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**Oct 27 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Beaufort County

Honorable G.D. Morgan, Jr., Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ISAIAH JACOB HOLMES,

APPELLANT

APPELLATE CASE NO. 2024-002007

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ANDERS BRIEF OF APPELLANT

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WANDA H. CARTER  
Interim Chief Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
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ATTORNEY FOR APPELLANT

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**STATEMENT OF ISSUE ON APPEAL**

Appellant's pleas were not given voluntarily in the case because he was unaware of all rights waived upon pleading guilty to the offenses charged against him.

## STATEMENT OF THE CASE

Appellant Isaiah Jacob Holmes entered Alford<sup>1</sup> pleas on three counts of unlawful conduct toward a child during the February 2024 term of the Beaufort County General Sessions before Judge Eugene C. Griffith, Junior. Appellant was represented at the plea proceeding by Attorney Jonathan Lewis, and Assistant Solicitor Rachel DeAngelis prosecuted the case. On November 13, 2024, a sentencing hearing was held in the case before Judge J.D. Morgan. Attorney Melissa Gay and Jonathan Lewis appeared on appellant's behalf and Assistant Solicitor Rachel DeAngelis appeared on behalf of the state. Appellant was sentenced to imprisonment for an aggregate term of eight years, suspended upon the service of three years, and three years probation.

Appellant appealed. This brief follows.

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<sup>1</sup> North Carolina v Alford, 400 U.S. 25 (1970)

### **STANDARD OF REVIEW**

In criminal cases, the appellate court sits to review errors of law only. State v. Nesbitt, 411 S.C. 194, 768 S.E.2d 67 (2015) quoting State v. Jacob, 393 S.C. 584, 713 S.E.2d 621 (2011).

## ARGUMENT

Appellant's pleas were not given voluntarily in the case because he was unaware of all rights waived upon pleading guilty to the offenses charged against him.

During the plea proceeding, the plea judge advised appellant of the rights waived upon entering his guilty pleas as follows:

Court: In order to plead guilty, you must waive all those rights to have a jury trial. Are you aware of that?

Appellant: I am.

Court: Are you aware of the state bears the burden of proving you guilty on a reasonable doubt? Therefore, they go first. They've got to call all their witnesses and all their evidence in order to try to convince the jury. Are you aware of that?

Appellant: I am. R. p. 7, lines 17 – p. 8, l. 2.

Conspicuously missing from the plea judge's waiver summary was his right to confront and cross-examine the state's accusers and his privilege against self-incrimination. The plea judge referred only to the waiver of appellant's right to a jury trial at the plea proceeding. A defendant who pleads guilty simultaneously waives several constitutional rights: including the privilege against self-incrimination, the right to a jury trial, and the right to confront and cross-examine his accusers. Stave v. Patterson, 278 S.C. 319, 295 S.C.2d 264 (1982), citing to Boykin v. Alabama, 395 U.S. 238 (1969). Furthermore, a guilty plea also specifically waives one's right to cross-examine witnesses as well. California v. Green, 399 U.S. 149 (1970).

In Boykin v. Alabama, 395 U.S. 238 (1969), the Court summarized the waivers connected to guilty plea as follows:

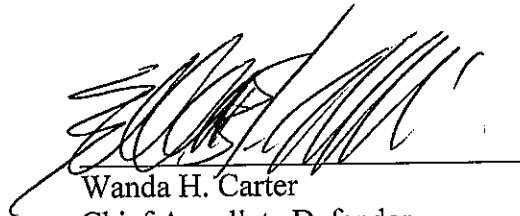
Several federal constitutional rights are involved in a waiver that takes place when plea of guilty is entered in state criminal trial: first is privilege granted against compulsory self-incrimination guaranteed by the Fifth Amendment and applicable to states by

reason of Fourteenth, second is right to trial by jury, and third is right to confront one's accusers; [and] a waiver of these three important federal rights cannot be presumed from a silent record. U.S.C.A. Const. Amends. 5, 14.

In the case at bar, the record established that appellant's pleas were given involuntarily because he was unaware of all rights waived upon entering his guilty pleas in the case.

**CONCLUSION**

Based on the foregoing argument, the undersigned counsel would request that appellant's guilty pleas and sentences in the case be vacated and his case remanded to the lower court for a new proceeding.

A handwritten signature in black ink, appearing to read 'Wanda H. Carter', is written over a horizontal line.

Wanda H. Carter  
Chief Appellate Defender

ATTORNEY FOR APPELLANT

This 27th day of October, 2025.

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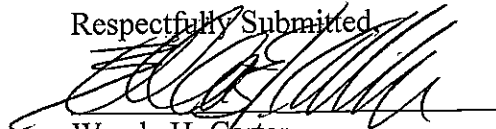
PETITION TO BE RELIEVED AS COUNSEL  
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Counsel for Isaiah Holmes states that:

1. She is Interim Chief Appellate Defender for the South Carolina Office of Appellate Defense and was appointed to represent appellant.
2. She has reviewed the record of appellant's trial before Judge G.D. Morgan, Jr., which was held on Nov. 13, 2024, and, in her opinion, the appeal is without legal merit sufficient to warrant a new trial.
3. She has, pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396 (1967), briefed an arguable legal issue which arose during the course of the trial.

WHEREFORE, she asks the Court to relieve her as counsel for Isaiah Holmes.

Respectfully Submitted,



Wanda H. Carter  
Chief Appellate Defender

ATTORNEY FOR APPELLANT

This 27th day of October, 2025.

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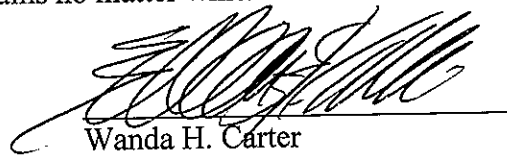
APPELLATE CASE NO. 2024-002007  
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**DESIGNATION OF MATTER TO BE  
INCLUDED IN RECORD ON APPEAL**  
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Appellant proposes the following be included in the Record on Appeal:

- (1) Guilty Plea Transcript dated February 28, 2024
- (2) Sentencing Hearing Transcript dated November 13, 2024
- (3) Indictments and Sentence Sheets

I certify that this designation contains no matter which is irrelevant to this appeal.



Wanda H. Carter  
Chief Appellate Defender

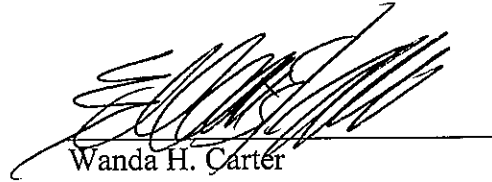
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ATTORNEY FOR APPELLANT

This 27th day of October, 2025.

**CERTIFICATE OF COUNSEL**

The undersigned certifies that to the best of my ability this Anders Brief of Appellant complies with Rule 211(b), SCACR, and the April 15, 2014, order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."



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