

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. Beaty

Ms. Lara Mary Caudy, Esquire, Appellate Defense

Attorney General office

From: George Holmes

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JAN 22 2024

SC Court of Appeals

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

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

PLEASE SEE: I am sending copies.

With kindest

Regards

I am

George Holmes
George Holmes

Thanks
God Bless!! :)

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JAN 22 2024

S.C. SUPREME COURT

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This Order is effectively immediately and remains in effect until modified or rescinded by order of the Chief Justice.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

RECEIVE

SEP 09 2022

S.C. SUPREME CC

Certified - A True Copy

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

SEP 25 PM 2:19
CLERK OF COURT
JEROME COUNTY, SC

2018A0710200399

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

THE STATE 18S324616 against Holmes

Saint Helena Island, SC 29920-5411

Race: B Height: 5 7 Weight: 240

Agency ORI #: SC0070000 Beaufort County Sheriff's Office

Jonathan M Hewitt - S00393 Burglary (Non-Violent) - Second degree

Code: 0080 Finance Sec: 16-11-0312

ARRANT IS CERTIFIED FOR SERVICE in the County/ Municipality of

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

(L.S.)

Signature of Judge

RETURN

of this arrest warrant was delivered to George Holmes 12/28/18

WARRANT TO: Beaufort County General Sessions 104 Ribaut Road, Rm. 208 Beaufort, SC 299011128

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)

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

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

Judge's Address 104 Ribaut Rd Beaufort, SC 29901-2207

Mark Francis Fitzgibbons Judge's Telephone (843)255-5700

Judge Code: 7060

Issuing Court: Magistrate Municipal Circuit

DEFENDANT COPY

Form Approved by S.C. Attorney General April 21, 2003 SCCA 516

AFFIDAVIT

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

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions

The Honorable Carmen T. Mullen, Circuit Court Judge

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

STATE OF SOUTH CAROLINA,

Respondent.

v.

GEORGE HOLMES,

Appellant.

NOTICE OF APPEAL

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

[SIGNATURE PAGE TO FOLLOW]

0-15 YEARS

STATE GEORGE HOLMES

INDICTMENT/CASE#: 2019GS0700039

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

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

INDICTMENT/CASE#: 2019GS0700039

States non violent

GEORGE HOLMES

A/W#: 2018A0710200399

AKA: _____
Race: Black Sex: Male Age: 34

Date of Offense: 12/28/2018

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

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 stamp and conditions of probation, which are incorporated by reference.

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SEP 09 2022

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: _____

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

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

The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Certified A True Copy
Jerrin Ann Roseaneau - Clerk of Court
Beaufort County, SC - Jerrin Ver Petroff

12-5-22

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

ORDER MOTION
TO BE RELEASED

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JAN 22 2024

S.C. SUPREME COURT

Warrant No.(s): 2018AD710200399, 2018AD710200400
Indictment No.(s): 2019GSD700039, 2019GSD700040

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
578 Clarence Coker H
Turberville, SC 29162
Turberville, SC 29162

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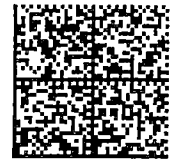
JAN 22 2024

SC Court of Appeals

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JAN 17 2024

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TURBEVILLE



US POSTAGE TM PITNEY BOWES



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JAN 22 2024

S.C. SUPREME COURT

The Supreme Court of SC
Clerk of Court
Post office Box 11330
Columbia, South Carolina 29211

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