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Mar 27 2024

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Appellate Court**

**APPEAL FROM PICKENS COUNTY
Perry H. Gravely, Circuit Court Judge**

Case No(s): 2020A3910101187 (2021-GS-39-0055)
Appellate Case No: 2024-000433

The State,

Respondent.

v.

James Timothy Colie Bowen,

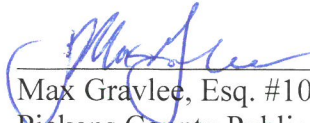
Appellant.

Defense Motion to File Out of Time

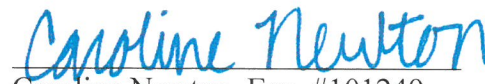
Defendant has notified his attorneys of his intent to appeal his guilty plea and argues that his guilty plea was defective or that his sentence was unreasonable.

Counsels respectfully request the Court to give the Defendant leave to file out of time due to difficulty in communication with counsel given his incarceration. Defendant's request to file an appeal was relayed to Counsels through a "Letter" (attached as Exhibit A) filed by Defendant's significant-other, Leigh Holcombe, at Defendant's request. This Letter requesting Counsels to file an appeal appears to have been clocked with the Pickens County Clerk of Court on Wednesday, March 13, 2024 at 3:20PM. The Clerk's Office never provided a copy of the Letter to Defense Counsels directly. However, on Friday, March 15, 2024, Counsels were able to access and view the scanned "Letter" in imaging after it was uploaded to Central Index at 9:06AM (attached as Exhibit B) and promptly filed the Notice of Appeal on Friday, March 15, 2024.

Dated: March 26, 2024



Max Gravley, Esq. #101214
Pickens County Public Defender
214 East Main Street, Suite 310
Pickens, SC 29671
Attorney for Appellant



Caroline Newton, Esq. #101249
Pickens County Public Defender
214 East Main Street, Suite 310
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Attorneys for Appellant

Exhibit A

Case # 2020A3910101187

Case # 2020A3910101189

2024 MAR 13 PM 3:20

The State of South Carolina
in the Court of General Sessions

CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

James Timothy Colie Bowe

Date: 3/4/2024

Solicitor: Sarah Christine Fowler

Public Defender: John Maxwell Gravlee (Pickens County)

Judge: The honorable Pamy H. Gravley

To the Clerk of Court,

I, James Timothy Colie Bowen, am writing this letter in hopes that I can appeal the Court Case I had on 3/4/2024. The reasons I would like an appeal are I feel as though I have been misrepresented by my Public Defender, Max Gravlee. For starters I was advised to get a Public Defender in Greenville County but to my knowledge, I never was appointed to anyone except Mr. Gravlee and since I am a resident of Pickens County and feel like I wasn't given a fair and honest case I would like a higher Court to examine my case to see too if I was treated fairly. Mr. Gravlee advised me not to take my case to trial although he was sure I would win because I would still

get sentenced to 15 yrs. because of other charges I had would then come up in court. I feel like that was a scare tactic for me to go ahead and plead guilty. He did, finally, 3 days before my court date, allow 2 Public Defenders from Greenville County to look at my case for me. They brought to my attention that there are pictures, used as evidence, of my girlfriend's sister's ashes that were taken out of the box they were in and labeled as part of the drugs that was found at my residence the day of my arrest. The body camera's also showed the police turning their backs away from where the drugs were found so that they couldn't be seen moving the evidence to a different location of the room they were in. The police also cut all the camera wires at my residence that day and I feel as though that is destruction of my property and shouldn't be allowed to be done. All the evidence could have been brought up in a trial had he not advised me not to take it to trial. A huge mistake I made!

After I was arrested, I finally made bond and was ordered by the Court to

to House Arrest with GPS monitoring thru Alden Wheeler in Anderson, SC. I was on this for over 3 yrs. with no violations and passed all drug test I was given. Mr. Grawlee and the Solicitor, both, told the honorable Judge, Mr. Perry H. Grawley, that Mr. Wheeler told them that I was only on GPS monitoring and I was not to be given credit for the time I did on House Arrest but Mr. Wheeler has Emails and Text messages proving that he never told them that. He told them I should get credit for House Arrest but both Mr. Grawley and Ms. Fowler gave the Judge wrong information and I was denied the credit for the time I did on House Arrest. That has been a huge let down for me! Nobody is allowed to lie and not tell the truth when under oath in Court! I feel like they should be punished for their mistakes in Court that day. We are supposed to be able to trust that our Public Defenders are for us and not against us in Court, right? Finally, 3 days before my Court date (3/4/2024) Chris Leslie met with all three Public Defenders and stepped up and did what was right and

Owned up to the drugs that were found at my residence the day I was arrested.

I am asking, Please give me a chance to appeal my case, Please. Someone else should look at it and all the evidence they have and see that I was treated with disrespect and dishonesty and please allow my case to go back to Court for a mistrial. Thank you for your time and doing what's right for the residents of Pickens County! You are appreciated!

L. B.

Leigh Holcombe
864-958-9620

Exhibit B



Pickens County Thirteenth Judicial Circuit Central Index



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

Switch View

The State of South Carolina VS James Timothy Colie Bowen

Case Number:	2020A3910101187	Court Agency:	General Sessions	Filed Date:	10/09/2020
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Appeal	Assigned Judge:	Clerk Of Court C P, G S, And Family Court	Disposition Judge:	Gravelly, Perry H.
Disposition:	Pled Guilty				
Disposition Date:	03/04/2024	Date Received:	10/09/2020	Arrest Date:	10/01/2020
Law Enf. Case:	PCSO#20-05324	True Bill Date:	09/19/2023	No Bill Date:	
Prosecutor Case:		Indictment Number:	2021GS3900055	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing **Associated Cases** Actions Financials Bonds

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Bowen, James Timothy Colie	Appeal/Notice of Appeal	Filing		03/18/2024-11:21		
Bowen, James Timothy Colie	Letter/Letter	Filing		03/15/2024-09:06		
Bowen, James Timothy Colie	Sentence/Sentencing Sheet or Sentence Issued	Filing		03/12/2024-16:51		
Bowen, James Timothy Colie	Active - Non Probation	Filing		03/04/2024-11:11		
Bowen, James Timothy Colie	Motion/Motion in Limine	Motion		02/28/2024-08:56	03/04/2024-08:56	
Bowen, James Timothy Colie	Motion/motion to compel	Motion		02/28/2024-08:55	03/04/2024-08:55	
Fowler, Sarah Christine	3/4/2024_PDTR_Roster/Notice of Case Roster Publication Sent	Action		02/13/2024-14:30	03/04/2024-14:30	
Gravlee, John Maxwell	3/4/2024_PDTR_Roster/Notice of Case Roster Publication Sent	Action		02/13/2024-14:30	03/04/2024-14:30	
Fowler, Sarah Christine	3/4/2024_PDTR_Roster/Notice of Case Roster Publication Sent	Action		01/25/2024-12:08	03/04/2024-12:08	
Gravlee, John Maxwell	3/4/2024_PDTR_Roster/Notice of Case Roster Publication Sent	Action		01/25/2024-12:08	03/04/2024-12:08	
Gravlee, John Maxwell	1/8/2024_PDTR_Roster/Notice of Case Roster Publication Sent	Action		11/28/2023-19:33	03/04/2024-19:33	
Fowler, Sarah Christine	1/8/2024_PDTR_Roster/Notice of Case Roster Publication Sent	Action		11/28/2023-19:33	03/04/2024-19:33	
Bowen, James Timothy Colie	Filing/Bail Bond	Filing		12/07/2020-12:34	03/04/2024-12:34	
Carolina Bail Bonding/Kimberly Reid	Surety Bond Fee	Action		12/07/2020-11:52	03/04/2024-11:52	
Bowen, James Timothy Colie	Filing/Case File	Filing		10/09/2020-15:31	03/04/2024-15:31	