

November 13 2023

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

TO: South Carolina Court of Appeals

-N-

The Supreme Court of South Carolina

From: George Holmes #289114
Lee CI/F-7-N-85
990 Wisacky Hwy
Bishopville, SC 29010

RECEIVED

NOV 14 2023
SC Court of Appeals

I Mr. George Holmes, writing regarding my case above asking the courts to please look into this matter?

Arrest Warrant No. 2018A0710200399, States Non-violent burglary 2nd degree. Motion by Charles W. Patrick, III. On March 25, 2020, Order Granting Released as non-violent offenses.

PLEASE SEE: I'm sending COPY'S.

Thanks
-N-
God Bless!!

With kindest regards I'am

~~George Holmes~~
George Holmes

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

RECEIVED

AUG 08 2022

SC Court of Appeals

March 26, 2020

Certified - A True Copy

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

RECEIVE

SEP 09 2022

S.C. SUPREME CC

2018A0710200399

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

THE STATE
against

18S324616

George Holmes

Address: Saint Helena Island, SC 29920-5411

Sex: M Race: B Height: 5 7 Weight: 240

Agency ORI #: SC0070000
Prosecuting Agency: Beaufort County Sheriff's Office
Prosecuting Officer: Jonathan M Hewitt - S00393

Offense: Burglary / Burglary (Non-Violent) - Second degree

Offense Code: 0080
Order/Ordinance Sec: 16-11-0312

Warrant is CERTIFIED FOR SERVICE in the
 County/ Municipality of

The accused to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

RETURN

copy of this arrest warrant was delivered to defendant George Holmes

12/28/18
[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
Beaufort County General Sessions
PO Box 1128
102 Ribaut Road, Rm. 208
Beaufort, SC 299011128

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

AFFIDAVIT

DEFENDANT COPY

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

Personally appeared before me the affiant Jonathan M Hewitt
being duly sworn deposes and says that defendant George Holmes who
did within this county and state on or about 12/28/2018
State of South Carolina (or ordinance of County/ Municipality of Beaufort)
in the following particulars: violate the criminal laws of the

DESCRIPTION OF OFFENSE: Burglary / Burglary (Non-Violent) - Second degree

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on December 28th, 2018, at approximately 0128 hours, the defendant, one George Holmes did knowingly, willingly and unlawfully violate the laws of the State of South Carolina in that he did commit the offense of Burglary in the 2nd Degree. The defendant unlawfully forced into the Navy Federal Credit Union ATM. He did so by using a crow bar to break through the outside door. Upon gaining entry, attempted to force entry into the ATM box in an attempt to steal the currency located within. The incident was captured on surveillance footage, Holmes was positively identified and a BCSO Tracking Team was recalled and tracked to the location he was found. This incident did occur at 102 Sea Island Parkway, Beaufort, Beaufort County, South Carolina and within the jurisdiction of the Beaufort County Sheriff's Office. The Affiant and others are witness to the same.

Signature of Affiant

[Signature]

STATE OF SOUTH CAROLINA
 County/ Municipality of
Beaufort

Affiant's Address 2001 Duke St
Beaufort, SC 29902-
Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/28/2018 defendant George Holmes
did violate the criminal laws of the State of South Carolina (or ordinance of
 County/ Municipality of Beaufort) as set forth below:

DESCRIPTION OF OFFENSE: Burglary / Burglary (Non-Violent) - Second degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.
Sworn to and subscribed before me
on 12/28/2018

Signature of Issuing Judge (L.S.)
[Signature]
Mark Francis Fitzgibbons
Judge Code: 7060

Judge's Address 104 Ribaut Rd
Beaufort, SC 29901-2207
Judge's Telephone (843)255-5700

Issuing Court: Magistrate Municipal Circuit

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

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:

RECEIVED

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 ^{State} 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.

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SEP 09 2022

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.

S.C. SUPREME COURT

SCCA/217 (07/2021)

Page 1 of 2

Center A True Copy
Jerri Ann Roseaneau - Clerk of Court
Beaufort County, SC - Jerri Ann Roseaneau

Court News ...

2020-03-19-01

The Supreme Court of South Carolina

RE: Mediation Settlement Conferences

ORDER

In recognition of the difficulties the COVID-19 pandemic may have on lawyers, parties, and other persons whose physical presence is ordinarily required in mediation settlement conferences governed by the South Carolina Court-Annexed Alternative Dispute Resolution Rules, I find it necessary to temporarily adjust the usual manner of attendance at mediation settlement conferences required by Rule 6(b) of the Alternative Dispute Resolution Rules.

Pursuant to Article V, Section 4 of the South Carolina Constitution, it is ordered that, upon the request of a required attendee, the Chief Judge for Administrative Purposes of the circuit shall issue an order permitting attendance by video conferencing.

This Order is effectively immediately and remains in effect until modified or rescinded by order of the Chief Justice.

s/Donald W.

Beatty

Donald W. Beatty

Chief Justice of South Carolina

Columbia, South Carolina
March 19, 2020

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

ORDER

In Re: COVID-19 Pandemic

On March 13, 2020, the Governor of South Carolina declared a State of Emergency in South Carolina pursuant to Executive Order 2020-08. This action was taken in response to the COVID-19 Pandemic. The Administrative Law Court (Court), in recognition of this crisis and the potential effect on the citizens of South Carolina especially those with pending matters before the Court, finds it necessary to issue this order regarding deadlines before the Court.

In accordance and consistent with prior practice of this Court and of the South Carolina Supreme Court, due dates for filings with the Court on or after the date of this Order are hereby extended for thirty (30) days. All Rules of Procedure regarding the method for the filing and service of documents are still in effect. **This Order does not apply to the statutory timeframes for filing the initial request for a hearing or notice of appeal.** Further, no filing fee will be required for a motion for continuance for hearings scheduled in the next 30 days, but such motion must be filed with the presiding judge's office.

All litigants are directed to frequently monitor the Court's website for further updates during this emergency. This Order shall remain in effect until and unless further modified or rescinded by the Court.



Ralph King Anderson, III
Chief Administrative Law Judge

Columbia, South Carolina
March 24, 2020

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)
)
STATE OF SOUTH CAROLINA)
)
vs.)
)
GEORGE HOLMES,)
Defendant)

IN THE COURT OF GENERAL SESSIONS
Indictment No(s): 2019GS070039-40
Warrant No(s): 2018A0710200399-40

101831

CONFLICT ORDER

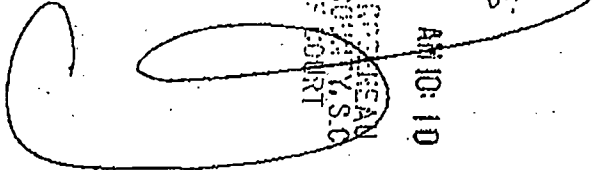
GH George Holmes 6-13-2022

The 14th Circuit Public Defender's Office has been appointed to represent the Defendant in the above-captioned matters. *Please dismiss it's no way*

The Defendant is charged with Burglary (non-violent) 2nd Degree and Safecracking. The Defendant filed a Motion to Relieve Counsel on February 11, 2020. This hearing was heard on February 26, 2020. *wow*

IT IS THEREFORE ORDERED that the 14th Circuit Public Defender's Office is relieved of the Representation of the Defendant, and Contract Attorney, Charles Patrick, is appointed to represent the Defendant.

IT IS SO ORDERED,


The Honorable Carmen T. Mullen
Presiding Judge
Fourteenth Judicial Circuit

Beaufort, South Carolina

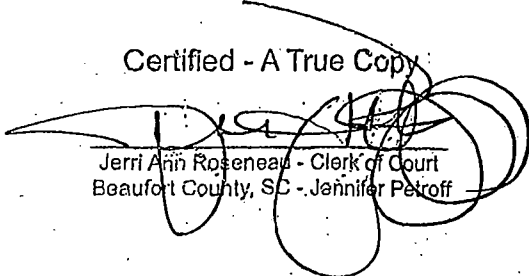
February 26, 2020

RECEIVED

SEP 14 2022

S.C. SUPREME COURT

Certified - A True Copy


Jerri Ann Rosehead - Clerk of Court
Beaufort County, SC - Jennifer Petroff

1-30-23

The State v. George Holmes, Appellate Case No. 2020-000728

37 No. 12 West's Criminal Law New Volume 37, Issue 12

June 5, 2020 Criminal Law News - Post Conviction Relief

Forms: Prisoner was entitled to emergency Compassionate release from incarceration, under First ~~Act~~ Step Act, base on COVID-19 outbreak at Prison.

"Brief"

Federal Prisoner Convicted of theft of government funds and tax evasion was entitled to emergency Compassionate release from incarceration, under First Step Act, base on COVID-19 outbreak at prison, prisoner was first-time offender, offenses of conviction were non-violent prisoner was retired police officer who volunteered in rescue and cleanup efforts at the World Trade Center following the terrorist attacks of September 11 2001 Continued incarceration posed serious health risks to presented extraordinary and unprecedented threat incarcerated person, and to prison in particular.

United States v. Scparta, 125 A.F.T.R. 2d 2020-1774, 2020 WL 1910481 (S.D.N.Y. 2020)

§ 19.9 Releasing prisoners³ detainees in response to COVID-19 state Court administrative responses.

Applying "WILD FACTS" To Federal Detention in the Pandemic

Federal Detention - N- "WILD FACT" During the COVID-19 pandemic.

The U.S. Attorney General told BOP in a March 2020 memorandum that there are some at risk inmate who are non-violent.

12-5-22

The State v. George Holmes; Appellant Case No. 2022-000728

ORDER MOTION
TO BE RELEASED

Warrant No.(s): 2018AD710200399, 2018AD710200400
Indictment No.(s): 2019GS0700039, 2019GS0700040

ORDER

The Circuit Court applied the wrong Standard of review, and under the Correct Standard of review. Please See:

Arrest Warrant No. 2018AD710200399, States "Non-violent" burglary 2nd degree, Conflict ORDER: on February 26, 2020. Stated Defendant, George Holmes, is charged with Burglary (non-violent) 2nd degree, "Non-violent" offense. Motion by Charles W. Patrick, III, On March 25, 2020, Order Granting Defendant Motion for Bond is hereby ordered as follows: George Holmes, shall be released on his own recognizance; shall be on house arrest. Order for Competency to stand trial Evaluation Pursuant to STATE v. BLAIR. "States" George Holmes, charged with one (1) count of Burglary 2nd degree (non-violent) Please see: Summons No: 607774 Defendant's COPY incident Report # 18S324616. May 18, 2022, The Trial Convicted of Burglary 2nd degree (Violent) Sentence Sheet and Notice of Appeal Shows (Violent). The Circuit Court applied the wrong Standard of review and under the Correct Standard of review. CREDITABILITY: OF B.C.S.O. Jonathan M Hewitt, 2-1-2019. ACQUITTAL: That the evidence is insufficient to support a Conviction.

with kindest Regards I'm ^{Thanks,} ~~George~~ Holmes

THE STATE OF SOUTH CAROLINA
In the 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,

Respondent.

v.

GEORGE HOLMES,

Appellant.

NOTICE OF APPEAL

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.

[SIGNATURE PAGE TO FOLLOW]

WITNESSES

Switt - BCSO

REST WARRANT NUMBER

18A0710200399

SECTION OF GRAND JURY

True Bill

Michelle

Member of Grand Jury

Date: APR 18 2019

INDICT

GUILTY

J. K. Kelly

Member of Petit Jury

Date: 5.18.22

INDICT

DOCKET NO. 2019GS0700039

The State of South Carolina
County of Beaufort

COURT OF GENERAL SESSIONS

April Term 2019

THE STATE

vs.

GEORGE HOLMES

Indictment For

Burglary 2nd Degree (violent)

SC Code: 16-11-312(B)(3)

CDR Code: 0086

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I _____
hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S:

RECEIVED

JUN 15 2022

S.C. SUPREME COURT

Certified - A True Copy

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

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)
State of South Carolina)
Plaintiff,)
-vs-)
George Holmes)

IN THE COURT OF GENERAL SESSIONS
14th JUDICIAL CIRCUIT
CASE NO.: 2018A0710200399
APPOINTMENT OF COUNSEL
(Select one.)

2022 MAY 25 PM 3:35

Defendant Juvenile ORDER AMENDED ORDER

Offense(s): Burglary / Burglary (Violent) (Aggravated) (Second Degree) - Second degree

It appears that the above named person is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- the public defender now represents another person involved herein and that a conflict would arise if that office represents the above-named individual.
- the public defender has indicated a possible conflict of interest or other good cause warranting the appointment of counsel based on:
- the public defender or court-appointed counsel has indicated that the named individual has now retained private counsel and is no longer entitled to appointed counsel.
- court-appointed counsel has claimed an exemption or has demonstrated good cause pursuant to Rule 608 warranting the appointment of new counsel based on:
- court-appointed counsel has obtained substitute counsel named below pursuant to Rule 608(h)(2); only the member who originally received the appointment and who sought substitute counsel shall receive credit for the appointment.

Therefore, it is ordered that Colin J, Hamilton Esquire hereby is appointed as (Select only one.)

counsel lead counsel (if capital PCR case)

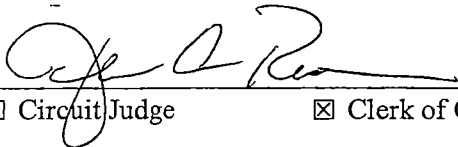
for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(If Death Penalty PCR Case) It is further ordered that , Esquire, is hereby appointed as second counsel in this capital case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED

May 25, 2022


 Circuit Judge Clerk of Court

Plaintiff Attorney:

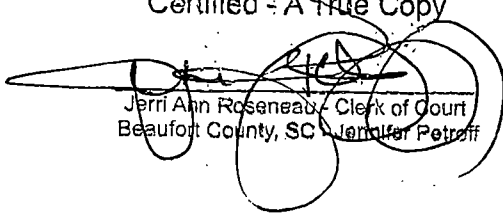
Samantha Molina
1306 Fording Island Road
Suite 108
Bluffton, SC 29910

Defendant Attorney:

Colin J, Hamilton
1905 Duke St
Beaufort, SC 29902

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at www.sccid.sc.gov, and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

Certified - A True Copy


Jerri Ann Roseneau, Clerk of Court
Beaufort County, SC Jennifer Petroff

GS16 (08/08)
SCCA/268 (03/07)

Fashun Burgess #374174
Lee CI/F-7-N-86
990 Wisack Hwy
Bishopville, SC 29010

JMS

RECEIVED

NOV 14 2023

SC Court of Appeals

SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

DEC 04 2023

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

RECEIVED

AUG 08 2022

SC Court of Appeals

RECEIVE

SEP 09 2022

S.C. SUPREME CC

March 26, 2020

Certified - A True Copy

Jennifer Ann Roseaneau - Clerk of Court
Beaufort County, SC - Jennifer Petroff

2018A0710200399

STATE OF SOUTH CAROLINA

Beaufort County/ Municipality of

Beaufort

THE STATE against 18S334816

George Holmes

Address: Saint Helena Island, SC 29920-5411

Sex: M Race: B Height: 5 7 Weight: 240

Date: SC DL #: Agency ORI #: SC0070000

Issuing Agency: Beaufort County Sheriffs Office

Issuing Officer: Jonathan M Hewitt - S00393

Offense: Burglary / Burglary (Non-Violent) - Second degree

Offense Code: 0080

Ordinance Sec: 16-11-0312

Warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

To be arrested and brought before me to be with according to the law.

Signature of Judge (L.S.)

RETURN

Copy of this arrest warrant was delivered to defendant George Holmes

Date: 12/28/18

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Beaufort County General Sessions PO Box 1128 102 Ribaut Road, Rm. 208 Beaufort, SC 299011128

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

County/ Municipality of

Beaufort

Personally appeared before me the affiant Jonathan M Hewitt

being duly sworn deposes and says that defendant George Holmes

did within this county and state on or about 12/28/2018

State of South Carolina (or ordinance of County/ Municipality of Beaufort)

in the following particulars:

DESCRIPTION OF OFFENSE: Burglary (Burglary (Non-Violent) - Second degree)

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on December 28th, 2018, at approximately 0128 hours, the defendant, one George Holmes did knowingly, willingly and unlawfully violate the laws of the State of South Carolina in that he did commit the offense of Burglary in the 2nd Degree. The defendant unlawfully forced into the Navy Federal Credit Union ATM. He did so by using a crow bar to break through the outside door. Upon gaining entry attempted to force entry into the ATM box in an attempt to steal the currency located within. The incident was captured on surveillance footage, Holmes was positively identified and a BCSO Tracking Team was recalled and tracked to the location he was found. This incident did occur at 102 Sea Island Parkway, Beaufort, Beaufort County, South Carolina and within the jurisdiction of the Beaufort County Sheriff's Office. The Affiant and others are witness to the same.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

Affiant's Address 2001 Duke St

Beaufort, SC 29902-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY: It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/28/2018 defendant George Holmes

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Beaufort) as set forth below:

DESCRIPTION OF OFFENSE: Burglary / Burglary (Non-Violent) - Second degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me on 12/28/2018

Signature of Issuing Judge (L.S.)

Mark Francis Fitzgibbons

Judge Code: 7060

Judge's Address 104 Ribaut Rd

Beaufort, SC 29901-2207

Judge's Telephone: (843)255-5700

Issuing Court: Magistrate Municipal Circuit

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

AFFIDAVIT

DEFENDANT COPY

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

Court News ...

2020-03-19-01

The Supreme Court of South Carolina

RE: Mediation Settlement Conferences

ORDER

In recognition of the difficulties the COVID-19 pandemic may have on lawyers, parties, and other persons whose physical presence is ordinarily required in mediation settlement conferences governed by the South Carolina Court-Annexed Alternative Dispute Resolution Rules, I find it necessary to temporarily adjust the usual manner of attendance at mediation settlement conferences required by Rule 6(b) of the Alternative Dispute Resolution Rules.

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s/Donald W.

Beatty

Donald W. Beatty

Chief Justice of South Carolina

Columbia, South Carolina
March 19, 2020

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

ORDER

In Re: COVID-19 Pandemic

On March 13, 2020, the Governor of South Carolina declared a State of Emergency in South Carolina pursuant to Executive Order 2020-08. This action was taken in response to the COVID-19 Pandemic. The Administrative Law Court (Court), in recognition of this crisis and the potential effect on the citizens of South Carolina especially those with pending matters before the Court, finds it necessary to issue this order regarding deadlines before the Court.

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Ralph King Anderson, III
Chief Administrative Law Judge

Columbia, South Carolina
March 24, 2020

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)
)
STATE OF SOUTH CAROLINA)
)
vs.)
)
GEORGE HOLMES,)
Defendant)

IN THE COURT OF GENERAL SESSIONS
Indictment No(s): 2019GS070039-40
Warrant No(s): 2018A0710200399-40

101831

CONFLICT ORDER

GH George Holmes 6-13-2022

The 14th Circuit Public Defender's Office has been appointed to represent the Defendant in the above-captioned matters. *Please dismiss it's No way*

The Defendant is charged with Burglary (non-violent) 2nd Degree and Safecracking. The Defendant filed a Motion to Relieve Counsel on February 11, 2020. This hearing was heard on February 26, 2020. *wow*

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IT IS SO ORDERED,

The Honorable Carmen T. Mullen
Presiding Judge
Fourteenth Judicial Circuit

Beaufort, South Carolina

February 26, 2020

RECEIVED

SEP 14 2022

S.C. SUPREME COURT

Certified - A True Copy

[Signature]
Jerri Ann Rosemary - Clerk of Court
Beaufort County, SC - Jennifer Petroff

1-30-23

The State v. George Holmes, Appellate Case No. 2020-000728

37 No. 12 West's Criminal Law New Volume 37, Issue 12

June 5, 2020 Criminal Law News - Post Conviction Relief

Forms: Prisoner was entitled to emergency Compassionate release from incarceration, under First ~~Act~~ Step Act, base on COVID-19 outbreak at Prison.

"Brief"

Federal Prisoner Convicted of theft of government funds and tax evasion was entitled to emergency Compassionate release from incarceration, under First Step Act, base on COVID-19 outbreak at prison, prisoner was first-time offender, offenses of conviction were non-violent prisoner was retired police officer who volunteered in rescue and cleanup efforts at the World Trade Center following the terrorist attacks of September 11 2001 Continued incarceration posed serious health risks to presented extraordinary and unprecedented threat incarcerated person, and to prison in particular.

United States v. Scparta, 125 A.F.T.R. 2d 2020-1774, 2020 WL 1910481 (S.D.N.Y. 2020)

§ 19.9 Releasing prisoners? detainees in response to COVID-19 state court administrative responses.

Applying "WILD FACTS" To Federal Detention in the Pandemic

Federal Detention - N - "WILD FACT" During the COVID-19 pandemic.

The U.S. Attorney General told BOP in a March 2020 memorandum that there are some at risk inmate who are non-violent.

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

STATE OF SOUTH CAROLINA,

Plaintiff,

vs.

GEORGE HOLMES,

Defendant.

COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT
WARRANT NO.'s 2018A10200399-400

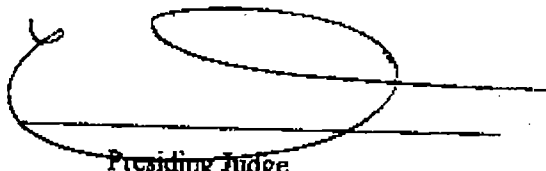
CONSENT ORDER FOR SUBSTITUTION
OF COUNSEL

WHEREAS, it appears that the attorney for Defendant above listed, is to be substituted to Ashley Cornwell for Charles Patrick, III as his attorney of record for medical reasons.

WHEREAS, Charles Patrick, III is in agreement with the substitution, as memorialized by his signature below.

THEREFORE Charles Patrick, III is now replaced as attorney of record by Ashley Cornwell,

AND, IT IS SO ORDERED!




Presiding Judge
Fourteenth Judicial Circuit

Jan 20, 2021

WE CONSENT:

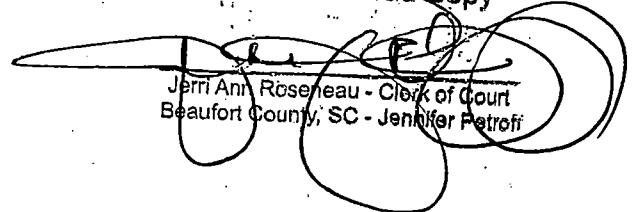


Charles Patrick, III
Attorney for Defendant



Ashley Cornwell
Attorney for Defendant

Certified - A True Copy



Jerri Ann Roseneau - Clerk of Court
Beaufort County, SC - Jennifer Petrofi

12-5-22

The State v. George Holmes, Appellant Case No. 2022-000728

ORDER MOTION
TO BE RELEASED

Warrant No. (s) 2018AD710200399, 2018AD710200400
Indictment No. (s) 2019GS0700039, 2019GS0700040

ORDER

The Circuit Court applied the wrong Standard of review, and under the Correct Standard of review. Please See:

Arrest Warrant No. 2018AD710200399, States "Non-violent burglary 2nd degree, Conflict ORDER: on February 26, 2020. Stated Defendant, George Holmes, is charged with Burglary (Non-violent) 2nd degree, "Non-violent" offense. Motion by Charles W. Patrick, III, On March 25, 2020, Order Granting Defendant Motion for Bond is hereby ordered as follows: George Holmes, shall be released on his own recognizance, shall be on house arrest. Order for Competency to stand trial Evaluation Pursuant to STATE v. BLAIR. "States" George Holmes, charged with one (1) Count of Burglary 2nd degree (non-violent) Please see: Summons No: 607774 Defendant's Copy incident Report #18S324616. May 18, 2022, The Trial Convicted of Burglary 2nd degree (Violent) Sentence Sheet and Notice of Appeal Shows (Violent).

The Circuit Court applied the wrong Standard of review and under the Correct Standard of review.

CREDIBILITY: OF B.C.S.O. Jonathan M Hewitt, 2-1-2019.

ACQUITTAL: That the evidence is insufficient to Support a Conviction.

Thanks,

with kindest Regards I'm ~~George~~ Holmes

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OCT 25 2023

LEE CI MAIL ROOM

FINANCIAL CERTIFICATE FOR THE DISTRICT OF SOUTH CAROLINA

(for use in § 1983, Bivens, and non-habeas civil actions filed by prisoners)

JS

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I am granted in forma pauperis status, I authorize and consent to collection of the \$350 filing fee in accordance with 28 U.S.C. § 1915(b) until the filing fee is paid in full as well as any amount of costs, sanctions, and/or fees that might be imposed by the court during this litigation. I understand that if I do not qualify for in forma pauperis status, I will have to pay \$402 to proceed with my case, which includes the full \$350 filing fee as well as an additional \$52 administrative fee established by the Judicial Conference of the United States. The \$52 administrative fee is not applicable to in forma pauperis cases.

George Holmes INMATE NAME (PRINTED)

289114 INMATE (PRISONER) NUMBER

George Holmes INMATE SIGNATURE

Lee C I PLACE OF CONFINEMENT

- (1) Average monthly deposits to the inmate's account.....\$ 0
(2) Average monthly balance in the inmate's account calculated for the prior six months period.\$ 1.43
(3) Current Balance\$ 1.43
(4) Initial Installment Payment - due upon granting of in forma pauperis status (Take 20 percent of the greater of lines 1 or 2).....\$ 0

2023 OCT 27 AM 6:49 \$000-FINANCIAL ACCTS

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

Peggy Cawthon Authorized Officer's Signature

10/27/2023 Date

P. Cawthon, Fiscal Analyst I Authorized Officer's Name and Title

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LEE CI MAIL ROOM

THE STATE OF SOUTH CAROLINA
In the 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,

Respondent.

v.

GEORGE HOLMES,

Appellant.

NOTICE OF APPEAL

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.

[SIGNATURE PAGE TO FOLLOW]

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:
Race: Black Sex: Male Age: 34

Date of Offense: 12/28/2018

DOB: SS#: [REDACTED]

S.C. Code §: 16-11-312(B)(3)

Address:

CDR Code #: 0086

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SENTENCE SHEET
AUG 08 2022

SC Court of Appeals

City, State, Zip:

DL# SID#

*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.

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SEP 09 2022

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.

S.C. SUPREME COURT

SCCA/217 (07/2021)

Handwritten signature and stamp: Certified A True Copy, Jerri Ann Roseneau - Clerk of Court, Beaufort County, SC - Jarifer Petroff

WITNESSES

Switt - BCSO

REST WARRANT NUMBER

18A0710200399

CTION OF GRAND JURY

True Bill

oreperson of Grand Jury

ate: APR 18 2019

ERDICT

IVILTY

oreperson of Petit Jury

ate: 5.18.22
NDICT

DOCKET NO. 2019GS0700039

The State of South Carolina
County of Beaufort

COURT OF GENERAL SESSIONS

April Term 2019

THE STATE

vs.

GEORGE HOLMES

Indictment For

Burglary 2nd Degree (violent)

SC Code: 16-11-312(B)(3)

CDR Code: 0086

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I
hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S:

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JUN 15 2022

S.C. SUPREME COURT

Certified - A True Copy

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

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)
State of South Carolina)
Plaintiff,)
-vs-)
George Holmes)

IN THE COURT OF GENERAL SESSIONS
14th JUDICIAL CIRCUIT
CASE NO.: 2018A0710200399
APPOINTMENT OF COUNSEL
(Select one.)

2022 MAY 25 PM 2:35

Defendant Juvenile AMENDED ORDER

Offense(s): Burglary / Burglary (Adultery) (COUNTY 25/85) - Second degree
JERRI ANN ROSENEAU
BEAUFORT COUNTY CLERK OF COURT

It appears that the above named person is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- the public defender now represents another person involved herein and that a conflict would arise if that office represents the above-named individual.
- the public defender has indicated a possible conflict of interest or other good cause warranting the appointment of counsel based on:
- the public defender or court-appointed counsel has indicated that the named individual has now retained private counsel and is no longer entitled to appointed counsel.
- court-appointed counsel has claimed an exemption or has demonstrated good cause pursuant to Rule 608 warranting the appointment of new counsel based on:
- court-appointed counsel has obtained substitute counsel named below pursuant to Rule 608(h)(2); only the member who originally received the appointment and who sought substitute counsel shall receive credit for the appointment.

Therefore, it is ordered that Colin J, Hamilton Esquire hereby is appointed as (Select only one.)

counsel lead counsel (if capital PCR case)

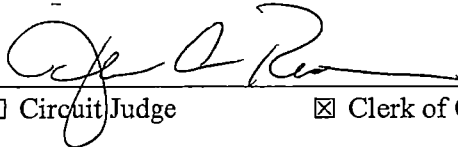
for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(If Death Penalty PCR Case) It is further ordered that , Esquire, is hereby appointed as second counsel in this capital case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED

May 25, 2022


 Circuit Judge Clerk of Court

Plaintiff Attorney:

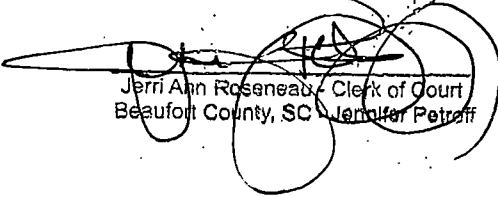
Samantha Molina 1306 Fording Island Road Suite 108 Bluffton, SC 29910
--

Defendant Attorney:

Colin J, Hamilton
1905 Duke St
Beaufort, SC 29902

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at www.sccid.sc.gov, and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

Certified - A True Copy


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

GS16 (08/08)
SCCA/268 (03/07)

George Holmes #289114
Lee CI/F-7-N-85
990 Wisacky Hwy
Bishopville, SC 29010

JMS

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NOV 14 2023

SC Court of Appeals

The Supreme Court of South Carolina
Brenda F Shealy, Chief Deputy Clerk
Post office Box 11330
Columbia, South Carolina 29211

LEGAL MAIL ONLY,