

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

IN THE FAMILY COURT  
2004-DR-23-0218

Kathryn Roberts, )  
Plaintiff, )

-versus- )

Richard S. Roberts, Jr., )  
Defendant. )

AFFIDAVIT OF  
KATHRYN ROBERTS

**PERSONALLY APPEARED BEFORE ME**, the undersigned, who first being duly

sworn, testifies as follows:

**BACKGROUND INFORMATION**

**WIFE'S NAME:** Kathryn Roberts **HUSBAND'S NAME:** Richard S. Roberts, Jr.

**ADDRESS:** 504 Providence Sq. **ADDRESS:** 7 Meeting Place  
Greenville, SC 29615 Greenville, SC 29615

**DATE OF MARRIAGE:** January 10, 2001

**PLACE OF MARRIAGE:** Virgin Islands

**DATE OF SEPARATION:** January 9, 2004

**WIFE'S BIRTHDATE AND AGE:** February 22, 1972; Age 32

**HUSBAND'S BIRTHDATE AND AGE:** \_\_\_\_\_

**NAMES, BIRTHDATES AND AGES OF CHILD:** Kyley Roberts born November 27, 2001;  
Age 2

**PARTY WITH WHOM CHILD IS PRESENTLY RESIDING:** Rotates

**WIFE'S PLACE OF EMPLOYMENT:** Unemployed

**POSITION:** N/A

**ANNUAL INCOME:** \$ \_\_\_\_\_

**HUSBAND'S PLACE OF EMPLOYMENT:** \_\_\_\_\_

**POSITION:** \_\_\_\_\_

**ANNUAL INCOME:** \$ \_\_\_\_\_

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The undersigned, after being duly sworn, states as follows:

1. My name is Kathryn Roberts.
2. My husband and I have been separated since January 9, 2004. We separated as a result of my husband's physical cruelty towards me. His physical cruelty usually consisted of some hitting, grabbing my face, and pushing me around. It was all very painful. There was also a significant amount of verbal abuse associated with these altercations.
3. My husband has a history of abusing alcohol and/or drugs. He has been hospitalized at Charter Hospital in the past.
4. On January 2, 2004 my husband came home from a golf outing intoxicated. He was angry and verbally abusive when he returned from the golf trip. This was often the case when he was under the influence of alcohol. On this particular occasion he determined that he would leave with our daughter, Kyley, in the car. I attempted to stop him from taking our daughter and this resulted in him kicking and pushing me. I was on the second floor of a house and he attempted to push me over the banister which would have caused serious harm had he been successful.
5. He did end up leaving with Kyley just before the police arrived. This incident occurred at my sister's house in Florida. The next day we returned to South Carolina. We separated a week later.
6. Since then we have had one additional altercation which occurred on March 8, 2004. At that time we had been living separate and apart and I was attempting to get some clothing from the marital home. My husband was not home when I entered the home. He came to the home and attempted to stop me. He took my legal documents and other items that I had in a bag which I had been preparing for Court. I tried to retrieve these items from his car

and he drove off. I suffered an injury. The police were called; however, they did not arrive at the scene. They talked to my husband at his mother's residence. He apparently convinced them that I had done something wrong and convinced them to arrest me. He also filed for an Order of Protection. We attended a hearing on March 16, 2004 and when he told his story his Order of Protection was denied.

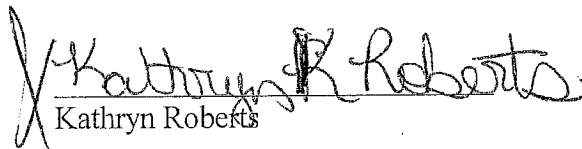
7. My husband accuses me of being volatile and unstable; however, this is exactly his behavior. He can appear calm and collected in front of people when things are going his way.
8. My husband has continually made phone calls to me at all hours of the day and night insisting on talking to me.
9. After we separated, we entered into an agreement which provided that Kyley would be with me. I complied with this agreement and then my husband took our daughter and would not let me see her for approximately 20 days until we appeared before Judge Konduros who then required him to allow me to have our daughter on a week-to-week basis.
10. We had earlier entered into an agreement where Kyley would have been in my primary care and my husband would have had visitation. My daughter needs to be with me. I have been a homemaker. My husband was employed on a full-time basis and I have been the one who has been Kyley's primary caretaker. I have always been a good mother to her. I am the one who has cleaned her, dressed her, fed her, and taken her to the doctor. I have been involved in every aspect of her life.
11. At this time I am not employed and I would like to have my daughter living with me. I believe that my husband should be required to financially support our family.
12. When we reached our settlement agreement he insisted that I comply with the provisions

which were outlined for me. He did not comply with his end of the agreement. I believe that it was the financial issues which made him decide to try to keep Kyley from me.

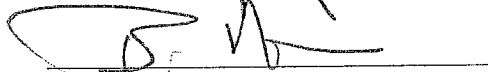
13. I have filed a Financial Declaration with the Court which outlines what my expenses would be. I believe my husband should be required to contribute and pay the marital expenses.
14. I would like to have possession of the marital home. If I were not to get the marital home, I would like to be able to get my personal belongings as well as furniture to establish another household. Additionally, I would like to take all of my premarital property.
15. I have two dogs, Magnolia and Lilly. I had Magnolia prior to our marriage and I would like to have Lilly so the dogs wouldn't be separated. I am also the one who took care of the dogs on a daily basis.
16. My husband is making numerous spurious allegations against me; however, even his allegations have not indicated that I have been harmful to my daughter in any manner. I have always provided her with the utmost love, care, and attention. At this time it appears that my daughter is spending more time with my husband's mother than she is with my husband. I think I should be the caregiver for our daughter.
17. I am requesting that my husband also be required to continue maintaining the medical insurance and making the payments on the marital home, together with the expenses of the marital home.
18. I would like my husband to be restrained from spending any tax refunds as I believe that is marital property to which I am entitled to a portion.
19. My husband alleges that certain monies have been taken from our joint account. The money that was used was applied toward marital debt and for the support of the family. Additionally, my husband has received a large portion of this money. He has already

received an accounting of what happened to the funds. He took it from my automobile with my other legal documents.

20. My husband's actions and behavior have necessitated the filing of this action. I cannot afford to pay an attorney and would request that my husband be required to pay my attorney's fees.

  
Kathryn Roberts

Sworn to before me this 19  
day of April, 2004



Notary Public for S.C.

My Commission Expires: 2/5/2005

**Official Affidavit from Kathryn Kennedy Robert's Father, Paul R. Kennedy**

**Dated: April 16, 2004**

From the outset of the separation of Kathryn and Rick Roberts, I have been witness to the impact of Rick's bazaar behavior has had, not only on Kathryn, but other of my family members Rick has drawn into his escapades.

Since Kathryn began staying with us on January 11, 2004, I have seen a sinister side of Rick that I never knew existed. I have seen, and/or heard first hand, behavior no normal person would display.

\* Kathryn, Kyley and myself were in the residence at 7 Meeting Place, some time after Rick had moved out and was staying with his parents and/or his sister, Stephanie. He and his mother drove up and came into the residence and told us that he was taking possession of the house. We could not get the Greenville County Sheriff to prevent this, so in the best interest of Kathryn and Kyley, and particularly in light of the previous abusive incidences by Rick towards them, we were advised by the deputies, it would be better to vacate now than to run the risk of Kathryn and Kyley suffering physical harm later with all of them residing in the house together.

\* Months back I saw an upstairs bedroom door frame in Rick and Kathryn's house which was badly damaged. His story was that a little girl and her mother were visiting them and the little girl had locked herself inside the bedroom and could not get out. Rick said he had to kick the door open in order to free her. **The real reason**: Rick kicked the door down to get at Kathryn after she had run in there with Kyley to escape Rick's abusive and threatening advances toward her. The door just missed falling on the two of them standing on the other side. This occurred as a result of a discussion they were having about Kathryn's Morgan Stanley financial account. She had just discovered that Rick was trading in her account without her knowledge, or permission, and had also initiated margin purchases of equities in the account. This after he had forged her signature on a "Margin Client Agreement" form. **When Kathryn opened this account she explicitly indicated she did not want her account to be a margin account.** As a result of this confrontation, Rick agreed, along with Kathryn, to consult with a marriage counselor. Rick attended one three-hour session with Kathryn on July 11, 2002. They attended 2 more sessions together and then each saw the counselor separately. Kathryn attended her last session and Rick was to attend the next session but he decided to stop going. The counselor they consulted was on the staff at Buncombe Street Methodist Church. Kathryn continued through six more sessions and had her last one on September 30, 2002.

\* I have personally spent countless hours trying to determine what went on in Kathryn's Morgan Stanley account. What I have determined: **1st**: Her account has lost thousands of dollars over the period Rick began to illegally trade in her account. This account had total assets as of December 31, 2000, of \$34,313.36; December 31, 2001, of \$56,903.01; December 31, 2002, of \$19,299.86; December 31, 2003, of \$43,124.88; and the most current statement value March 31, 2004, of \$44,493.44.

**2nd:** Rick's forged "Margin Client Agreement" was stamped received by Morgan Stanley on December 19, 2001. Since that time, Rick had outstanding **margin loans** in the account in the amount of: **\$3,657.86** (Loan Interest = \$2.92 for the 12\28 - 12\31 four day period) for 2001; and **\$24,096.00 (Loan Interest = \$1230.49) for 2002.**

Rick has commingled his money and made equity transfers from his Morgan Stanley account into Kathryn's account. This has made it impossible for me to determine exactly where all the money has come from that went toward repaying the margin loans. One such payment did come direct from Kathryn and Rick's Joint Wachovia checking account (check No. 3035) in the amount of \$8,600 which Kathryn wrote January 20, 2003 to Morgan Stanley Dean Witter. During the time Rick was so active in Kathryn's account, Kathryn had just had their daughter and Rick was intercepting as many of the Monthly Account Statements as he could before she could see them. Therefore, there are numerous monthly statements missing from Kathryn's records, which I could have used to get a more comprehensive picture of all that has transpired in her account. He also was telling Kathryn not to be concerned with her account transactions because she didn't have the time to be bothering with them and be taking care of Kyley too.

\* For much of the time Kathryn has been in my home, prior to the court prohibiting Rick from having any contact with Kathryn, Rick harassed us with countless phone calls which he used to verbally intimidate Kathryn. During one such call he talked with Kathryn for 15 minutes or more before Kathryn hung up on him. A few minutes later I again answered the phone and it was Rick wanting to speak to Kathryn. Listening in for the first part of the conversation, Rick was telling Kathryn that he was returning her phone call from earlier in the day and he wanted to know what she had called about. Kathryn asked Rick if he did not remember that they had just gotten off the phone with each other? He immediately denied that he had even spoken to her. When I answered the first call from Rick, he responded to me like someone under the influence. The second time he responded, it was as if he had taken a pep pill, or something.

\* One weekend several weeks back, Kathryn and Kyley accompanied me and my wife to NC to see my brother's family. While we were gone, Rick removed from Kathryn's car, parked in the garage at 7 Meeting Place, all of her legal papers (affidavits, etc.), address book, etc. Besides the inconvenience, he then proceeded over the next several days and weeks to call Kathryn's friends and acquaintances whom she had gotten submit sworn affidavits. During his calls he threatens to destroy their reputation and sully Kathryn's character with outlandish accusations.

\* The day Rick came in on Kathryn, while she was in the house at 7 Meeting Place, he forcibly removed from her person, items she was carrying to put in her car, and her personal and important legal papers she already had in the trunk of her car. He also removed her personal day planner and her pocketbook. the planner had her important appointments. This caused her to miss at least one doctor's appointment and led to her having to reconstitute another appointments calendar. When she then tried to retrieve these items from the seat beside him in his car, he held her arm against his chest while he raised the window to his car and proceeded to drive off with her. Pulling free from his

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grasp and the closed window of course led to extensive bruising and swelling on Kathryn's arm and elbow. This we had photographed and the next day examined by her doctor.

\* Rick has on numerous occasions also called and harassed my daughter, Miriam, in Ponte Vedra, Fla. Several of these calls were made to her in the wee hours of the morning, trying to intimidate and punish her for providing affidavits attesting to his overt actions against her, Kathryn and Kyley. This was when **he tried to throw Kathryn over Miriam's upstairs balcony to the foyer some twenty feet below.** He had also subsequent to that, after 911 was called, **thrown Miriam and Kyley to the ground in front of Miriam's residence, as he was wresting Kyley out of Miriam's arms to flee from the residence before the sheriff deputies arrived. He later called back to tell Kathryn that he was going to commit suicide.** Kathryn ask him to please return Kyley before he did.

\* As a result of a meeting between Kathryn and her lawyer and Rick and his lawyer, a tentative agreement was drawn up which was supposed to establish what each party would do while waiting for a more permanent resolution. This agreement was never signed by Rick and his lawyer. However, Kathryn began to abide by the terms of the supposed agreement. It was this **fictitious agreement** that Rick used, from that time forward, to justify his becoming a one-man vigilante committee to take unilateral actions against Kathryn. The following is a list of some of those punitive actions:

- On several occasions he removed Kyley from her school and kept her away from Kathryn several days when it was supposed to be her scheduled time to have her.
- Other occasions he refused to deliver Kyley to the residence when it was her scheduled time to have her.
- It was during the last 18-day period, when Rick was keeping Kyley away from Kathryn, that Rick came in on Kathryn in the residence and accosted her.
- During the times when Rick kept Kathryn from seeing Kyley, as punishment for her not doing as he thought she was supposed to, he would refuse to even allow Kathryn to talk over the phone with Kyley, or if he did, he would allow Kathryn to ask Kyley how she was doing, and then take the phone back before she could answer Kathryn.
- Several occasions when Kathryn would ask when Rick was going to return Kyley, he would tell Kathryn she was acting too "crazy" to be trusted with her. I personally suspect this was part of a sinister plan to try and establish that Kathryn is "crazy" and should not, therefore, be allowed to have custody of Kyley.

\* Rick has irrationally accused Kathryn of the following trumped up actions:

- That she had been running around on him.



- Of following him in her car during one of his wee morning escapades. It just so happened that that particular morning, Kathryn was at home in bed and had not even left the house the entire evening.

- Accused Kathryn of aborting his baby within the past two months.

- Accused Kathryn, and some other woman, whom Rick couldn't identify, of stalking him January 30, 2004. This particular day Kathryn was at home in bed with a sick headache and had not even left our house.

Signed by: Paul R. Kennedy

Dated: April, 19, 2004

Paul R. Kennedy

*Joseph Donahoe 4-19-04*

My Commission Expires  
January 21, 2014

Kathryn Roberts vs. Richard S. Roberts, Jr.  
2004-DR-23-0218

Affidavits:

1. Kathryn Roberts (2)
2. Paul R. Kennedy
3. Martha Kennedy
4. April Rye Robinson
5. Patti Walker
6. Debbie Waddell (2)
7. Miriam Kennedy Granger (2)
8. Leslie Kennedy
9. Tasha McCutcheon, Family Learning Resource Center
10. Joseph Little
11. Yancy Berquist
12. Scott Berquist
13. Vicki Becker



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FAX (828) 667-2201

I Joseph Little was involved in the Fixing of Chip Sherman's Ford Probe. After Rick Roberts was seen packing into the door and then driving away from the scene at Bubba Annie's, I was then contracted to fix the door, to keep Rick out of legal problems in November of 2003

2705 POINSETT HWY.  
P.O. BOX 4577  
GREENVILLE, SC 29608

300 SARDIS ROAD  
ASHEVILLE, NC 28806

SC Notary, 4/19/04

My Commission Expires  
March 29, 2012

February 10, 2004

Debbie Waddell  
3706 E. North St., # P1  
Greenville, SC 29615

To Whom It May Concern:

I am submitting this affidavit on behalf of my close friend of approximately 8 years, Kathryn Roberts. We met at our place of employment in 1995 and immediately became close friends.

I have always known Kathryn to be a very happy, caring and giving person. I have been out socially with Kathryn on many occasions and she has always conducted herself with dignity and respect for others and I have never known of her to over-indulge in alcohol or use any drugs.

From October 1999 until November of 2000, I lived at Kathryn's home in Greenville as roommates. Therefore, I feel that I probably know her better than most. We always got along well and our friendship grew even stronger.

I lived with Kathryn at the time she met her husband, Rick Roberts. I remember on one occasion, we had a dinner party and Rick had too much to drink, so he stayed over and slept on the sofa. During the night, he had bad dreams, knocked over a vase on an end table then got up and walked around the house (in his sleep) and came into my room. He was very disoriented.

After that, Kathryn has told me of numerous occasions when he would have "wild" dreams and wake up hysterical thinking that someone was trying to kill him or that the bed was full of snakes, etc.

During the time I lived at Kathryn's, Rick came over to visit regularly. He always had a few drinks while he was there.

After they were married, Kathryn and I remained close friends and talked often. She has confided in me many times about problems she had with Rick such as:

During her pregnancy, she would become sick when she smelled beer. Rick was out several nights a week drinking and visiting various bars during that time. I always felt that this was inappropriate behavior for a man who was about to become a father.

On one occasion, Kathryn was called in the middle of the night by a law enforcement officer to come get Rick. He was parked in a bank parking lot with his engine still running, passed out from too much to drink. On another occasion, she confided in me about getting a call in the middle of the night to go to downtown Greenville and pick up Rick because he had too much to drink. When she arrived, she could not find him.

There have been several instances while they were away on vacation when they had fights due to Rick's over use of alcohol.

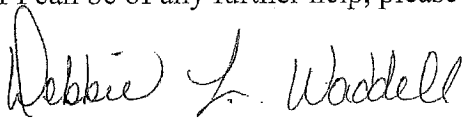
The latest one was when they were in Florida in January of 2004 visiting Kathryn's sister, Miriam. Kathryn called me at home, hysterical, because Rick had been out playing golf and drinking all day. When he arrived home, they argued and he tried to push her over a banister, (breaking the banister) then took Kyley from her and left in the car and didn't even secure her in her car seat. That seemed to me like child endangerment since he had obviously had so much to drink that he couldn't even think to at least buckle a 2 year old child into a car seat for safety.

Each time I have visited them in their home, Rick always had a drink in his hand. I am convinced that he may be an alcoholic or at least have a problem with handling himself and his temper after having a few drinks.

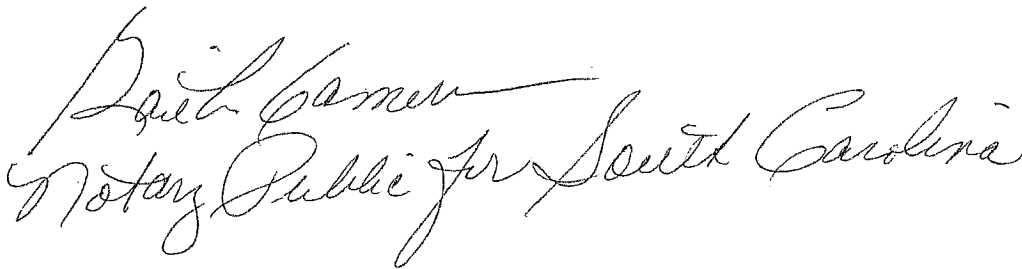
I know Kathryn very well and have been around when she is with Kyley. She is a VERY loving and protective mother and would never (or has never ) harmed that child in any way. She only wants the best for her daughter and knowing Kathryn, that's exactly what Kyley will have, a loving, caring, exciting mother and best friend as the years go by.

My original affidavit was written on February 4, 2004 but was stolen from Kathryn's home by Rick.

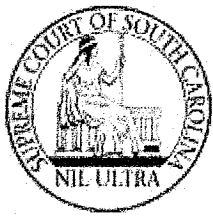
If I can be of any further help, please do not hesitate to contact me.



Debbie L. Waddell



**My Commission Expires  
August 27, 2011**



# Greenville County 13th Judicial Circuit Public Index



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[Family Court Public Index](#)

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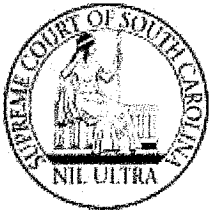
## Kathryn K Roberts vs Richard Stephen Roberts

<b>Case Number:</b>	2004DR2300218	<b>Court Agency:</b>	Greenville County Common Pleas	<b>Filed Date:</b>	05/05/2005
<b>Case Type:</b>	Judgment	<b>Case Sub Type:</b>	Other Family Court	<b>File Type:</b>	Non-Jury
<b>Status:</b>	Judgment	<b>Assigned Judge:</b>			
<b>Disposition:</b>		<b>Disposition Date:</b>		<b>Disposition Judge:</b>	
<b>Original Source Doc:</b>		<b>Original Case #:</b>			
<b>Judgment Number:</b>	2004DR2300218	<b>Court Roster:</b>			

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[Judgments](#)
[Tax Map Information](#)
[Associated Cases](#)
[Actions](#)
[Financials](#)

Click the  icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
<input checked="" type="checkbox"/> Mullinax, Wallace A. Jr.	Horton Drawdy Ward & Jenkins, PA P.O. Box 10167, F.S. Greenville SC 29603				Plaintiff Attorney		05/05/2005
<input checked="" type="checkbox"/> Roberts, Kathryn K					Plaintiff		05/05/2005
Roberts, Richard Stephen					Defendant		05/05/2005



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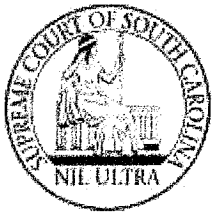
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## ROBERTS RICHARD STEPHEN VS ROBERTS KIMBERLY ANN

<b>Case Number:</b>	99DR01055	<b>Court Agency:</b>	Greenville County Common Pleas	<b>Filed Date:</b>	07/19/1999
<b>Case Type:</b>	Judgment	<b>Case Sub Type:</b>	Miscellaneous	<b>File Type:</b>	
<b>Status:</b>	Disposed	<b>Assigned Judge:</b>			
<b>Disposition:</b>		<b>Disposition Date:</b>		<b>Disposition Judge:</b>	
<b>Original Source Doc:</b>		<b>Original Case #:</b>			
<b>Judgment Number:</b>	99DR01055	<b>Court Roster:</b>			

**Case Parties    Judgments    Tax Map Information    Associated Cases    Actions    Financials**

<b>For:</b>	Roberts, Richard Stephen	<b>Against:</b>	Roberts, Kimberly Ann	<b>Judg. Amount:</b>	\$0.00	<b>Judgment Date:</b>	07/19/1999
<b>Description:</b>	Judgment/Judgment	<b>Disposition:</b>		<b>Disp. Date:</b>		<b>Date Entered/Last Changed</b>	--
<b>Notes:</b>	None						
Judgment Details							
Claims Code	Detail Desc.			Detail Amount	Detail Date		
JUDM	DIVORCE			\$0.00	07/19/1999		



# Greenville County 13th Judicial Circuit Public Index



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## The State of South Carolina vs. Richard Stephen Roberts Jr

<b>Case Number:</b>	4102P0104882	<b>Court Agency:</b>	Chick Springs Summary Court	<b>Filed Date:</b>	11/06/2015
<b>Case Type:</b>	Traffic	<b>Case Sub Type:</b>			
<b>Status:</b>	Disposed	<b>Assigned Judge:</b>	Garrett, Charles R.	<b>Disposition Judge:</b>	Garrett, Charles R.
<b>Disposition:</b>	TIA Guilty Bench Trial				
<b>Disposition Date:</b>	11/17/2015	<b>Date Received:</b>		<b>Arrest Date:</b>	10/30/2015
<b>Law Enf. Case:</b>		<b>True Bill Date:</b>		<b>No Bill Date:</b>	
<b>Prosecutor Case:</b>		<b>Indictment Number:</b>		<b>Waiver Date:</b>	
<b>Probation Case:</b>					

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Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Roberts, Richard Stephen Jr	2509-Traffic / Operating motor vehicle without license in possession	2509-Traffic / Operating motor vehicle without license in possession	11/17/2015