

5

November 13 2023

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

TO: South Carolina Court of Appeals

-N-

The Supreme Court of South Carolina

Administrative Law Court of South Carolina

From: George Holmes #289114

~~Lee CI/F-7-N-85~~

~~990 Wisacky Hwy~~

~~Bishopville, SC 29010~~

RECEIVED

DEC 13 2023

SC Court of Appeals

RECEIVED

APR 26 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 released as non-violent offenses.

PLEASE SEE: I am sending copies.

Thanks

-N-
God Bless U

With kindest regards I am

~~George Holmes~~
George Holmes

November 10, 2023

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

TO: The South Carolina Court of Appeals,
The Supreme Court of South Carolina
Administrative Law Court of South Carolina

I Mr. George Holmes, writing regarding my Appellate case above
I am sending Evidence of Specific Facts on GOD!!

RECEIVED

DEC 13 2023

SC Court of Appeals

Thanks

-N-
God Bless!!

With kindest Regards

I am *George Holmes*
George Holmes

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

STATE OF SOUTH CAROLINA

-vs-

GEORGE HOLMES

Defendant.

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

WARRANT #s:

2018A0710200399 and 2018A0710200400

**ORDER GRANTING DEFENDANT'S
MOTION FOR BOND**

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

non-violent Released

This matter is before me pursuant to a motion by Charles W. Patrick, III, appointed counsel for the Defendant, George Holmes, for an own recognizance bond on the above referenced cases. Following a phone conference hearing held on March 25, 2020, I ordered that should Mr. Holmes provide a stable living address, he would be allowed release on his own recognizance pending trial in the above reference matter. Mr. Holmes's permanent address is:

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

Bond is hereby ordered as follows:

non-violent Released

1. Mr. Holmes shall be released on his own recognizance.
2. Mr. Holmes shall reside at 39 Samuel Lane, St. Helena Island, SC 29920 until the resolution of his case and shall be on house arrest.
3. Mr. Holmes may only leave this residence for court appearances, meetings with his attorney, and for his employment.

AND IT IS SO ORDERED.

Judge Carmen T. Mullen

March 26, 2020

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AUG 08 2022

SC Court of Appeals

RECEIVE

SEP 09 2022

S.C. SUPREME C

Certified - A True Copy

Jen Ann Roseneau - Clerk of Court
Beaufort County, SC - Jennifer Petrait

2020 MAR 25 PM 2:19
JENNIFER PETRAIT
CLERK OF COURT
BEAUFORT COUNTY, S.C.

2018A0710200399

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

THE STATE against

18S324616

George Holmes

ss:

Saint Helena Island, SC 29920-5411

M Race: B Height: 5 7 Weight: 240 DL #: SC

Agency ORI #: SC0070000

Issuing Agency: Beaufort County Sheriffs Office

Issuing Officer: Jonathan M Hewitt - S00393

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

Case 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 defendant

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

STATE OF SOUTH CAROLINA County/ Municipality of

Beaufort

AFFIDAVIT

DEFENDANT COPY

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

Personally appeared before me the affiant Jonathan M Hewitt being duly sworn deposes and says that defendant George Holmes 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 in the following particulars:

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

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

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

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of

Beaufort

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

Affiant's Telephone

ARREST WARRANT

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

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

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

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

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

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

Judge's Telephone (843)255-5700

Issuing Court: Magistrate Municipal Circuit

DEFENDANT COPY DEFENDANT COPY

DEFENDANT COPY DEFENDANT COPY

DEFENDANT COPY DEFENDANT COPY

12-5-22

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

ORDER MOTION
TO BE RELEASED

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

NOV 06 2023

SC Court of Appeals

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 GEORGE HOLMES

INDICTMENT/CASE#: 2019GS0700039

0-15 YEARS

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#: _____

S.C. Code §: 16-11-312(B)(3)

Address: _____

CDR Code #: 0086

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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 standards 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.

S.C. SUPREME COUR

SCCA/217 (07/2021)

Page 1 of 2

Certified - A True Copy
Jerrri 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]

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

ARREST WARRANT

2018A0710200400

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

THE STATE 189324618

against

George Holmes

Address:

Phone: SSN: [REDACTED]

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

Offense Code: 0141

Code/Ordinance Sec: 16-11-0390

This warrant is **CERTIFIED FOR SERVICE** in the

County/ Municipality of

The accused

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant George Holmes on 12/28/2018

Signature of Court/Clerk/Law Enforcement Officer

RETURN WARRANT TO:

Beaufort County General Sessions

PO Box 1128

102 Ribaut Road, Rm. 208

Beaufort, SC 29901-1128

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA)

County/ Municipality of)

Beaufort)

AFFIDAVIT ORIGINAL Form Approved by S.C. Attorney General April 21, 2003 SCCA 511

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:

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

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 BCSC 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 / 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 Address: 104 Ribaut Rd
Beaufort, SC 29901-2207)

Signature of Issuing Judge (L.S.)) Judge's Telephone: (843)255-5700

Signature of Issuing Judge (L.S.)) Issuing Court: Magistrate Municipal Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL

3 Statutes: Intent

0 Statutes: Plain language; Plain ordinary

Common, or literal meaning

1/2 Statutes: In general; factors considered

Certified - A True Copy


Jarri Ann Rosejeau - Clerk of Court

Beaufort County, SC - Jennifer Peroff

George Holmes #289114
TCI/SAC-161
1578 Clarence Coker Hwy
Turbenille, SC 29162

COLUMBIA SC 290
24 APR 2024 PM 4 L



US POSTAGE PAID PITNEY BOWES

ZIP 29162 \$ 000.88⁰
02 4W
0000378440 APR 23, 2024

COA

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APR 26 2024

TURBENVILLE SC
MAILROOM
APR 22 2024

RECEIVED

Clerk's, Jenny Abbott Kitching
P.O. Box 11330
Columbia, SC 29211

030684-11252

