

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions

The Honorable Carmen T. Mullen, Circuit Court Judge

Warrant No (s): 2018A0710200399, 2018A0710200400
Indictment No (s): 2019GS0700039, 2019GS0700040

STATE OF SOUTH CAROLINA,

States non violent

Respondent.

GEORGE HOLMES,

RE: The State v. George Holmes

Appellate Case No. 2022-000728

Appellant.

NOTICE OF APPEAL
*Indictment # 2019GS0700039, states
Burglary 2nd non-violent*

George Holmes appeals his trial, conviction and sentence on the charges of Burglary -

Second Degree (Violent) and Safecracking before the Honorable Carmen T. Mullen, Presiding Judge, Fourteenth Judicial Circuit. George Holmes also appeals the Denial of his Motion for Direct Verdict on May 18, 2022 before the Honorable Carmen T. Mullen, Presiding Judge, Fourteenth Judicial Circuit.

*How can the trial give me
a greater offense of
Burglary 2nd violent??*

*George Holmes
George Holmes*

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SC Court of Appeals

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

IN THE COURT OF GENERAL SESSIONS

Indictment No.(s): 2019GS0700039-40,
2019GS0700547

A/Warrant No.(s): 2018A0710200399-400,
2019A0710400105

The State of South Carolina,)

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)

RE: The State v. George Holmes
Appellate Case No. 2022-000728

GEORGE HOLMES,
Defendant.

How can the trial charge me a Greater offense of Burglary 2nd Violent??????

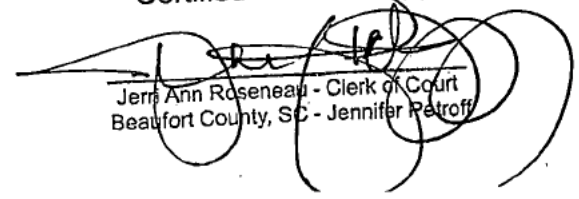
This matter is before me for an order requiring defendant, George Holmes, charged with one (1) count of Burglary, 2nd Degree (Non-Violent), one (1) count of Safecracking, and one (1) count of Indecent Exposure, to submit to an evaluation for competency to stand trial pursuant to State v. Blair, 275 S.C. 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: Due to Defendant's extensive mental health history and as a result there is the concern that client appears to not be able to understand or assist attorney in his own defense.

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 a mental illness or by two examiners designated by the Department of Disabilities and Special Needs if suspected of having an intellectual disability or a related disability, to render an opinion whether defendant is competent to stand trial.

Certified - A True Copy


Jerr Ann Roseneau - Clerk of Court
Beaufort County, SC - Jennifer Petroff

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

STATE OF SOUTH CAROLINA

-vs-

GEORGE HOLMES

Defendant.

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

WARRANT #s:

2018A0710200399 and 2018A0710200400

**ORDER GRANTING DEFENDANT'S
MOTION FOR BOND**

*The State v. George Holmes
Appellate Case No. 2022-000728*

non-violent Released

This matter is before me pursuant to a motion by Charles W. Patrick, III, appointed counsel for the Defendant, George Holmes, for an own recognizance bond on the above referenced cases. Following a phone conference hearing held on March 25, 2020, I ordered that, should Mr. Holmes provide a stable living address, he would be allowed release on his own recognizance pending trial in the above reference matter. Mr. Holmes's permanent address is:

George Holmes
39 Samuel Lane
St. Helena Island, SC 29920

Bond is hereby ordered as follows: *non-violent Released*

1. Mr. Holmes shall be released on his own recognizance.
2. Mr. Holmes shall reside at 39 Samuel Lane, St. Helena Island, SC 29920 until the resolution of his case and shall be on house arrest.
3. Mr. Holmes may only leave this residence for court appearances, meetings with his attorney, and for his employment.

AND IT IS SO ORDERED.

Judge Carmen T. Mullen

March 26, 2020

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Jeri Ann Roseneau - Clerk of Court
Beaufort County, SC - Jennifer Petreff

2020 MAR 25 PM 2:19
JERIE ROSENEAU
CLERK OF COURT
BEAUFORT COUNTY, S.C.

0-15 YEARS

STATE

GEORGE HOLMES

INDICTMENT/CASE#: 2019GS0700039

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

The State v. George Holmes
vs. Appellate Case No 2022-000728

INDICTMENT/CASE#: 2019GS0700039

States non violent

GEORGE HOLMES

A/W#: 2018A0710200399

AKA:

Date of Offense: 12/28/2018

Race: Black Sex: Male Age: 34

S.C. Code §: 16-11-312(B)(3)

DOB: SS#: [REDACTED]

CDR Code #: 0086

Address:

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City, State, Zip:

SENTENCE SHEET
AUG 08 2022

DL#* SID#

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Burglary 2nd Degree Violent ^{States} non violent Please see A/W#: 2018A0710200399

In violation of § 16-11-312(B)(3) of the S.C. Code of Laws, bearing CDR Code # 0086

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 15 days/months/years/Time Served Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. 503 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Certified A True Copy
Jeri Ann Roseaneau - Clerk of Court
Beaufort County, SC - Jennifer Petroff

George Holmes #289114
BFT Dorm-B-05
Ridgeland CI
P.O. Box 2039
Ridgeland SC 29136

CHARLESTON SC 29

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SC Court of Appeals

RIDGELAND CORRECTIONAL
INSTITUTION

AUG 04 2022

Mailroom

#289114

LEGAL MAIL

29217-162525

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia, SC 29211

