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STATE SOUTH CAROLINA NOV 14 2019

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

WARRANT #s:

2018A0710200399 and 2018A0710200400

COUNTY BEAUFORT

STATE SOUTH CAROLINA

GEORGE HOLMES

Defendant.

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

RECEIVED

SEP 09 2022

S.C. SUPREME CC

Certified - A True Copy

Jeri Ann Roseneau - Clerk of Court
Beaufort County, SC

March 26, 2020



PATRICK
LAW FIRM

RE: The State

January 25, 2021

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

Appellate Case No. 2022-000728

Mr. Holmes,

As of this week, I am no longer representing you on your criminal charges. I have had a medical issue in my family that has rendered me unable to represent any criminal clients that I received from my contract with the South Carolina Commission on Indigent Defense.

Your case has been assigned to Ashley Cornwell, an extremely qualified attorney with years of criminal experience. Her mailing address is 1470 Ben Sawyer Blvd #14, Mt Pleasant, SC 29464 and her office line is 843-595-6003. She will be reaching out to you sometime in the near future.

I regret that I was unable to see your case through to completion. I would not have withdrawn from this case if it were not absolutely necessary. You have been a pleasure to work with, and I know that Ms. Cornwell will do everything she can to assist you in your case. I have made digital copies of your entire file for Ms. Cornwell. I wish you the best in the future.

Sincerely,

Charles Patrick
Patrick Law Firm

12-5-22

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

ORDER MOTION
TO BE RELEASED

Warrant No. (s): 2018A0710200399, 2018A0710200400
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. 2018A0710200399, 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.

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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

INDICTMENT/CASE#: 2019GS0700039

VS.

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#: _____

CDR Code #: 0086

Address: _____

City, State, Zip: _____

SENTENCE SHEET

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

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.

505 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)

Handwritten signature and stamp
Jeri Ann Roseneau - Clerk of Court
Beaufort County, SC - Jennifer Petroff

RECEIVED

AUG 08 2022

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)

19 MAY 28 PM 2:26
JERRI ANN ROSENEAU
CLERK OF COURT
BEAUFORT COUNTY, S.C.

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?????

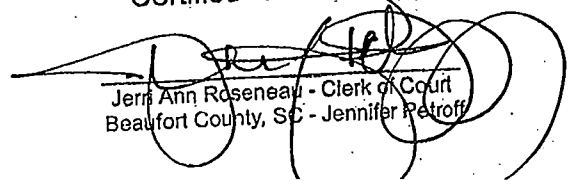
This matter is before me for an order requiring defendant, George Holmes, charged with one (1) count of Burglary, 2nd Degree (Non-Violent) one (1) count of Safecracking, and one (1) count of Indecent Exposure, to submit to an evaluation for competency to stand trial pursuant to State v. Blair, 275 S.C. 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


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

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

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

STATE OF SOUTH CAROLINA,

Plaintiff,

vs.

GEORGE HOLMES,

Defendant.

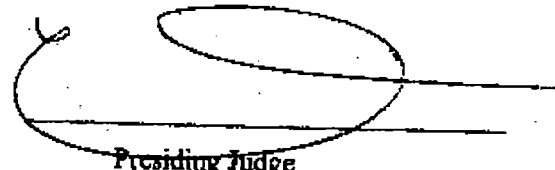
**CONSENT ORDER FOR SUBSTITUTION
OF COUNSEL**

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:

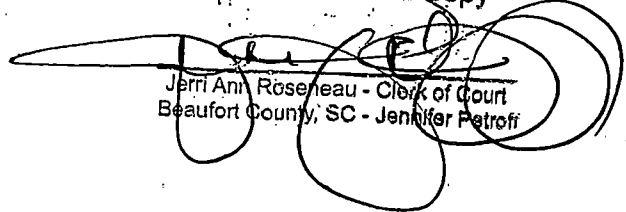


Charles Patrick, III
Attorney for Defendant



Ashley Cornwell
Attorney for Defendant

Certified - A True Copy



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

6-26-2022

5

The Carolina Court of Appeals
The Supreme Court of South Carolina
Clerk of Court of Beaufort South Carolina

Mr. Colin J Hamilton, Esquire
Bar No. 104439, 14 Circuit
Assistant Public Defender
Post office Box 525
1905 Duke Street, Room 210
Beaufort, SC 29901

ORDER MOTION
OF TERMINATION **RECEIVED**

JUN 29 2022
SC Court of Appeals

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

Dear SCACR,

Big Complaint: Ineffective Assistant of Council - Creditability of
Mr. Colin J Hamilton, Esq., Bar No. 104439, Assistant Public Defender 14th Circuit...
As representing me, of my trial re Statute: SafeCracking 16-11-390, in general
Miller v. State of SC, D.C.-S.C. 1970, 309 F. Supp. 1287...
Perjury and Subornation, When B.C.S.O., Affiant: Jonathan M Hewitt,
At my Preliminary hearing On 2-1-2019, he committed Perjury 16-9-10,
B.C.S.O. Jonathan M Hewitt, Committed Perjury and Subornation,
under Oath, ~~...~~ Oath, false statement, testimony, ~~...~~ Affidavit,
Perjury generally ~~...~~, Nature of Preliminary hearing 21. On 2-1-2019,
Creditability of Jonathan M Hewitt, at my trial On May 18, 2022, ...
My Arrest Warrant # 2018A07110200399, States, (non violent) Burglary 2nd
degree, But the Jury trial Convicted me, burglary 2nd degree (Violent)
How!!! Mr. Colin J Hamilton, Is Ineffective Assistant of Council, Also
Motion by Charles W. Patrick, III, appointed Counsel, held on
March 25, 2020, order for my bond, stated I, George Holmes,
shall be release on my own recognizance and Motion order
for Competency to Stand trial Evaluation Pursuant to
STATE V. BLAIR

with kindest regards I'm ~~George Holmes~~ Thanks
George Holmes

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. Scputa, 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.

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

IMS

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NOV 14 2023

SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings, CLERK
Post office Box 11629
Columbia, South Carolina 29211

LEGAL MAIL ONLY

STATE SOUTH CAROLINA

COUNTY OF BEAUFORT

STATE SOUTH CAROLINA

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

RECEIVED

SEP 09 2022

S.C. SUPREME CC

Certified - A True Copy

Jeri Ann Roseneau - Clerk of Court
Beaufort County, SC

March 26, 2020



PATRICK
LAW FIRM

RE: The State

January 25, 2021

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

Appellate Case No. 2022-000728

Mr. Holmes,

As of this week, I am no longer representing you on your criminal charges. I have had a medical issue in my family that has rendered me unable to represent any criminal clients that I received from my contract with the South Carolina Commission on Indigent Defense.

Your case has been assigned to Ashley Cornwell, an extremely qualified attorney with years of criminal experience. Her mailing address is 1470 Ben Sawyer Blvd #14, Mt Pleasant, SC 29464 and her office line is 843-595-6003. She will be reaching out to you sometime in the near future.

I regret that I was unable to see your case through to completion. I would not have withdrawn from this case if it were not absolutely necessary. You have been a pleasure to work with, and I know that Ms. Cornwell will do everything she can to assist you in your case. I have made digital copies of your entire file for Ms. Cornwell. I wish you the best in the future.

Sincerely,

Charles Patrick
Patrick Law Firm

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

City, State, Zip:

DL#* SID#

RECEIVED

SENTENCE SHEET AUG 08 2022

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 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.

RECEIVED

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.

SC SUPREME COURT

SCCA/217 (07/2021)

Certified A True Copy
Jerri Ann Roseneau - Clerk of Court
Beaufort County, SC - Jennifer Petroff

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

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.

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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)
)
vs.)
)
GEORGE HOLMES,)
Defendant)

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

101831

CONFLICT ORDER

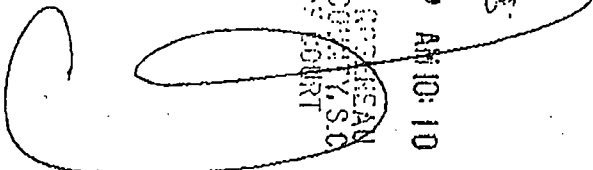
GH George Holmes 6-13-2022

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

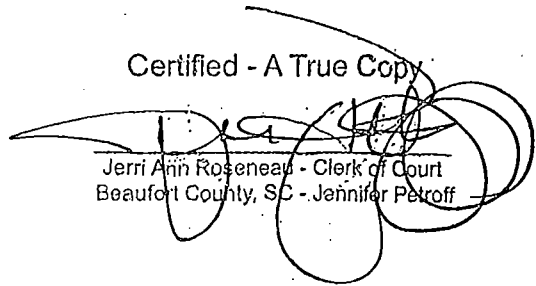
February 26, 2020

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SEP 14 2022

S.C. SUPREME COURT

Certified - A True Copy


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

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AUG 08 2022

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

the clinical interview, counsel is instructed to immediately contact the examining agency to advise of the issuance of this order and forthcoming service upon the agency:

Evaluation Order Service Information

Department of Mental Health

Forensic Evaluation Service Paralegal
S. C. Department of Mental Health
CBHS Forensic Center
7901 Farrow Road
Columbia, S.C. 29203-3220
(803) 935-5540 (Phone)
(803) 935-5544 (Fax)
Email: FES-PARALEGAL@SCDMH.ORG

Department of Disabilities and Special Needs

Office of Clinical Services
Department of Disabilities and Special Needs
Post Office Box 4706
Columbia, S.C. 29240
(803) 898-9694 (Phone)
(803) 898-9660 (Fax)
Email: OBSForensics@ddsn.sc.gov

AND IT IS SO ORDERED.

Presiding Circuit Judge

Carmen T. Mullen
Printed Name of Presiding Circuit Judge

Beaufort, South Carolina

Dated: 8/23/19

Dustin Whetsel, Esquire
14th Circuit Solicitor's Office
Prosecutor
Post Office Box 1880
Address
Bluffton, South Carolina 29910
City, State, Zip
843-405-9382
Telephone
dwhetsel@scsolicitor14.org
Email

Courtney Gibbes, Esquire
14th Circuit Public Defender's Office
Defense Counsel
Post Office Box 525
Address
Beaufort, South Carolina 29901
City, State, Zip
843-255-5807
Telephone
cgibbes@bcgov.net
Email

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

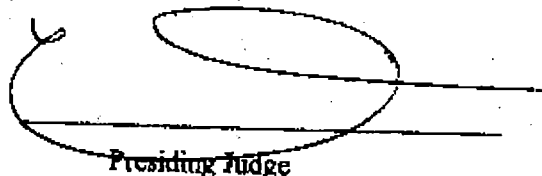
CONSENT ORDER FOR SUBSTITUTION
OF COUNSEL

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,

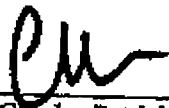
AND, IT IS SO ORDERED!



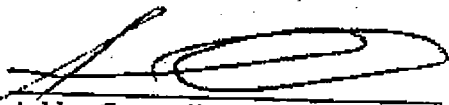
Presiding Judge
Fourteenth Judicial Circuit

Jan 20, 2021

WE CONSENT:

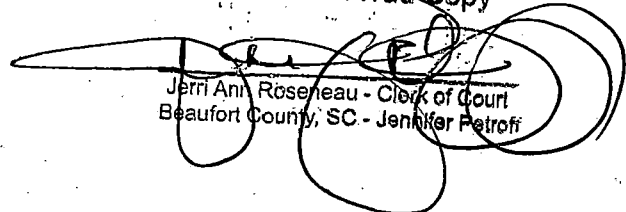


Charles Patrick, III
Attorney for Defendant



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.

CREDITABILITY: 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

George Holmes #289114
Lee CIF-7-N-85
990 Wisacky Hwy
Bishopville SC 29010

JMS

RECEIVED
NOV 14 2023
SC Court of Appeals

South Carolina Court of Appeals
Post office Box 11629
Columbia, South Carolina 29211

DEC. 01 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

RECEIVED

SEP 09 2022

S.C. SUPREME CC

March 26, 2020

Certified - A True Copy

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

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

2018A0710200399

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

THE STATE
against

18S324616

George Holmes

Residence:

Saint Helena Island, SC 29920-5411

Sex: M Race: B Height: 5 7 Weight: 240
Date of Birth: SC DL #:

Agency ORI #: SC0070000

Issuing Agency: Beaufort County Sheriff's 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

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

(L.S.)

Signature of Judge

RETURN

A 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 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)

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

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

Mark Francis Fitzgibbons

Judge Code: 7060

(L.S.)

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

AFFIDAVIT

DEFENDANT COPY

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

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.



PATRICK
LAW FIRM

RE: The State

January 25, 2021

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

Appellate Case No. 2022-000728

Mr. Holmes,

As of this week, I am no longer representing you on your criminal charges. I have had a medical issue in my family that has rendered me unable to represent any criminal clients that I received from my contract with the South Carolina Commission on Indigent Defense.

Your case has been assigned to Ashley Cornwell, an extremely qualified attorney with years of criminal experience. Her mailing address is 1470 Ben Sawyer Blvd #14, Mt Pleasant, SC 29464 and her office line is 843-595-6003. She will be reaching out to you sometime in the near future.

I regret that I was unable to see your case through to completion. I would not have withdrawn from this case if it were not absolutely necessary. You have been a pleasure to work with, and I know that Ms. Cornwell will do everything she can to assist you in your case. I have made digital copies of your entire file for Ms. Cornwell. I wish you the best in the future.

Sincerely,

Charles Patrick
Patrick Law Firm

10-22-2022

The South Carolina Court of Appeals
The Supreme Court of South Carolina

Mr. Colin J Hamilton, Esquire, P.D., 14th Judicial Circuit
1905 Duke Street, Room 210
PO BOX 525 / Bar No. 104439
Beaufort SC 29901

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

(SCACR)

ORDER MOTION
TO BE RELEASED

RECEIVED

RE: (SCACR)

JUN 27 2022

SC Court of Appeals

Dear SCACR

I Mr. George Holmes, Appellant Case No. 2022-000728
I'd like to Appeal on the above Appellant case. Following
the Rules and Regulations (SCACR) Rule 204(a), Rule 267,
Of The Supreme Court of SC and SC Court of Appeals, of
Motions and Statutes: Of Violations Of States, SC-N-US,
Creditability of Jonathan M Hewitt, 2-1-2019, at Preliminary hearing 3 trial
2-50 Perjury and Subornation of Perjury (16-9-10) of Jonathan M Hewitt
Statute of: SafeCracking 16-11-390, Affidavit: ~~1:10~~, transcript of may 18 2022
Under Oath, ~~Perjury~~ Perjury generally and ~~Affidavit~~ Affidavit
Oath, False Statement, False testimony B.C.S.O. Jonathan M Hewitt
Motion by Charles W. Patrick, III appointed Counsel, March 25 2020, for
Shall be released on my own recognizance as a burglary 2nd degree
(non-violent) and SafeCracking, Please See Notice of Appeal, at trial
I was convicted of Burglary 2nd degree (violent) Also See
Motion: order for Competency to stand trial Evaluation Pursuant to
State vs. Blair

§ 21. Nature of Preliminary hearing, 22 C.J.S. Criminal Procedure and Rights of Accused...

with the kindest regards I'm ^{Thanks} George Holmes
George Holmes

6-26-2022

The Carolina Court of Appeals
The Supreme Court of South Carolina
Clerk of Court of Beaufort South Carolina

ORDER MOTION
OF TERMINATION **RECEIVED**

Mr. Colin J Hamilton, Esquire
Bar No. 104439, 14 Circuit
Assistant Public Defender
Post office Box 525
1905 Duke Street, Room 210
Beaufort, SC 29901

JUN 29 2022
SC Court of Appeals

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

Dear SCACR,

Big Complaint: Ineffective Assistant of Council - Creditability of
Mr. Colin J Hamilton, Esq. Bar No. 104439, Assistant Public Defender 14th Circuit...
As representing me, of my trial - Statute: SafeCracking 16-11-390, in general
Miller v. State of SC D.C.-S.C. 1970, 309 F. Supp. 1287...
Perjury and Subornation, When B.C.S.O., Affiant: Jonathan M Hewitt,
At my Preliminary hearing On 2-1-2019, he committed Perjury 16-9-10,
B.C.S.O. Jonathan M Hewitt, Committed Perjury and Subornation,
Under Oath. Oath: false statement, testimony, Affidavit,
Perjury generally, Nature of Preliminary hearing 21. On 2-1-2019,
Creditability of Jonathan M Hewitt, at my trial On May 18, 2022, ...
My Arrest Warrant #2018A0110200399, States, (non violent) Burglary 2nd
degree, But the Jury trial Convicted me, burglary 2nd degree (violent)
How?? Mr. Colin J Hamilton, Is Ineffective Assistant of Council, Also
Motion by Charles W. Patrick, III, appointed Counsel, held on
March 25, 2020, order for my bond, stated I, George Holmes,
shall be release on my own recognizance and Motion order
for Competency to stand trial Evaluation Pursuant to
STATE V. BLAIR

with kindest regards I'm ^{Thanks} George Holmes
George Holmes

7-4-2022

The Supreme Court of South Carolina
Clerk of Court of Beaufort South Carolina
The Carolina Court of Appeals

Mr. Colin J Hamilton, Esquire
Bar No. 104439, 14th Judicial Circuit
Assistant Public Defender
1905 Duke Street, Room 210
Beaufort, SC 29901

Ineffective Assistant of
Council - N-Creditability

RECEIVED

JUL 08 2022

SC Court of Appeals

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

Please See: The State of South Carolina in Violation of Statutes
of the S.C. Codes of Laws, Cases-N-CdR Codes of:

- §16-11-390. Safecracking, Arrest Warrant: 2018 A0710200400, in general, Miller v. State
- §16-11-312(B)(3) Burglary 2nd degree (Violent) Sentence Sheet (A/W (nonviolent))
- §16-9-10. PerJury and Subornation of PerJury §2-50, Anderson, SC Request to
- §21. Nature of Preliminary hearing, 22 C.J.S. Criminal Procedure § Rights of Accused
- §12-24. Affidavit, State v. Dunbar, 3:49, Affidavit
- §11.6 Oath, false Statement, B.C.S.O.-Jonathan M Hewitt, Affiant, ..
- §1621 PerJury generally, B.C.S.O.-Jonathan M Hewitt, Committed PerJury
- §36-9-111 UCC lien Satisfaction (Affiant) on 2-1-2019

Kania v. Atlas wire-N-Cable Co. 214 SC 232 (Creditability)

Mr. Colin J Hamilton, Esq., Ineffective Assistant of Council § Creditability
Please look into these matter

Thanks

with kindest regards

I'm George Holmes
George Holmes

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

ARREST WARRANT NUMBER

18A0710200399

DIVISION OF GRAND JURY

True Bill

Michelle

Representative of Grand Jury

Date: APR 18 2019

VERDICT

GUILTY

J. Kall

Representative of Petit Jury

Date: 5-18-22
VERDICT

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

0-15 YEARS

STATE GEORGE HOLMES

INDICTMENT/CASE#: 2019GS0700039

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

INDICTMENT/CASE#: 2019GS0700039

VS.

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: 02/12/1984 SS#: [REDACTED]

CDR Code #: 0086

Address: 39 SAMUEL LN, SAINT HELENA IS, SC 29920
5411

City, State, Zip:

SENTENCE SHEET

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

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

George Holmes #289114
Lee CI/F-7-N-35
990 Wisack Hwy
Bishopville, SC 29010

JMS

RECEIVED

NOV 14 2023

SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings, CLERK
Post office Box 11629
Columbia, South Carolina 29211

LEGAL MAIL ONLY

RECEIVED

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 CI
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
FINANCIAL ACCTG

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

RECEIVED

OCT 30 2023

LEE CI MAIL ROOM

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

Code of Laws of South Carolina 1976 Annotated
Title 16: Crimes and Offenses
Chapter 11: Offenses Against Property
Article 5: Burglary, Housebreaking, Robbery and the like

PLEASE SEE

Arrest Warrant: 2018A0710200400

Code 1976 § 16-11-390
§ 16-11-390, Safecracking

16-11-0390

I'm Not guilty

It is unlawful for a person to use explosives, tools, or any other implement in or about a safe used for keeping money or other valuables with intent to commit larceny or any other crime.

A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years.

Credits

HISTORY: 1962 Code § 16-337; 1952 Code § 16-337; 1942 Code § 1150; 1932 Code § 1150; Cr. C. '22 § 44; Cr. C. '12 § 191; 1904 (14) 396; 1907 (25) 580; 1955 (49) 65; 1993 Act No. 184, § 172.

Notes of Decisions (10)

Code 1976 § 16-11-390, SC ST § 16-11-390
Current through 2019 Act No. 90, subject to technical revisions by the Code Commissioner as authorized by law before official publication.
© 2019 Thomson Reuters. No claim to original U.S. Government Works.

I Mr. George Holmes did not commit the offense of Safecracking

Notes Of Decisions (10) Dismiss
in general indictment: 2018A0710200400 16-11-0390

GH It is not essential to constitute a safecracker that he shall be successful in his attempt to break open the safe. Miller v. State of S. C. (D.C.S.C. 1970) 309 F.Supp. 1287.

GH "Safetampering" falls within the crime defined as "safecracking" in this section [Code 1962 § 16-337]. Miller v. State of S. C. (D.C.S.C. 1970) 309 F.Supp. 1287. Burglary 2
George Holmes

GH Defendant's possession, following larceny of safe, of property of the nature stolen, with his admission to others that he had obtained them from the safe in subject, were sufficient to sustain his conviction of the offense of safecracking. State v. Blue (S.C. 1975) 264 S.C. 468, 215 S.E.2d 905. Burglary 45
George Holmes

GH Use of a hammer to remove a safe in one county, although it was not opened until carried into a second county, constituted a violation of this section [Code 1962 § 16-337], such as to give a court of the first county jurisdiction over the case. Shelton v. State (S.C. 1965) 247 S.C. 41, 145 S.E.2d 420.

GH The subject of the act from which this section [Code 1962 § 16-337] is taken was expressed in the title thereof. State v. O'Day (S.C. 1906) 74 S.C. 448, 54 S.E. 607.

Constitutional Issues

GH Ten year minimum sentence for safecracking with tools does not constitute cruel and unusual punishment. Stockton v. Leeko (S.C. 1977) 269 S.C. 459, 237 S.E.2d 896.

GH This section [Code 1962 § 16-337] is not unconstitutional by reason of the fact that life imprisonment is directed upon conviction if the jury does not recommend mercy, and not less than ten years' imprisonment is directed when the jury does recommend mercy. State v. Haulcomb (S.C. 1973) 260 S.C. 260, 195 S.E.2d 601, appeal dismissed 94 S.Ct. 229, 414 U.S. 886, 38 L.Ed.2d 134.
George Holmes George Holmes

GH The contention that this section [Code 1962 § 16-337] is not sufficiently definite to place a person of common intelligence on notice as to what is prohibited is clearly without merit. The offense is designated in bold-faced letters - "SAFECRACKING." State v. Haulcomb (S.C. 1973) 260 S.C. 260, 195 S.E.2d 601, appeal dismissed 94 S.Ct. 229, 414 U.S. 886, 38 L.Ed.2d 134. Larceny 2
George Holmes

GH Indictment 2018A0710200400 I'm Not guilty GH
Where an indictment on its face specifically sets forth the charge of safecracking as the fourth count, its plain language is not to be ignored merely because on the outside of the indictment the several counts are tabulated in a different order. Crady v. State (S.C. 1966) 248 S.C. 522, 151 S.E.2d 670.

Questions for Jury

GH In a prosecution for armed robbery and safecracking, the court improperly denied defendant's motion for directed verdict.
George Holmes

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

ARREST WARRANT
2018A0710200400
 STATE OF SOUTH CAROLINA
 County/ Municipality of
 Beaufort

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
 Beaufort)
AFFIDAVIT ORIGINAL Form Approved by S.C. Attorney General April 21, 2003 SCCA 111
 Personally appeared before me the affiant Jonathan M Hewitt who being duly sworn deposes and says that defendant George Holmes did within this county and state on or about 12/28/2018 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Beaufort) in the following particulars:
 DESCRIPTION OF OFFENSE: Burglary / Safecracking

George Holmes
 Address: _____
 Phone: _____ SSN: _____
 Sex: M Race: B Height: 5 7 Weight: 240
 DL State: SC DL #: _____
 DOB: _____ Agency ORI #: SC0070000
 Prosecuting Agency: Beaufort County Sheriff's Office
 Prosecuting Officer: Jonathan M Hewitt - S00393
 Offense: Burglary / Safecracking

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 Safecracking. The defendant unlawfully broke into the Navy Federal Credit Union ATM. Upon gaining entry attempted to force entry into the ATM box 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.

Offense Code: 0141
 Code/Ordinance Sec: 16-11-0390
 This warrant is CERTIFIED FOR SERVICE in the
 County/ Municipality of _____
 is to be arrested and brought before me to be dealt with according to the law.
 (L.S.)
 Signature of Judge _____
 Date: _____

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 / Safecracking

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's Code: 7060
 Judge's Address: 104 Ribaut Rd
Beaufort, SC 29901-2207
 Judge's Telephone: (843)255-5700
 Issuing Court: Magistrate Municipal Circuit

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

of Statutes: Intent
 0 Statutes: Plain language, Plain ordinary
 Common, or literal meaning
 1/2 Statutes: In general, factors considered

Certified - A True Copy
 Jerri Ann Roseneau - Clerk of Court
 Beaufort County, SC - Jennifer Rose

5 6

3-24-2019

APPEAL

RE: Motion to dismiss indictment: 2018A0710200400; because of Denial of Speedy trial; Lack of Prosecution; Failure to bring indictment in next term; Tape recording of February 1 2019 of my Preliminary hearing at Beaufort Magistrate

APPEAL 6-13-2022 G.H.

TO: ~~Courtney Gibbs~~ - Public defender - Lauren Heath Carroway; Judges of General Sessions, Mullen, Buckner, Goldsmith, John Cooper Clerk of Court & SC Commission of indigent defense... The SC Commission of Lawyers Conduct & Chief Justice Issac M. Stone III, Solicitor, 14th Judicial Circuit

Complaint: On February 1 2019, At my Preliminary hearing Beaufort Magistrate

The Presiding Judge was Mark Francis Fitzgibbons on February 1 2019. Ofc Jonathan M Hewitt - B.C.S.O Proof of witness alleged lies by stating that the safe was crack open, I'd like to introduced the tape into evidence of specific facts, why ofc Jonathan M Hewitt testimony is not sufficient or isn't trialable or appropriate to support any convictions of indictment: 2018A0710200400 The evidence of the tape recording of the witness statement I Demand for Speedy trial or dismissal of Indictment: 2018A0710200400...

RECEIVED

SEP 14 2022

SC Court of Appeals

6-13-2022

^{-N-}
2018A0710200399...

Thanks

With kind regards for your time I'm

George Holmes
George Holmes

RECEIVED

SEP 14 2022

S.C. SUPREME COURT

RECEIVED

JUN 16 2022

S.C. SUPREME COURT

RECEIVED

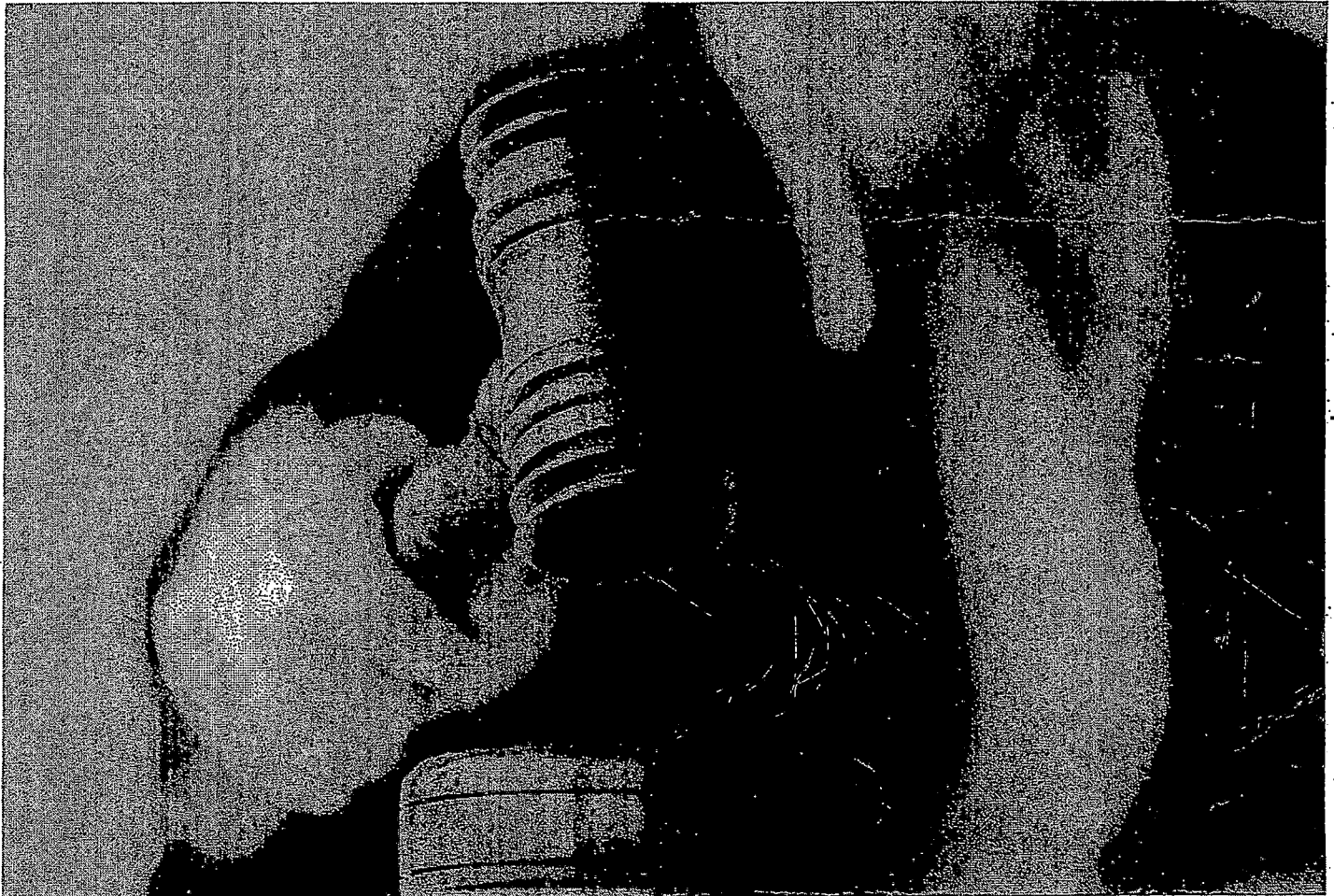
JUN 16 2022

SC Court of Appeals

New ethics rule requires prosecutors to turn over evidence in wrongful convictions

BY STEVE GARRISON SGARRISON@POSTANDCOURIER.COM

AUG 18, 2021



ISTOCK

Defendants wrongfully convicted of a crime in South Carolina have an unexpected new ally: prosecutors.

Under changes made last week to the S.C. Rules of Professional Conduct, prosecutors are required to disclose evidence of innocence discovered after a defendant is convicted of a crime.

South Carolina joins about two dozen other states in adopting such ethics rules for prosecutors, which were first developed by the American Bar Association in 2008.

Some states, including North Carolina and Arizona, have gone further, requiring all attorneys to disclose credible and material evidence of a wrongful conviction to the defendant or his or her attorney.



NEWS

SC Batman faces dark nights in prison as caped crusader fights drug charge

BY GLENN SMITH GSMITH@POSTANDCOURIER.COM

John Freeman, professor emeritus for the University of South Carolina School of Law, said the new rules emphasize the special role prosecutors play in pursuing justice.

“The prosecutor’s job is to see that the right thing is done,” Freeman said. “And to protect the public by seeing that justice is as fair as it possibly can be. Not to put people in jail.”

Freeman said the rules eliminate ambiguity regarding a prosecutor’s responsibilities when new evidence is unearthed that casts significant doubt on a prior conviction.

Ninth Circuit Solicitor Scarlett Wilson said she supported the rule change.

“I think the rule is good and basically ‘codifies’ what good prosecutors do already,” she said.



UNCOVERED

South Carolina politicians blow off their ethics fines with few consequences

BY AVERY G. WILKS AND JOSEPH CRANNEY AWILKS@POSTANDCOURIER.COM
JCRANNEY@POSTANDCOURIER.COM

13 MIN TO READ

Under the new rules, when a prosecutor becomes aware of “credible, material” evidence that indicates a defendant was wrongfully convicted, the prosecutor is required to disclose that evidence to the defendant, or the defendant’s attorney, as well as the chief prosecutor in the jurisdiction where the conviction was obtained.

A prosecutor who knows of “clear and convincing” evidence of a wrongful conviction in his or her jurisdiction has an ethical obligation to remedy the conviction, the rules state.

Prosecutors will need to determine on a case-by-case basis whether newly discovered evidence requires disclosure, Freeman said, but the rule requires they give serious thought to new evidence.

The new rule also provides hope for wrongfully convicted defendants who have otherwise exhausted their right to appeal, Freeman said.



NEWS

Law enforcement missteps in Paul Murdaugh boat crash case captured in new recordings

BY THAD MOORE AND STEPHEN HOBBS TMOORE@POSTANDCOURIER.COM
SHOBBS@POSTANDCOURIER.COM

“What this says, basically, is that so long as there is a possibility of proof surfacing that shows that the guy is innocent, it ain’t over,” Freeman said. “And, frankly, isn’t that the way it should be?”

More than 2,800 defendants have been exonerated of crimes they did not commit since 1989 in the United States, including nine defendants in South Carolina, according to the National Registry of Exonerations.

Reach Steve Garrison 843-607-1052. Follow him on Twitter @SteveGarrisonDT.

STEVE GARRISON

Steve Garrison covers breaking news and public safety. He’s a native of Chicago who previously covered courts and crime in Wisconsin, New Mexico and Indiana. He studied journalism at the University of Wisconsin-Milwaukee and the University of Missouri.

6-26-2022

The Carolina Court of Appeals
The Supreme Court of South Carolina
Clerk of Court of Beaufort South Carolina

ORDER MOTION
OF TERMINATION **RECEIVED**

Mr. Colin J. Hamilton, Esquire
Bar No. 104439, 14 Circuit
Assistant Public Defender
Post office Box 525
1905 Duke Street, Room 210
Beaufort, SC 29901

JUN 29 2022
SC Court of Appeals

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

Dear SCACR,

Big Complaint: Ineffective Assistant of Council - Creditability of
Mr. Colin J. Hamilton, Esq., Bar No. 104439, Assistant Public Defender 14th Circuit...
As representing me, of my trial - Statute: Safe Cracking 16-11-390, in general
Miller v. State of SC, D.C.S.C. 1970, 309 F. Supp. 1287...
Perjury and Subornation, When B.C.D.O., Affiant: Jonathan M. Hewitt,
At my Preliminary hearing On 2-1-2019, he committed Perjury 16-9-10,
B.C.S.O. Jonathan M. Hewitt, committed Perjury and Subornation,
under Oath, Oath, false statement, testimony, Affidavit,
Perjury generally, Nature of Preliminary hearing 21. On 2-1-2019,
Creditability of Jonathan M. Hewitt, at my trial On May 18, 2022...
My Arrest Warrant #2018A0110200399, States, (non violent) Burglary 2nd
degree, But the Jury trial convicted me, burglary 2nd degree (violent)
How?? Mr. Colin J. Hamilton, Is Ineffective Assistant of Council, Also
Motion by Charles W. Patrick, III, appointed Counsel, held on
March 25, 2020, order for my bond, stated I, George Holmes,
shall be release on my own recognizance and Motion order
for Competency to stand trial Evaluation Pursuant to

STATE V. BLAIR

with kindest regards I'm ^{Thanks} George Holmes
George Holmes

7-4-2022

The Supreme Court of South Carolina
Clerk of Court of Beaufort South Carolina
The Carolina Court of Appeals

Mr. Colin J Hamilton, Esquire
Bar No. 104439, 14th Judicial Circuit
Assistant Public Defender
1905 Duke Street, Room 210
Beaufort, SC 29901

Ineffective Assistant of
Council - N-Creditability

RECEIVED

JUL 08 2022

SC Court of Appeals

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

Please See: The State of South Carolina in Violation of Statutes
of the S.C. Codes of Laws, Cases-N-CdR Codes of:

- §16-11-390. Safecracking, Arrest Warrant: 2018 A0710200400, in general, Miller v. State
- §16-11-312(B)(3) Burglary 2nd degree (Violent) Sentence Sheet (A/W (non violent))
- §16-9-10. PerJury and Subornation of PerJury §2-50. Anderson, SC Request to
- §21. Nature of Preliminary hearing, 22 C.J.S. Criminal Procedure § Rights of Accused
- §12-24. Affidavit State v. Dunbar; 3:49, Affidavit
- §11.6 Oath, false Statement, B.C.S.O. - Jonathan M Hewitt, Affiant...
- §1621 PerJury generally, B.C.S.O. - Jonathan M Hewitt, Committed PerJury
- §36-9-111 UCC lien Satisfaction (Affiant) on 2-1-2019

Kania v. Atlas wire - N-Cable Co. 214 SC 232 (Creditability)

Mr. Colin J Hamilton, Esq, Ineffective Assistant of Council § Creditability
Please look into these matter

Thanks

with kindest regards I'm George Holmes
George Holmes

10-27-2022

The South Carolina Court of Appeals
The Supreme Court of South Carolina

Mr. Colin J Hamilton, Esquire, P.D., 14th Judicial Circuit
1905 Duke Street, Room 210
PO BOX 525 / Bar No. 104439
Beaufort SC 29901

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

(SCACR)

ORDER MOTION
TO BE RELEASED

RECEIVED

RE: (SCACR)

JUN 27 2022

SC Court of Appeals

Dear SCACR

I Mr. George Holmes, Appellant Case No. 2022-000728
I'd like to Appeal on the above Appellant case. Following
the Rules and Regulations (SCACR) Rule 204(a), Rule 267,
Of The Supreme Court of SC and SC Court of Appeals, of
Motions and Statutes: Of Violations Of States, SC-N-US,
Creditability of Jonathan M Hewitt, 2-1-2019, at Preliminary hearing 3rd trial
2-50 Perjury and Subornation of Perjury (16-9-10) of Jonathan M Hewitt
Statute of: SafeCracking 16-11-390, Affidavit: ~~1:10~~, transcript of may 18 2022
Under Oath, ~~1:10~~ Perjury generally and ~~1:10~~ Affidavit
~~1:10~~ Oath, false statement, false testimony B.C.S.O. Jonathan M Hewitt
Motion by Charles W. Patrick, III, appointed Counsel, March 25 2020, for
shall be released on my own recognizance as a burglary 2nd degree
(non-violent) and SafeCracking, Please See Notice of Appeal, at trial
I was convicted of Burglary 2nd degree (violent) Also See
Motion: order for Competency to stand trial Evaluation Pursuant to
State vs. Blair

§21. Nature of Preliminary hearing, 22 C.J.S. Criminal Procedure and Rights of...
Accused...

with the kindest regards I'm ^{Thanks} 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
Indictment No(s): 2019GS070039-40
Warrant No(s): 2018A0710200399-40

101831

CONFLICT ORDER

Att 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

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

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.

with kindest Regards I'm Thanks,
George Holmes

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

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

George Holmes

2022 MAY 25 PM 3:35

Defendant Juvenile AMENDED ORDER

Offense(s): Burglary / Burglary (Violent) (Armed) (26/65) - 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.)

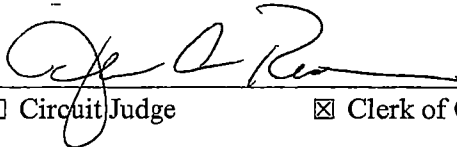
counsel lead counsel (if capital PCR case)
for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(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:

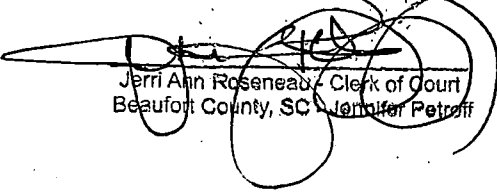
Samantha Molina 1306 Fording Island Road Suite 108 Bluffton, SC 29910	
--	--

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

WITNESSES

Switt - BCSO

ARREST WARRANT NUMBER

18A0710200399

SECTION OF GRAND JURY

True Bill

Michelle

Member of Grand Jury

Date: APR 18 2019

VERDICT

GUILTY

J. Kell

Member of Petit Jury

Date: 5-18-22

VERDICT

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

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#: _____

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 *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.

RECEIVED

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.

SC SUPREME COURT

SCCA/217 (07/2021)

Page 1 of 2

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

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]

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)

§ 19.8 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.

**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

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

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
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

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

(L.S.)

Signature of Judge

RETURN

Copy of this arrest warrant was delivered to

George Holmes
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

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) 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

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

AFFIDAVIT

DEFENDANT COPY

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

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

RECEIVE

SEP 09 2022

S.C. SUPREME CC

Certified - A True Copy

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

RECEIVED
MAY 25 PM 2:19
CLERK OF COURT
BEAUFORT COUNTY, S.C.

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

IMS

RECEIVED

NOV 14 2023
SC Court of Appeals

South Carolina Court of Appeals
Post office Box 11629
Columbia South Carolina 29211

LEGAL MAIL ONLY