

Shows  
Federal Judge Seymour Always  
checked jurisdiction over  
civil and criminal  
case matters - which was!  
Involved! He said  
Third Parties - pursuant  
w/ Prosecution's Rules  
21 USC 853(c) and (d)  
HENRY MCMASTER  
SECURITIES COMMISSIONER



December 7, 2010

The Hon. George C. James, Jr.  
Judge, Third Judicial Circuit  
P.O. Box 1716  
Sumter, South Carolina 29151

Re: McMaster v. Capital Consortium Group, LLC; et al.  
C.A. No. 07-CP-40-3116

Dear Judge James:

This letter is to apprise the court of the status of the above-referenced matter and the manner in which the South Carolina Attorney General's Office intends to proceed from this point forward. We are directing this correspondence to you based upon the Richland County Clerk of Court's records reflecting you as the judge assigned to this case.

As you may know, the individual defendants in this action - Tony Pough, Timothy McQueen, and Joseph Brunson - are awaiting sentencing in a federal criminal case in which they have been found guilty on numerous counts. Our Office has been monitoring the federal case for some time, and we have determined that the primary objectives of our state action have been met by the federal case's disposition. We are therefore informing the court that Plaintiff no longer intends to pursue the state civil action under these circumstances. Our Office's decision in this regard effectively moots a pending motion to intervene by the group of investors represented by John T. Mobley, Esq.

Accordingly, enclosed is a proposed dismissal order that we have prepared for your review. If acceptable, please execute the dismissal and return it to us in the envelope provided.

By copy of this letter to all counsel of record and pro se defendants, we are the proposed order on them as well.

Sincerely yours,

Warren V. Ganjehsani  
Assistant Attorney General

WVG/shb

Encl.

CCG-Investors Filed  
Henry McMaster  
got her

EXH-1-A  
This S. AG's Letter 12-1-10  
Conflict! New 12-1-10  
AG's Requested - Repeated  
Claims - 5-12-2011  
This Letter and Order  
of Dismissal Confirms!  
The Federal Court  
Judge Seymour  
Always Knew she  
Lacked Jurisdiction  
to have filed the  
Federal Restraining Order  
On Aug. 1st, 2007 - when  
State Court had Jurisdiction  
2007 Dec. 1st 2010 - by  
Judge George C. James Jr  
State Court

\* Shows Federal Court  
Never Had Jurisdiction  
Motion for Dismissal  
Granted by Judge  
on 12/7/10  
2007 pursuant to  
21 USC 853(c)(2)  
See Hatched  
Exh. 17-C

Richland County Judges  
Disqualified themselves  
since year  
2007...  
5 Sept had  
2 pages  
S.C. Stat  
Court D  
on C  
C.C.



\* And August 15, 2007-Order B-14  
Always Showed  
Federal Court Lack  
Jurisdiction to Hear 3-HB/CCG claims

\* Received Ashmore and  
Alleged! Defense Atty John  
Mobley who  
Admitted the was  
substituted in  
the year 2009  
as the state court's  
Attorney involving  
The 3-HB CCG-  
Constituents that  
Atty John Mobley  
and Receiver.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION  
IN RE: Due to Prosecution's Non-Compliance with  
A MATTER UNDER INVESTIGATION There own  
BY GRAND JURY NUMBER 1 Pre-Indictment  
(#2007R00845) Criminal Civil Terms -  
Her under 21 USC 853e(2)

This matter comes before the Court on a motion by the Government to allow disclosure of

a sealed Pre-Indictment Restraining Order entered August 15, 2007. The Government argues that  
the contents of the Order, specifically the appointment of a receiver, should be disclosed so that a  
matter pending before the Richland County Court of Common Pleas may be more judiciously  
resolved.

IT IS THEREFORE ORDERED that the sealed Pre-Indictment Restraining Order entered  
August 15, 2007, may be disclosed to the South Carolina Attorney General's Office and the Richland  
County Court of Common Pleas, and that the contents shall otherwise remain sealed. The parties  
are instructed that the information contained within the sealed Pre-Indictment Restraining Order is  
allowed to be disclosed for the limited, express purpose of facilitating the resolution of issues  
regarding the receiver and should not be disseminated otherwise to any other parties.

IT IS SO ORDERED.  
DATED this 20th day of August, 2007

/s/ Margaret B. Seymour  
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina

\* Resulted in State Court...  
Receiver - Terminated...  
And Ashmore working with State Court Judge...  
But! Said

But SCAS  
New Atty General...  
as of Date 15-12-2011 publicly!  
the State Court first and  
Admits! Had  
Order and  
Interim...  
since the  
month of  
May 2007 -  
and never transferred  
the State Court's  
Power...  
Nov 20, 2009  
When  
he federal  
court did  
reple...  
jurisdiction  
involving  
the same  
proposed money  
+ property rights  
involving the  
and 3HB  
CCG as of the

Ashmore  
Admits!  
Also  
in this  
Order  
of  
Judge  
Seymour  
that  
the  
STATE!  
and  
Federal  
Court!  
Must  
have  
the same!  
Atty-Receiver -  
in order that to  
have Duplicated  
CASE  
in  
Federal  
and  
State  
Court...

T Judge Seymour's shown under sealed -  
Her knowledge that she lacked!  
Jurisdiction - to have heard! Reg.  
U.S. Attorney  
Filed...  
and Appointment  
Receiver...

State! and Federal  
Court - Did illegally  
Duplicated! the said  
Transferred - the state case to the Federal  
Court...  
attorney year 20



# Show Henry D. McMaster  
Also Illegal Took  
S.C. public  
citizens  
Money &  
Property  
2007-2010  
and unethical parties

Exh. G Below - McMaster - Shows as  
and Federal Court Admitting  
Double Jeopardy

Acknowledges Federal Court and State  
Court - Both participation with the Receiver  
Ashmore - since in the year 2007 - Claiming  
The Same Properties which  
3:07-mc-00135-MBS Date Filed 08/17/07 Entry Number 28 Page 1 of 1

Ordered Disclosure Regarding Financial Assets Restrained  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

IN RE: NO. 3:07-mc-135  
A MATTER UNDER INVESTIGATION  
BY GRAND JURY NUMBER 1  
(#2007R00845)  
FILED UNDER SEAL

MOTION FOR DISCLOSURE

NOW COMES THE GOVERNMENT, through its undersigned attorney, and moves this  
Court to allow disclosure to the South Carolina Attorney General's Office, and the Richland County  
Court of Common Pleas of the contents of a sealed Pre-Indictment Restraining Order entered in this  
case August 15, 2007. The Government believes that a motion to appoint a receiver is currently  
pending in the Richland County Court of Common Pleas, and that the disclosure of the Pre-  
Indictment Restraining Order in this matter, which has already appointed a receiver on behalf of this  
Court, would promote judicial economy by reducing the possibility of a duplicative and conflicting  
appointment.

which  
shows!  
Both!  
The STATE  
Court and  
Federal Court  
was claiming  
The Same!  
properties  
and  
Money  
+ valuing  
3-HBS-CCG  
Business -  
- 14 thousands - Depositors  
since in  
the year 2007...

Asst. U.S. Atty. Always made known  
to Subject Judge Seymour  
that the Federal Closed  
#07-mc-00135-MBS  
was doing "Duplication"  
and Confessions  
Appointment... and  
Judge M. B. Seymour's  
Affected Order - Dated  
8-20-2007 - Shows  
Judge Seymour - Ordered  
Federal Judge Seymour - Ordered  
August 17, 2007 to participate with  
State Court...

Respectfully submitted,  
REGINALD I. LLOYD  
UNITED STATES ATTORNEY  
By: s/ WINSTON D. HOLLIDAY, JR. (#7597)  
Assistant United States Attorney  
WINSTON HOLLIDAY  
Assistant United States Attorney  
1441 Main Street, Suite 500  
Columbia, South Carolina 29201  
Telephone: (803) 929-3079  
FAX: (803) 254-2943

The year 2007...  
with the STATE  
Court - yet!  
Claiming the  
Same! properties  
Being claimed  
by the Federal  
Court -  
Therefore - The  
Federal Court's  
Filed Pre-Indictment  
Restraining Order -  
Filed Aug. 1st 2007  
Federal Court - WAS a  
Double Jeopardy Fraud  
and must be Dismissed  
Federal Court lacked Jurisdiction



STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND  
IN THE COURT OF COMMON PLEAS

Exh. B-12 JUDGMENT IN A CIVIL CASE

CASE NO. 2007-CP-40-3116

Capital Consortium Group, 3 Hebrew Boys, et al.  
DEFENDANT(S)

Henry D. McMaster, in his official capacity as  
Securities Commissioner for the State of SC  
PLAINTIFF(S)

CHECK ONE:

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED** (CHECK REASON): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN** (CHECK REASON): ☐ Rule 40(j) SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other

**IT IS ORDERED AND ADJUDGED:** ☐ See attached order; ☒ Statement of Judgment by the Court:

On the Plaintiff's motion for temporary injunction and motion for appointment of receiver: the Defendants are enjoined from access to any and all funds maintained in any of the Bank of America accounts. The Defendants are enjoined from transferring any real estate held in any of the corporations' names, including but not limited to property in the Bahamas. The Attorney General's office is to prepare a list of all real estate held by the Defendants. The Defendants are enjoined from transferring or access to the airplane and to the luxury motor coach. The Plaintiff must apply to this court on an ongoing basis for an injunction regarding other assets. A receiver is to be appointed within the next five (5) days to assist in the investments and control of the assets. All parties are to agree on the receiver or the court will appoint one. The Attorney General's office is to provide the clerk's office with copies of the affidavits of service on all Defendants, at which time a hearing can be set for the injunction regarding Daniel Development Group, LLC. This order is binding on all agents, officers, employees or any persons working with or in association with the Defendants, including those who have or have not received notice. The Attorney General's office is to prepare a formal order to this effect by July 6, 2007. Defendants' motion is stay is under advisement.

Dated at Columbia, South Carolina, this 28<sup>th</sup> day of June, 2007

*Al Shree Lee*  
PRESIDING JUDGE

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and a copy mailed first class this 2\_\_\_\_ day of July 2007 to attorneys of record or to parties (when appearing pro se) as follows:

Warren V. Ganjehsani  
ATTORNEY(S) FOR THE PLAINTIFF(S)

Hemphill P. Pride II  
ATTORNEY(S) FOR THE DE

freeze other assets injunction



3:07-mc-00135-MBS

Date Filed 10/19/07 Entry Number 55-1

Page 1 of 1, in 2007!  
Seymour's Now! 12-10-10

PRICE, ASHMORE & BEASLEY, P.A.

ATTORNEYS AT LAW  
644 E. WASHINGTON STREET  
GREENVILLE, SOUTH CAROLINA 29601  
TELEPHONE (864) 467-1001  
FACSIMILE (864) 242-6560

JAMES H. PRICE, III  
BEATTIE B. ASHMORE  
RYAN L. BEASLEY

\*Licensed to practice law in South Carolina and New York

September 27, 2007

VIA FACSIMILE: 803-771-7011

Hemphill P. Pride, II  
1401 Green Street  
P.O. Box 4529  
Columbia, SC 29204

RE: 3HB

Dear Hemphill:

I realize that you have been speaking with Aaron Hawkins concerning my role as the Receiver in this case and your clients' duty to comply with Judge Seymour's Order. I have been informed by Special Agent Hawkins that your clients now refuse to turn over the 22 vehicles. Obviously, the Order speaks for itself and your clients are expected to comply with any and all of the terms. If your clients do not voluntarily surrender the vehicles immediately, the FBI will begin to seize the vehicles wherever located. I will bring this to the attention of Judge Seymour and ask her to rule accordingly.

In addition to the vehicles, I need the stock for the 431,000 shares in the SCCB Financial Corporation immediately.

Obviously, I must comply with the terms of Judge Seymour's Order and it is my intention to move quickly to seize any and all assets of the 3 Hebrew Boys and related entities as outlined in Judge Seymour's Order. In addition, any other assets that are traced into other entities will also be seized. Please inform your clients that their tickets to the Panthers and Falcon games have been cancelled and I am working to liquidate the tickets and skyboxes.

Agent Hawkins tells me that you have explained Judge Seymour's Order to your clients and I hope that they will cooperate accordingly.

Sincerely,

Beattie B. Ashmore

BBA/dlm

cc: Walt Tollison  
✓ Aaron Hawkins  
✓ AUSA Winston Holliday

\* Never! had a search warrant Nor! No! To document

\* Judge Seymour has been - Exh. C & 4!

\* Judge Seymour with others L.I.L.D.O.

conspired to illegally remove properties Also including Third parties

Judge Seymour's Final Adjudication AS - the said case for miscellaneous case. Joseph J. Watson - OF COUNSEL - 3:07-mc-135-a valid case. Number 2007-10-10! Judge issued a New Case No. in 2008

\* Judge Seymour conspired! w/ Ashmore in the year! 2007!

NO! Civil Decision But yet! Illegally Unethically Removed Personal Property involving public Business Investor or Third Parties

\* FBI Agent Hawkins who Judge Seymour personally witness! his signature on Affidavit dated Aug 1st - 2007

Exh. A-2c

Entry No. 1662

04/11/14

**TEXT ORDER denying 1657 Motion for Leave to File Claim by Janet Lockett. Signed by Honorable Margaret B Seymour on 4/11/2014.**

Entry No. 1663

04/11/14

**DOCUMENT MAILED 1662 Order on Motion for Leave to File placed in U.S. Mail to Janet Lockett.**

Entry No. 1665

04/17/14

**Pro Se MOTION for Leave to File Claim by Andrew Speas.**

Entry No. 1666

04/17/14

**UNREDACTED DOCUMENT re 1665 MOTION for Leave to File.**

Entry No. 1667

04/22/14

**Pro Se MOTION for Reconsideration re 1662 Order on Motion for Leave to File Claim by Janet Lockett.**

Entry No. 1668

04/22/14

**TEXT ORDER denying 1665 Motion for Leave to File Claim by Andrew Speas. Signed by Honorable Margaret B Seymour on 4/22/2014.**

Entry No. 1669

04/22/14

**DOCUMENT MAILED 1668 Order on Motion for Leave to File placed in U.S. Mail to Andrew Speas.**

Entry No. 1671

05/07/14

**ARREST of Edna Pough re 827 Warrant Issued for Arrest , 826 Order for Warrant for Arrest; notified by USM.**

Entry No. 1672

05/07/14

**NOTICE of Hearing: Contempt Hearing for Edna Pough set for 5/9/2014 10:00 AM in Columbia #3, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Margaret B Seymour.**

Entry No. 1673

05/09/14

**Minute Entry. Proceedings held before Honorable Margaret B Seymour: Contempt Hearing re Edna Pough held on 5/9/2014. Edna Pough remains in the custody of USM until property is turned over to the Receiver. Court Reporter Jenny Williams.**

Entry No. 1674

05/09/14

**ORDER re 1673 Contempt Hearing. Signed by Honorable Margaret B Seymour on 5/9/2014.**

Entry No. 1675

05/12/14

**AFFIDAVIT of Service for Order 1674 served on Edna Pough on 5/9/2014.**

Entry No. 1676

05/12/14

**MOTION for Leave to File Claim by Charlene Speas McLaurin.**

Entry No. 1677

05/12/14

**UNREDACTED DOCUMENT re 1676 MOTION for Leave to File.**



## 3HB Receiver

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Search: Enter Search...

Submit

## Home

Beattie B. Ashmore, Esquire

Message From Receiver

Assets For Sale

Related Articles and Websites

Case Pleadings

Contact Us

## News

Jun 27th, 2013

LIVE On-Site AUCTION Tuesday, July 2, 2013 - Click below for link to Auction Company  
[read more »](#)

May 8th, 2013

Fayetteville Couple Sentenced for Obstructing the Tax Laws  
[view document »](#)

May 16th, 2012

Victims of '3 Hebrew Boys' Ponzi scheme get back nearly half their money  
[read more »](#)

[View All News Articles](#)

## Home

On September 5, 2007, the Honorable Margaret B. Seymour, United States District Court Judge for the District of South Carolina, appointed Mr. Beattie B. Ashmore, Esquire to serve as the Receiver for the seizure, protection and management of all assets owned or controlled by three individuals (Messrs. Tony Pough, Timothy McQueen, and Joseph Brunson) and a number of related companies and individuals, collectively the "Three Hebrew Boys". As stated in the Order, Mr. Ashmore was granted ".....full and exclusive power, duty and authority to administer and manage the business affairs, funds, assets, choses in action and any other property of Three Hebrew Boys, marshal and safeguard all of the assets of Three Hebrew Boys, and take whatever actions are necessary for the protection of the United States and investors." Mr. Ashmore has hired a team of qualified individuals to investigate, control and manage the information and assets that have been accumulated since September, 2007. As of May 28, 2008, the Receiver's office has seized \$18.33 million in cash, fourteen (14) parcels of real property, seventeen (17) automobiles, a Gulfstream airplane, and a Prevost motorcoach. The Receiver has not yet discovered any legitimate investments made by the Three Hebrew Boys. All assets and money seized have been conservatively invested and guarded in order to achieve maximum returns.

Beattie B Ashmore, Receiver 3HB  
 P.O. Box 9199  
 Greenville, SC 29604  
 phone: (864) 240-9299  
 fax: (864) 451-7591  
 email: [3hbinvestor@gmail.com](mailto:3hbinvestor@gmail.com)  
[www.3hbreceiver.com](http://www.3hbreceiver.com)

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*Only Case Number Judge Seymour  
 Appointed Ashmore in year  
 2007 - is Case No: 3:2007-mc-00135-MBS*

*which Receiver Ashmore  
 appeared by M.B. Seymour allowed  
 or filed in the State of Florida  
 Federal Court regarding  
 same! Orders of  
 alleged Appointment of  
 Receiver - Dated  
 Sept. 5, 2007 &  
 Sept. 18, 2007 &  
 amended 10-10-2008  
 and All!  
 Received a final Order  
 that - Denied that he  
 said Receiver  
 Ashmore's same!  
 Claims filed in  
 the State of S.C.  
 which Nemer!  
 provided any!  
 final Ruling  
 in the civil and  
 or Criminal - Grand  
 Jury under investigation  
 in Case No: 3:2007-mc-00135-MBS - which  
 Joint for Transferred  
 2010 - to be Case No: 3:2010-  
 CV-03141-MBS*



Exh. 1**Civil Cases vs. Criminal Cases - Key Differences**

143

165K

Download article as a PDF ([http://files.findlaw.com/pdf/litigation/litigation.findlaw.com\\_filing-a-lawsuit\\_civil-cases-vs-criminal-cases-key-differences.pdf](http://files.findlaw.com/pdf/litigation/litigation.findlaw.com_filing-a-lawsuit_civil-cases-vs-criminal-cases-key-differences.pdf))

Civil cases usually involve private disputes between persons or organizations. Criminal cases involve an action that is considered to be harmful to society as a whole. Below is a comparison of the key differences between civil and criminal cases.

**Civil Cases**

A civil case begins when a person or entity (such as a corporation or the government), called the plaintiff, claims that another person or entity (the defendant) has failed to carry out a legal duty owed to the plaintiff. Both the plaintiff and the defendant are also referred to as "parties" or "litigants." The plaintiff may ask the court to tell the defendant to fulfill the duty, or make compensation for the harm done (or both). Legal duties include respecting rights established under the Constitution or under federal or state law.

Civil suits are brought in both state and federal courts. An example of a civil case in a state court would be if a citizen (including a corporation) sued another citizen for not living up to a contract.

For example, if a lumberyard enters a contract to sell a specific amount of wood to a carpenter for an agreed-upon price and then fails to deliver the wood, forcing the carpenter to buy it elsewhere at a higher price, the carpenter might sue the lumberyard to pay the extra costs incurred because of the lumberyard's failure to deliver; these costs are called damages. If these parties were from different states, however, then that suit could be brought in federal court under diversity jurisdiction if the amount in question exceeded the minimum required by statute (\$75,000).

Individuals, corporations, and the federal government can also bring civil suits in federal court claiming violations of federal statutes or constitutional rights. For example, the federal government can sue a hospital for overbilling Medicare and Medicaid, a violation of a federal statute. An individual could sue a local police department for violation of his or her constitutional rights—for example, the right to assemble peacefully.

**Criminal Cases**

A person accused of a crime is generally charged in a formal accusation called an indictment (for felonies or serious crimes) or information (for misdemeanors). The government, on behalf of the people of the United States, prosecutes the case through the United States Attorney's Office if the person is charged with a federal crime. A state's attorney's office prosecutes state crimes.

It is not the victim's responsibility to bring a criminal case. In a kidnapping case, for instance, the government would prosecute the kidnapper; the victim would not be a party to the action.

In some criminal cases, there may not be a specific victim. For example, state governments arrest and prosecute people accused of violating laws against driving while intoxicated because society regards that as a serious offense that can result in harm to others.

When a court determines that an individual committed a crime, that person will receive a sentence. The sentence may be an order to pay a monetary penalty (a fine and/or restitution to the victim), imprisonment, or supervision in the community (by a court employee called a U.S. probation officer if a federal crime), or some combination of these three things.

143

165K

34

*Criminal Cases*

Criminal Lawyer  
Enlist Our Experienced  
Criminal Lawyers in Gadsden  
AL Today!



## 28 U.S. Code § 2255 - Federal custody; remedies on motion attacking sentence

(a)

A prisoner in custody under sentence of a court established by Act of Congress claiming the right to be released upon the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may move the court which imposed the sentence to vacate, set aside or correct the sentence.

(b)

Unless the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief, the court shall cause notice thereof to be served upon the United States attorney, grant a prompt hearing thereon, determine the issues and make findings of fact and conclusions of law with respect thereto. If the court finds that the judgment was rendered without jurisdiction, or that the sentence imposed was not authorized by law or otherwise open to collateral attack, or that there has been such a denial or infringement of the constitutional rights of the prisoner as to render the judgment vulnerable to collateral attack, the court shall vacate and set the judgment aside and shall discharge the prisoner or resentence him or grant a new trial or correct the sentence as may appear appropriate.

*court without Jurisdiction*

(f) A 1-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of—

(4)

the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.