

December 19, 2023

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

TO: South Carolina Court of Appeals

The Supreme Court of South Carolina

Chief Justice of South Carolina, Donald W. Beatty

RECEIVED

JAN 22 2024

Ms. Lara Mary Caudy, Esquire, Appellate Defense SC Court of Appeals
Attorney General office

From: George Holmes

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 release as non-violent offenses.

PLEASE SEE: I am sending copies.

With kindest regards

I am

George Holmes
George Holmes

Thanks
God Bless!!! :)

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This Order is effectively immediately and remains in effect until modified or rescinded by order of the Chief Justice.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

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AUG 08 2022

SC Court of Appeals

March 26, 2020

Certified - A True Copy

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

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SEP 09 2022

S.C. SUPREME COURT

2018A0710200399

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

THE STATE against 18S334616

Holmes

Saint Helena Island, SC 29920-5411

SSN

Race: B Height: 5 7 Weight: 240

SC DL #:

Agency ORI #: SC0070000

Beaufort County Sheriffs Office

Jonathan M Hewitt - S00393

Burglary (Non-Violent) - Second degree

Code: 0080

Finance Sec: 16-11-0312

Arrest is CERTIFIED FOR SERVICE in the County/ Municipality of

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

(L.S.)

Signature of Judge

RETURN

This arrest warrant was delivered to

George Holmes

12/28/18

Signature of Constable/Law Enforcement Officer

Signature of Constable/Law Enforcement Officer

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

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 Sheriffs 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

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.) Judge's Address 104 Ribaut Rd

Mark Francis Fitzgibbons Beaufort, SC 29901-2207

Judge Code: 7060 Judge's Telephone (843)255-5700

Issuing Court: Magistrate Municipal Circuit

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,

v.

Respondent.

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

JOB: _____ SS#: _____

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

*CDL Yes No CMV Yes No Hazmat Yes No

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 stamped 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.

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SEP 09 2022

S.C. SUPREME COURT

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

12-5-22

The State v. George Holmes, Appellant Case No. 2022-006728

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

George Holmes #289114
TCI/RA-170
1578 Clarence Coker Hwy
Turbeville, SC 29162

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SC Court of Appeals

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JAN 17 2024

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Columbia, South Carolina 29211



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