

The State of South Carolina
In The Court of Appeals

Appeal From Richland County
Robert E. Hood, Circuit Court Judge

Case NO. 2023-001463

RECEIVED

DEC 23 2025

SC Court of Appeals

The State of South Carolina, _____ Respondent,

v.

Randolph Ashford _____ Appellant,

THE APPELLANT'S MOTION FOR REHEARING

The appellant, Randolph Ashford, Pursuant to Rule 221, SCACR, moves the Court to reconsider and modify its _____ In support of the motion, the appellant shows the following to the Court:

1. This Court overlooked several material facts in the record, through out the trial. Appellant's conviction has been before the Courts for many years, without the assistance of legal counsel, and no two proceeding will be heard at the same time as that is a decision which is controlling as authority. State v. Spann, 334 S.C. 618, 513 S.E. 2d 98 (1999).

a: (Due Process violations, Contaminated Crime Scene Evidence.

b: (Due Process violations, Indictments Clocked filed (18) years after conviction.

1.

C: C Abuse of discretion. Court participated in this tainted conviction of Appellant.

2. The material facts State and Federal Constitution violations, Statues, decisions overlooked requires a different decision from that rendered by the Court of Appeals.

3. The decision that should have been rendered is for Appellant Randolph Ashford a new trial or in the alternate South Carolina Code Ann - 17-25-50. Considering Closely Connected etc.

WHEREFORE, Appellant respectfully request the Court to reconsider its decision and rule in favor of Appellant Ashford.

December 19 2025.

Randolph Ashford
Randolph Ashford #256638
Lee Corr. Inst. F-6, B-2214
990 Wisacky HWY
Bishopville South Carolina-
29010



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
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December 10, 2025

Randolph Ashford, 00256638
Lee Correctional Inst.
990 Wisacky Highway
Bishopville SC 29010

Mr. Mark Reynolds Farthing, Esquire
PO Box 11549
Columbia SC 29211-1549

Re: The State v. Randolph Ashford
Appellate Case No. 2023-001463

Dear Counsel and Mr. Ashford:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

Jasmine D. Smith, Deputy
CLERK

cc: Alan McCrory Wilson, Esquire
Byron E. Gipson, Esquire
The Honorable Robert E. Hood

denying his motion for a new trial based on after-discovered evidence under Rule 29(b) of the South Carolina Rules of Criminal Procedure.¹ We affirm pursuant to Rule 220(b), SCACR.

We hold the trial court did not abuse its discretion by denying Ashford's motion for a new trial because the motion was not timely and Ashford failed to demonstrate any of the factors supporting granting the motion. *See State v. Harris*, 391 S.C. 539, 544-45, 706 S.E.2d 526, 529 (Ct. App. 2011) ("A motion for a new trial based on after-discovered evidence is addressed to the sound discretion of the trial [court]." (quoting *State v. Irvin*, 270 S.C. 539, 545, 243 S.E.2d 195, 197 (1978))); *id.* ("The granting of a new trial because of after-discovered evidence is not favored," and [appellate courts] will affirm the trial court's denial of such a motion unless the trial court abused its discretion." (quoting *Irvin*, 270 S.C. at 545, 243 S.E.2d at 197-98)); Rule 29(b), SCRCrimP ("A motion for a new trial based on after-discovered evidence must be made within one (1) year after the date of actual discovery of the evidence by the defendant or after the date when the evidence could have been ascertained by the exercise of reasonable diligence."); *State v. Haulcomb*, 260 S.C. 260, 270, 195 S.E.2d 601, 606 (1973) ("[A]fter-discovered evidence refers to evidence of facts existing at [the] time of trial of which [the] aggrieved party was excusably ignorant."); *State v. Spann*, 334 S.C. 618, 619-20, 513 S.E.2d 98, 99 (1999) (explaining a defendant moving for a new trial on the basis of after-discovered evidence must show the evidence (1) would probably change the result if a new trial were granted, (2) has been discovered since the trial, (3) could not have been discovered prior to trial by the exercise of due diligence, (4) is material, and (5) is not merely cumulative or impeaching).

AFFIRMED.²

KONDUROS, GEATHERS, and VINSON, JJ., concur.

¹ On November 17, 2025, Ashford filed a "motion to allow filing of a supplemental record on appeal." We grant Ashford's motion and have considered the supplemental record on appeal.

² We decide this case without oral argument pursuant to Rule 215, SCACR.

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

The State, Respondent,

v.

Randolph Ashtord, Appellant.

Appellate Case No. 2023-001463

Appeal From Richland County
Robert E. Hood, Circuit Court Judge

Unpublished Opinion No. 2025-UP-402
Submitted November 1, 2025 – Filed December 10, 2025

AFFIRMED

Randolph Ashford, pro se.

Attorney General Alan McCrory Wilson, Senior
Assistant Deputy Attorney General Mark Reynolds
Farthing, and Solicitor Byron E. Gipson, all of Columbia,
for Respondent.

PER CURIAM: Randolph Ashford appeals his convictions for first-degree burglary, two counts of kidnapping, two counts of assault with intent to kill, and three counts of carjacking, along with his aggregate sentence of forty years' imprisonment. On appeal, Ashford argues the trial court abused its discretion by

CERTIFICATE OF SERVICE

I do hereby Certify that I have Serve the following Counsels of record, the original and 2 Copy of Motion For Rehearing, by Placing the Same in the United States Mail, with Sufficient Postage affixed thereto here at the Lee Correctional Institution on the date below.

Appellant Case No. 2023-001463

December 19, 2025

Randolph Ashford

Randolph Ashford #256638
Pro-se

Enclosures

CC: South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, South Carolina-29211

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SC Court of Appeals

Alan McCrory Wilson/Mark Reynolds Farthing, Esquire
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December 19, 2025.

South Carolina Court of Appeals
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Re: The State v. Randolph Ashford,
Appellant Case No. 2023-001463

Dear Honorable Clerk:

Enclosed you will find the original motion for re-hearing of the above noted appellant case for your filing.

Please file the motion, and return a file copy to me for my record.

Thank you very much.

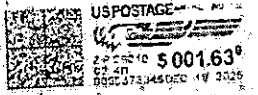
Sincerely,

Randolph Ashford

Enclosures

C.C.: Attorney General Office
For South Carolina

LEE CI INMATE



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