allegations related to Scarborough and Charleston County, etc. has been served upon the individuals listed below by mailing or hand delivering a copy of the same, postage prepaid, in the United States Mail, addressed as shown, this 14th day of April 2022 to:

McCabe & Trotter
McCabe, Trotter & Muscheff
4500 Fort Jackson Blvd.
Columbia, SC 29209

Michael & Taryn Lazroff
1401 Densmore Circle
Mount Pleasant, SC 29466

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

Julie Armstrong
Clerk of Court, Charleston County
100 Broad St.
Charleston, SC 29401

Sarah Schreiber
Charleston Legal Access
3775 Spruill Ave., Ste. B
North Charleston, SC 29405

Alan Wilson
SC Attorney General
1000 Assembly St.
Columbia, SC 29201
(also Scarborough's attorney?)

Ryan Butler & Andrew College
Butler & College LLC
501 Belle Hall Parkway, Ste. 101
Mt. Pleasant, SC 29464

Rep. Ryan McCabe
SC House of Representatives
320A Blatt Bldg.
Columbia, SC 29201

Anné Flynn
SC Insurance Reserve Fund
1201 Main St., Ste. 500.
Columbia, SC 29201

Natalie Ham
Charleston County Attorney
4045 Bridge View Dr.
Charleston, SC 29405
(copies included for her clients
Mikell Scarborough, Christine Smith
and Sandlapper Reporting, LLC)

Carolina Real Estate & Investment Group, LLC
c/o Rachel Filer
5101 Forest Drive, Ste. C
Columbia, SC 29206

Scarlett Wilson
Charleston County Solicitor
O.T. Wallace Bldg.
101 Meeting St.
Charleston, SC 29401

John Nichols
Office of Disciplinary Counsel
1220 Senate St.
Columbia SC 29201

Charleston County Public Defender Corp.
Attn: Ashley Pennington
101 Meeting St., 5th floor
Charleston, SC 29401

Dated: April 14, 2022

Respectfully submitted,

By:

A handwritten signature in cursive script, appearing to read "Alan Nix", written over a horizontal line.

Alan G. Nix
c/o Michael and Taryn Lazroff
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991.4170

14 April 2022

RECEIVED

APR 14 2022

SC Court of Appeals

Alan Nix
1401 Densmore Circle
Mount Pleasant, SC 29466

Ms. Jennie Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201

RE: Churchill Park v. Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix
Case Numbers: 2017-CP-10-04031, 2014-CP-10-05407 and 2018-CP-10-03315
Appellate Case Number: 2021-00074

Ms. Abbott Kitchings,

Please find enclosed:

1. A motion to restore appeal, permission to file 60(b) or, in the alternative, place in abeyance until such time as I am able to order the transcript without being subject to improper arrest, etc.
2. Check number 1917 in the amount of \$50.00 drawn on Navy Federal Credit Union.
3. Copies of the motion and Proof of Service to be returned with your clock stamp
4. Self-addressed and postage prepaid envelope to return the enclosed copies of the Motion and Proof of Service (Exhibits not included for return)

Best regards,



Alan Nix



NEA
1491 Densmore Circle
Mount Pleasant, SC 29466

RECEIVED
APR 14 2022
SC Court of Appeals

J. ABBOTT KITCHING

CLERK

2021-00074

14 APR 2022