

The State  
Respondent

V.

Ramon Hope  
Appellant

RECEIVED

APR 27 2023

SC Court of Appeals

CASE NO. 2022 - 000454

THESE ARE SOME OF THE REASON, APPELLATE RAMON HOPE, ARE ASKING THE COURTS TO CONSIDER ALL THE RIGHT REASON. WHY THIS CASE SHOULD BE SENT BACK TO LOWER COURTS ON GROUNDS OF TRIAL JUDGE NEVER FILE A (MOTION FOR A NEW TRIAL.) WHERE THAT TRIAL JUDGE "DECLARE" A (MISTRIAL) AND GRANT A NEW TRIAL WHICH IS PART OF YOUR (FOURTEENTH AMENDMENT) TO HAVE A "FAIR TRIAL" WHICH IS THE UNITED STATES CONSTITUTION. IT WAS ONLY FAIR THAT JUSTICE BE SERVED RIGHT TOWARD THE APPELLATE DOING THE TRIAL OF 01.11.22 THEN 01.12.22 WHERE THE COURTS WOULD HAVE BEEN EQUAL WITH THE APPELLATES VERDICTS. THE JUDGE KNOWINGLY AND ACKNOWLEDGE THAT HE VIOLATED MR. HOPE RIGHTS UPON THIS TRIAL THE COURTS ACTUALLY LOOK OVER ALL THE ILLEGAL ERRORS THAT WAS MADE. ALONG WITH THE PROSECUTOR MR. JOSHUA L. THOMAS AND THE APPELLATE DEFENSE ATTORNEY WERE ALL IN VIOLATION OF MR. HOPE RIGHTS AND HIS AMENDMENTS. DO TO THE

FACTS OF THE TRIAL JUDGE NEVER GRANTED. THE APPELLANT DEFENSE ATTORNEY MOTIONS WHERE THE JURY WOULD HAVE SEEN BOTH SIDES OF THE CASE AND EVIDENCE IN A BROAD ASPECT SUCH AS THE IDENTITY PART. THIS OFFICER LITERALLY WANTED THIS TO BE MR. HOPE AS THE SUSPECT WHICH OFFICER BREEDEN COULDN'T IDENTIFY AT THE "TWO SECOND MOMENT HE SAW THIS PERSON. THAT HE COULDN'T (Pick out of a photo line up) OR (A line up) FROM THE MOMENT HE MADE THIS TRAFFIC STOP DO TO THE FACT MR. BREEDEN DIDN'T KNOW MR. HOPE NAME. WHERE IT WAS NEVER A TESTIMONY MADE OF HOW MANY OCCUPANTS WAS OCCUPYING THIS VEHICLE THE NIGHT OF THIS TRAFFIC STOP. MR. BREEDEN THEN ISSUED A WARRANT FOR MR. HOPE ARREST "NINE DAYS" LATER IF I'M CORRECT. AS MR. BREEDEN TESTIMONY CONTINUED WITH HE FIGURED OUT WHO MR. HOPE WAS THROUGH (A LINK SYSTEM.) WHICH IS NOT AN "ACCURATE DATABASE" TO IDENTIFY A PERSON IN A CRIME, THE OFFICER WAS BEING VERY "MENDACIOUS" MAKING HIS TESTIMONY ON THE DAY OF TRIAL. WHICH GAVE THE JURY EVERY REASON TO BELIEVE THAT THIS WAS WHO WAS OCCUPYING THIS VEHICLE. THE JUDGE MR. HONORABLE DANIEL D. HALL, LET AN UNFAIR TRIAL LIKE THIS BE PUT ON THE "TRIAL DOCKET" WITH THE "LACK OF EVIDENCE THAT WAS PRESENTED BEFORE HIM." BEFORE THE JURY SELECTION WAS EVEN MADE IT WAS A LOT OF INSUFFICIENT EVIDENCE THROUGHOUT THE WHOLE TRIAL, AS THE JURY WHERE MISLED TO CONVICT MR. HOPE FOR THESE CHARGES HE WAS SERVING WARRANTS FOR. IN HONOR OF ALL THE COURTS RIGHTS AND IN HONOR OF MR. RAMON R. HOPE WE ARE ASKING "CRYING OUT LOUD"

ASKING THE COURTS TO RECOMMEND THAT THIS MATTER BE SENT BACK TO LOWER <sup>COURTS</sup> WHERE UNFAIR TREATMENT WOULDNT BE AN ISSUE ANYMORE. DO TO FACTS OF MR. HOPE WAS SENTENCE WRONG THE TRIAL JUDGE NEVER EXCEPT THE FACT OF HIS ACKNOWLEDGEMENT OF THE STATUTE WAS LOOK OVER BEFORE SENTENCING MR. HOPE WHERE ITS SHOWING HERE UNDER (SUBSTANCES PENALTIES) STATES UPON A CONVICT MUST BE PUNISHED AS FOLLOWS IF THE QUANTITY INVOLVED TEN GRAMS OR MORE BUT LESS THAN TWENTY EIGHT GRAMS: UNDER SECTION (C) (44-53-110) (44-53-210) (d) (1) OR (44-53-210) (d) (2) IT STATES ANY COCAINE MIXTURE MUST BE SENTENCED UNDER THIS STATUTE.

## "RELEVANT NOTES OF DECISIONS" (90)

THIS IS A MAJOR FACTOR, CONCERNING THIS CASE, AND THE DECISIONS, THE JUDGE, NEVER ADDRESS DOING THIS TRIAL ON 01.12.22 AND 01.11.22, WHICH IS "SOUTH CAROLINA LAW" WHICH MY RIGHTS HAVE BEEN VIOLATED

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### UNDER SOUTH CAROLINA LAW

TO SUSTAIN A CONVICTION FOR POSSESSION WITH INTENT TO DISTRIBUTE CRACK COCAINE STATE MUST PROVE BEYOND REASONABLE DOUBT THAT; (1) SUBSTANCE INVOLVED WAS IN FACT (CRACK COCAINE); (2) DEFENDANT HAD POSSESSION OF THAT CRACK COCAINE; AND (3) DEFENDANT POSSESSED CRACK COCAINE WITH INTENT TO DISTRIBUTE.

(UNITED STATES VS WILLIAMS) C.C.44 (S.C.) 2021 997 F3d 519. -----

AND ALSO HERE IS A SHORT NOTE AS WELL: A JURY WAS NOT INSTRUCTED ON LAW OF POSSESSION WITH INTENT TO DISTRIBUTE.

**From:** oleary\_email@yahoo.com  
**Sent:** Thursday, February 17, 2022 12:51 PM  
**To:** 'chantiab91@gmail.com'  
**Subject:** Hope,R : 2020A4620302398 throu 2400 & 2020A4620302436  
**Attachments:** Hope.R-publicIndex.pdf; Hope.R-correspondence.pdf; Hope.R-PI-didnotrepresent.pdf  
**Importance:** High

Ms. Bianca,

Further to our conversation this morning and also you spoke to John please see the attached Public Index for the charges our office was retained to represent Ramon:

- 2020A4620302398 – <sup>it should be PWID</sup> Drugs Manufacture/distribute. DISPOSITION: **Trial Guilty** on 1/12/22. SENTENCE 15yrs
- ~~2020A4620302399 – Weapons/Inlawful Carry. DISPOSITION: Trial Guilty on 1/12/22. SENTENCE 1yr Concurrent (at same time)~~
- 2020A4620302400 – Weapons/sale of delivery of pistol DISPOSITION: **Nolle Prosequi** ( means **DISMISSED**)
- 2020A4620302436 – Resisting Arrest DISPOSITION: **Nolle Prosequi** ( means **DISMISSED**)

**\*\*Please note that for all 4 charges the status is APPEAL \*\***

So what we have been telling you is correct. Of the 4 charges we were retained to represent, 2 charges were dismissed and 2 charges Ramon was found guilty at trial.

Also attached please find the Public Index list of charges that Ramon pled to after the trial. You will see that I have highlighted them. We were not retained to represent Ramon on any of those charges which is why John has no knowledge of them and wasn't contacted by the solicitor to attend court.

Also attached is the correspondence with Ramon and courts regarding the filing of a Notice of Intent to Appeal.

Includes:

1. 1/13/22 Filing with the Circuit Court - Notice of intent to Appeal by Pro Se Defendant (Filed Immediately following trial 1/12/22)
2. 1/20/22 Correspondence regarding Appeal and Contract for Appeal
3. 1/20/22 Filing with the SC Court of Appeals - Notice of Intent to Appeal by Pro Se Defendant
4. 1/26/22 Email to the SC Court of Appeals – The Court called our office and said that it was not necessary to file the Notice of Intent to Appeal with their court. My email was to thank them for letting me know.
5. 2/2/22 One of Ramon's letters
6. 1/24/22 Clocked (Filed) copy of Notice of Intent to Appeal – SC Court of Appeals, even though they said it wasn't necessary
7. 1/18/22 Clocked (Filed) copy of Notice of Intent to Appeal – Circuit court (General Sessions)
8. 8/17/21 email to Ramon re discovery received pursuant to our Motions. No response from Ramon was received
9. 2/2/22 Public index showing Motions filed
10. 2/2/22 Another response to a letter from Ramon
11. 2/16/22 Motion to Withdraw as Counsel.

Contact the **SC Commission of Indigent Defense** if Ramon cannot retain counsel. **DO THIS IMMEDIATELY SO THAT YOU DO NOT MISS A FILING DEADLINE. MISS A FILING DEADLINE AND YOUR RIGHT TO APPEAL IS FOR EVER LOST.**

<https://sccid.sc.gov/>

Mailing Address

PO Box 11433  
Columbia, SC 29211-1433

Physical Location



# York County Sixteenth Judicial Circuit Public Index



York County Home Page [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

Switch View

## The State of South Carolina VS Ramon Rodrigo Hope

<b>Case Number:</b>	2020A4620302398	<b>Court Agency:</b>	York County General Sessions	<b>Filed Date:</b>	10/15/2020
<b>Case Type:</b>	Criminal-Clerk	<b>Case Sub Type:</b>	180 Day Track		
<b>Status:</b>	Appeal	<b>Assigned Judge:</b>	Clerk Of Court C P, G S, And Family Court	<b>Disposition Judge:</b>	Hall, Daniel Dewitt
<b>Disposition:</b>	Trial Guilty				
<b>Disposition Date:</b>	01/12/2022	<b>Date Received:</b>	10/15/2020	<b>Arrest Date:</b>	10/06/2020
<b>Law Enf. Case:</b>		<b>True Bill Date:</b>	07/08/2021	<b>No Bill Date:</b>	
<b>Prosecutor Case:</b>		<b>Indictment Number:</b>	2020GS4606577	<b>Waiver Date:</b>	
<b>Probation Case:</b>					

### Case Parties

Click the  icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
Butler, Aileen					Court Reporter		01/13/2022
<input checked="" type="checkbox"/> Hope, Ramon Rodrigo	228 Sunset Drive Rock Hill SC 29730	Black	M	1979	Defendant		01/13/2022
Murphy, Ray L					Officer		10/15/2020
<input checked="" type="checkbox"/> O'Leary, John A.	John A. O'leary 714 Calhoun St. Columbia SC 29201				Defendant Attorney		08/12/2021
<input checked="" type="checkbox"/> Over-N-Out Bail Bonding, Llc/Antonio/Palmetto	P.O. Box 2144 York SC 29745		M		Bond Entity		10/15/2020
Thomas, Joshua L.	1671-1A York Hwy York SC 29745				Solicitor		07/06/2021

### Charges

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Hope, Ramon Rodrigo	3014-Drugs / Manufacture, distribution, etc. of cocaine base, 1st	3014-Drugs / Manufacture, distribution, etc. of cocaine base, 1st	01/12/2022

### Sentencing

And/Or	Description	Amount	Units	Begin Date	End Date	Completion Date	Consecutive or Concurrent
	SCDC Snt 15Y						
	CONC						
	OTHER 15 years conc.						

### Actions

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
	Warrant/Case Filed	Filing		01/28/2022-14:37		
	Appeal/Notice of Appeal	Filing		01/28/2022-14:36		
	Sentence Issued	Filing		01/28/2022-		

	Tracking Sheet	Filing		14:34	
				01/28/2022-14:34	
Hope, Ramon Rodrigo	Active - Non Probation	Filing		01/13/2022-08:07	
Hope, Ramon Rodrigo	Motion/Supress	Motion	#2	09/03/2021-13:26	01/12/2022-00:00
	Motion/Other	Motion	#0	08/09/2021-15:24	01/12/2022-15:24
Hope, Ramon Rodrigo	Motion/Reciprocal Discovery	Motion		07/13/2021-10:19	01/12/2022-00:00
Hope, Ramon Rodrigo	Motion/Other	Motion		10/19/2020-12:56	01/12/2022-00:00
Hope, Ramon Rodrigo	Motion/Other	Motion		10/19/2020-09:23	01/12/2022-09:23
Hope, Ramon Rodrigo	Filing/Case File	Filing		10/15/2020-15:29	01/12/2022-15:29

## Financials

### Summary

Fine/Costs:	\$283.25	Total Paid for fine/costs:	\$0.00	Balance Due:	\$283.25
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### Costs

Description	Cost Code	Amount	Charge Action	Disbursed Amount
Collection Fee 3%	CFEE3%	\$8.25		\$0.00
State Assessment	STAASM	\$0.00		\$0.00
PCC Surcharge	PCCSUR	\$150.00		\$0.00
Law Enforcement Funding Surcharge \$25	LEFSUR	\$25.00		\$0.00
Victim Conviction Surcharge \$100 / \$25	CVSRCH	\$100.00		\$0.00
Victim Services Asm 38.0013% / 5.7831%	ASMVIC	\$0.00		\$0.00
Fine to General Fund	AFNEGF	\$0.00		\$0.00
Fine to State 44%	AFINES	\$0.00		\$0.00

### Payments

Payment Date	Receipt Number	Entered By	Transaction Type Code	Payment Amount
None				

## Bonds

### Bond Information

Bond Id	Set Date	Amend Date	Set By	Type	Amount	Type	Amount	Condition
2020BD4600102767	10/06/2020			Surety Bond	\$10,000.00	Professional	\$10,000.00	

### Post Information

Bond Id	Bond Type	Amount	Date Posted	Posted By
2020BD4600102767	Surety Bond	\$10,000.00	10/15/2020	Over-N-Out Bail Bonding, Llc/Antonio/Palmetto

Ramon Hope #242721 Palmetto B.43  
Kershaw Correctional Institution  
4848 Gold Mine Highway  
Kershaw, SC 29067-8069



The South Carolina Court of Appeals  
V. Claire ALLEN  
1220 SENATE STREET  
Columbia SC. 29201

**RECEIVED**

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