

December 17, 2014

Governor Nikki Haley
1205 Pendleton Street
Columbia, SC 29201

RE: Complaint Against Magistrate Judge
Barber

Dear Governor Haley

Please Review the Attached
Complaint Against Judge Barber.

I'm now Requesting your Assistance
Again Concerning the On going Conspiracy
to Continue to keep me incarcerated.

My Children Reported the
Solicitor of Richland County Daniel Johnson
was sleeping with their mother. When
it was reported to the authorities
Law Enforcement to include Leon Lott
Commenced an All out Assault on myself
and family.

I'm Again requesting that
you stop this assault on myself as
well as my family. I'm Requesting a
response back!

Cordially

Earl Gentry

Governor, I'm the 1st Person in this State to receive such a Sentence

STATE OF SOUTH CAROLINA

IN THE FAMILY COURT

COUNTY OF Richland

2014 JAN 14 PM 5:30

CASE NO. 08-DR-40-2615

Pamela G. Graham

PLAINTIFF

& FAMILY COURT

BENCH
ORDER

VS

Earl O. Graham

DEFENDANT aka Green

HEARING DATE: 1/14/14

PLAINTIFF ATTORNEY: Pro Se

DEFENDANT ATTORNEY: Pro Se

PRESIDING JUDGE: Pincus

COURT REPORTER: Katz

GAL: Boulware
GALatty: Soltis

This is an action for contempt.

more detailed order to follow.

Defendant Graham is in multiple
contempt of the court's order issued
in this docket number.

Accordingly, It Is ORDERED Earl Graham is sentenced
to twelve (12) months at Alvin S. Glenn.
He can be released upon the payment
of \$14,085.00 to Sabine Boulware through
her attorney MR. Soltis and upon the
payment of \$6,300.00 to MR. Soltis
in attorneys fees and costs.

No good time credit; no work release.

\$200 court costs to be paid for
direct contempt to Clerk's office
prior to release.

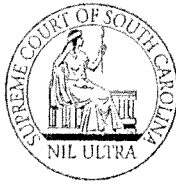
Columbia, S.C.

1/14, 2014

Judge of the Family Court Anna S

5th

Judicial Circuit



COPY

The Supreme Court of South Carolina

OFFICE OF DISCIPLINARY COUNSEL

Lesley M. Coggiola
Disciplinary Counsel

Joseph P. Turner Jr.
Assistant Disciplinary Counsel

Post Office Box 12159
Columbia, South Carolina 29211

Telephone: (803) 734-2038
Fax: (803) 734-1964

December 10, 2013

PERSONAL AND CONFIDENTIAL

Earl Oliver Graham
100-3 Forum Drive #102
Columbia, SC 29229

Re: Judge: Richland County Magistrate Patrick Alan Barber
Matter Number: 13-DE-J-0270

Dear Mr. Graham:

We have received and reviewed your complaint about Richland County Magistrate Patrick Alan Barber. The authority of this office and the jurisdiction of the Commission on Judicial Conduct concerning complaints against judges are limited to issues of whether a judge has committed misconduct or is incapacitated within the guidelines of the Rules for Judicial Disciplinary Enforcement, Rule 502, SCACR, adopted by the Supreme Court of South Carolina.

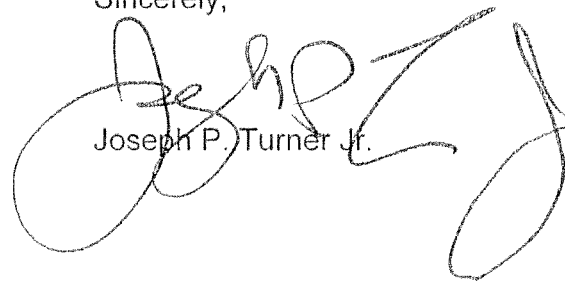
These rules do not apply to questions about whether or not the outcome of a case handled by a judge was fair. We do not have authority to intervene in any matter presently pending before a court or to change the outcome of the decision of a court. These are legal matters which must be addressed by you to the court or raised by you on appeal using the appropriate appellate procedures.

In addition, we do not seek to get a judge to do something a person wants done. We cannot give advice about your case or the legal system in general. This is not a place for an individual to seek relief, but a place where institutional values are promoted for the good of everyone who has dealings with our legal system.

Earl Oliver Graham
December 10, 2013
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The information in your complaint involves legal matters that would not constitute misconduct or incapacity under these rules even if true and, as such, are outside the jurisdiction of this office and the Commission on Judicial Conduct. For this reason, your complaint is dismissed pursuant to the provisions of Rule 19(a) of the Rules for Judicial Disciplinary Enforcement.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Turner Jr.", written over the printed name. The signature is stylized with a large loop at the beginning and a long, sweeping stroke at the end.

Joseph P. Turner Jr.

JPT/clg

**OFFICE OF DISCIPLINARY COUNCIL
SOUTH CAROLINA**

EARL GRAHAM,

Plaintiff

-versus-

JUDGE Patrick A. BARBER,

Defendant

COMPLAINT

The Plaintiff, entering his appearance as a pro se litigant, after having been duly sworn to in accordance with law, hereby deposes and states that:

- I. Plaintiff is the DEFENDANT in an arson case with Case Number I901993, 994, 995, 996, 997 and 998 in the General Sessions Court in Richland County, South Carolina.
- II. Defendant is the PRESIDING JUDGE with business address at 1400 Huger Street Columbia, SC 29202, where he may be served with summons and other court processes.
- III. Plaintiff brings a cause of action against the Defendant for judicial malpractice. Plaintiff asserts that the Defendant committed grave abuse of discretion in setting an excessive bail in the amount of one hundred fifty thousand dollars (\$150,000) in his order dated June 17, 2011.
- IV. Such order in the Bail Proceeding is in blatant violation of the constitutionally guarded right of the Plaintiff against excessive bail enshrined in the Eighth Amendment to the US Constitution which declares that:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

- V. Corollary to this, the act of the Defendant is likewise prohibited by Article I Section 15 of the South Carolina Constitution:

"All persons shall be, before conviction, bailable by sufficient sureties, but bail may be denied to persons charged with capital offenses or offenses punishable by life imprisonment, or with violent offenses defined by the General

Assembly, giving due weight to the evidence and to the nature and circumstances of the event. Excessive bail shall not be required, nor shall excessive fines be imposed, nor shall cruel, nor corporal, nor unusual punishment be inflicted, nor shall witnesses be unreasonably detained.

VI. Furthermore, the Defendant transgressed the provisions of the Commission on Judicial Conduct enunciated in Rule 502 of the South Carolina Appellate Court Rules, which is the supreme regulation for judicial magistrates in South Carolina, particular the following canons:

A. *Canon 1 - A judge shall uphold the integrity and independence of the judiciary.*

Bail, as a rule, is designed to prevent the escape of an accused. In the case at hand, the Plaintiff was not a flight risk. Prior to the filing of this case, the Plaintiff has exhibited a sterling reputation. There is no reason to believe that he would escape, or even attempt to do so, considering his character as a law-abiding citizen and as a member of the military arm. Hence, the Defendant violated the Plaintiff's right to a REASONABLE BAIL, which is a fundamental safeguard of the US Constitution.

B. *Canon 1A - A judge should participate in establishing, maintaining and enforcing high standards of conduct, and shall personally observe those standards so the integrity and independence of the judiciary will be preserved.*

Through the Defendant's acts, there is plausible causation that affirms the Defendant's bias against the Plaintiff. South Carolina jurisprudence is replete with cases that a bail bond of one hundred fifty thousand dollars is exorbitant, or worse, unconstitutional. Therefore, the only explanation for this deviation to normal standard is that the Defendant acted in a biased and unfair manner.

C. *Canon 2 - A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.*

In relation to letter (B) above, the Defendant manifested a prejudicial and improper demeanor. Although it appeared that the Defendant set a bail amount, in essence however, the Defendant "penalized" the Plaintiff. Considering that the Plaintiff at that time was not financially adept, the only logical conclusion was that the Defendant wanted to impose a bail that was so excessive and steep so that the Plaintiff would not afford such amount. Hence, the Plaintiff would have no

other recourse but to remain incarcerated.

D. Canon 3B(4) - A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity.

The dignity of the Defendant was compromised. He did not give the Plaintiff the opportunity for an appeal to reduce the same, disregarding her sacrosanct duty to provide mutual respect to the lawyers and the parties alike. The Defendant, therefore, committed not only misfeasance in office, but also a betrayal of justice in its entirety.

VII. In support of these allegations, the Plaintiff presents the case of *Stack v. Boyle*, 342 U.S. 1 (1951) as precedence. In this case, the Court found that bail cannot be set higher than an amount that is reasonably likely to ensure the defendant's presence at the trial.

VIII. In fact, the Court found in that case that a bail of \$50,000 to be excessive, given the limited financial resources of the party and a lack of evidence that they were likely to flee before trial. As such, a rational query is therefore posed: If a \$50,000 bail is found excessive, how much more is a \$150,000 bail?

IX. Therefore, the Defendant has deprived the Plaintiff the "neutrality requirement that helps to guarantee that life, liberty, or property will not be taken on the basis of an erroneous or distorted conception of the facts or the law."

X. By setting an irrationally high bail, the Defendant deliberately violated the Plaintiff's constitutional and statutory right. Moreover, the afore-cited Defendant refused to provide due process and equal protection to the Plaintiff before the court and thereby behaved in a manner inconsistent with that which is needed for full, fair and impartial hearings.

XI. The Canons of South Carolina has consistently declared that the courts have the responsibility to safeguard personal liberties and to uphold federal law. But by doing just the opposite, the Defendant has put the judiciary in a bad light.

XII. The United States Constitution guarantees an unbiased Judge who will always provide litigants with full protection of ALL RIGHTS. Therefore, the Plaintiff respectfully demands said Defendant to recuse in light of the unethical and/or illegal conduct which gives the Plaintiff good reason to

believe that the Defendant cannot hear the above case in a fair, objective and impartial manner.

XIII. The Plaintiff prays for such other reliefs as may be just and equitable under the premises.



EARL GRAHAM