

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**RECEIVED**  
**Mar 12 2026**  
SC Court of Appeals

Appeal from Dorchester County

Honorable Diane Goodstein, Circuit Court Judge

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Opinion No. 2026-UP-096

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HERBERT LEROY HOLMES,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-001369

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PETITION FOR REHEARING

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Pursuant to Rule 221(a), SCACR, Herbert Leroy Holmes requests that this Court grant rehearing. On February 25, 2026, this Court affirmed the PCR court's finding that Petitioner did not knowingly and intelligently waive his right to a direct appeal, thus it proceeded with a review of the direct appeal issue pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986). It denied certiorari as to his ineffective assistance of counsel claim. *Holmes v. State*, Op. No. 2026-UP-096 (S.C. Ct. App. filed February 25, 2026). As to Petitioner's argument the trial court erred in admitting DNA evidence where the State failed to establish chain of custody as far as practicable, since the prosecution left to conjecture the identity of some of the persons who

handled the evidence and the manner in which the evidence was handled, this Court concluded “the trial court did not abuse its discretion in denying his motion to suppress DNA evidence because the State established a sufficient chain of custody.” *Holmes v. State*, Op. No. 2026-UP-096 at 2.

This Court held the chain of custody was sufficient because “the State identified nearly every individual who handled the DNA evidence, and each witness who testified indicated the evidence was properly sealed and secure when it was received.” *Holmes v. State*, Op. No. 2026-UP-096 at 2. This Court further found,

The only unidentified individuals in the chain of custody were receptionists at the South Carolina Law Enforcement Division (SLED) who accepted deliveries of the items; however, agent Kenneth Bogan—a SLED analyst who tested the evidence on every occasion it was transported to the agency—testified that when the items were delivered, he picked up the items from the secretaries, filled out the intake forms, and observed that the items were sealed and lacked evidence of tampering.

*Holmes v. State*, Op. No. 2026-UP-096 at 3. This Court held that,

Although there were discrepancies with the documentation of some of the State’s evidence—the Victim testified her assault occurred the day prior the hospital’s records; and inventory sheet mistakenly listed cuttings from Victim’s skirt as item “N” instead of “M”; and an oral wash, which had been previously found to lack DNA samples, was unaccounted for after SLED’s initial analyses of the evidence—we hold these discrepancies did not render the evidence inadmissible but rather goes only to its weight as credible evidence.

*Holmes v. State*, Op. No. 2026-UP-096 at 3.

Petitioner respectfully asserts this Court misapprehended and/or overlooked his arguments that the State did not reasonably demonstrate the manner of the evidence’s handling, failed to identify each person who handled the evidence, and the evidence changed in important respects. The evidence in this case was not identified on the 1993 inventory. The cutting which

was taken from the panties and contained DNA matched to Petitioner was not identified on the inventory, and neither was the bag of clothing from which the cutting was taken. Instead there was simply a note regarding a box of miscellaneous envelopes containing evidence from eight cases including this one. Respectfully, this was a critical point which required exclusion of the evidence. Moreover, the missing oral wash demonstrated that something affected the integrity of the evidence. The evidence could not have been properly sealed if something went missing. Also demonstrating a lack of integrity, testimony and documentation conflicted on where the evidence was in 1988, showing the items to be both at SLED and the Sheriff's Office during the same time period. There was conflicting testimony over where the evidence was stored and who had access to it when it was at the Sheriff's Office: Detective Knight and Captain Moultrie said one thing, while Lieutenant Asbell said another. The status of where the evidence was at various times in 1988 and 1989 was unclear. Petitioner respectfully asserts this Court overlooked or misapprehended these points, and their effect on admissibility. These discrepancies went to admissibility, not weight.

The trial court erred in admitting DNA evidence where the State failed to establish chain of custody as far as practicable, since the prosecution left to conjecture the identity of some of the persons who handled the evidence and the manner in which the evidence was handled.

***Relevant facts***

This trial involved a cold case DNA hit from a decades-old rape. On or about October 25, 1984, P.R., the complainant, was raped by a black man with a “nondescript,” “very common face” at gunpoint. App. 82, l. 17 – 88, l. 15. Complainant was taken to the emergency room at MUSC. App. 88, l. 23 – 90, l. 22; App. 131, l. 5 – 132, l. 17.

Two nurses were working in the trauma unit at MUSC at the time of Complainant's sexual assault examination. Due to the passage of time, neither nurse remembered the Complainant's exam. However, both were present. There was a checklist of evidence that they turned over to Detective Knight. App. 99, l. 14 – 109, l. 4; App. 120, ll. 6-24. State's Exhibit #8 is the checklist and specifies the collected evidence was: 1) Clothing: hose, bra, panties, slip, skirt, blouse; 2) Chux x 2; 3) Photos: full length; 4) R & L fingernail scrapings; 5) Pubic hair combings; 6) Pubic hair pluckings; 7) Vaginal washing without fixative; 8) Vaginal swab for ABO; 9) Woods lamp + swab; 10) Filter paper with saliva; 11) Other evidence: oral washings without fixative, oral ABO, rectal ABO. *See* App. 582. This evidence would go back and forth from the Dorchester County Sheriff's Office to SLED multiple times over the years in an attempt to solve the crime—in 1985, 1988, 1989, and 2009.

Complainant believed the rape occurred on October 24, 1984, and not October 25, 1984. However, Nurse Vevon noted the envelope of pubic hair combings was labeled October 25, 1984. Detective Knight also testified the crime occurred on October 25, 1984. App. 107, l. 3 – 109, l. 4; App. 135, ll. 2-14; App. 83, l. 24 – 94, l. 4; App. 93, l. 20 – 94, l. 15.

Detective Knight waited outside the hospital room until he was handed the evidence collected during the exam. He received the rape kit, which was a sealed box full of envelopes and samples, and signed State's Exhibit #8, the checklist, that he received the items. Detective Knight was the Sheriff's son. According to Knight, only his father (Sheriff Knight), Captain Ernest Moultrie, and Lieutenant Dale Nevins had keys to the evidence locker. Detective Knight said he kept the evidence until he turned it over to Lieutenant Nevins. Knight said the evidence locker was a storage room with a deadbolt. App. 132, l. 9 – 143, l. 24.

Captain Moultrie's testimony about who had keys to the evidence locker was the same—Moultrie said he had a key to the evidence locker along with the Sheriff and Nevins. Lieutenant Nevins's testimony was in agreement—Nevins said he, Moultrie, and the Sheriff had a key to the evidence locker. However, Lieutenant Earl Asbell's testimony about the evidence locker differed. According to Lieutenant Asbell, "Each individual detective—I handled my own evidence. Lieutenant Nevins handled his. My office was separate from his and I had a storage room in there that I locked my evidence in." App. 150, l. 22 – 152, l. 7; App. 154, l. 12 – 155, l. 3; App. 201, ll. 9-15.

Lieutenant Nevins agreed he received the evidence from Knight and put it in the evidence locker. According to Nevins, he personally made two trips to SLED in January of 1985—he took the rape kit on January 2, 1985, and he took the rest of the evidence on January 31, 1985. State's Exhibit #18 and State's Exhibit #19 reflect that Nevins took the evidence to SLED in two trips during January of 1985. *See* App. 583 – 584. Court's Exhibit #1 is a stipulation by the parties of what items were taken to SLED by Nevins in January 1985. *See* App. 581. Lieutenant Nevins said a Sergeant Salvely, who is now deceased, picked the evidence back up from SLED in 1985 and brought it back to the Sheriff's Office. App. 155, l. 7 – 161, l. 9.

In 1988, the Sheriff's Office sent the evidence in the case back to SLED when a man named Barry Daniels became a suspect. Nevins took the evidence to SLED in 1988. State's Exhibit #22 is Nevins's 1988 request to SLED and it has a stamp from SLED saying the evidence was received by its chemistry lab on July 21, 1988. *See* App. 585. Confusingly, however, Nevins testified the evidence was transported back to the Sheriff's Office from SLED by an Officer Joseph Rivers on April 28, 1988, which would have meant it was returned prior to being delivered. App. 162, l. 18 – 166, l. 16.

Also problematic regarding the evidence's handling in the late 1980's was the testimony of Officer Emory Rush, who testified that he transported unidentified evidence from this case along with evidence from seven other cases, from SLED back to the Sheriff's Office on December 19, 1989. State's Exhibit #23 is the form Rush signed, which documented that he retrieved the evidence from SLED in 1989. *See* App. 586. The status of where the evidence was at various times in 1988 and 1989 therefore seems unclear. Back at the Sheriff's Office, Rush gave the evidence to Nevins. App. 196, l. 22 – 199, l. 8.

Regarding what testing was done on the evidence at SLED in 1988, the evidence was viewed but returned without further testing because the analyst did not believe enough material was present for the existing technology to be of use. App. 315, l. 14 – 316, l. 19.

In 1993, Lieutenant Nevins left the Sheriff's Office, and Lieutenant Earl Asbell became the evidence custodian. When Asbell took custody of the evidence, the two men signed off on an inventory of the evidence locker. The inventory sheet was five pages long. The only mention of the evidence in this case on that inventory is listed on page three as item nineteen, which was a "box of miscellaneous envelopes" with eight different people's names listed on it. The only thing listed as being in the box were "envelopes." The inventory did not mention any bags of clothes, kits, swabs, cuttings, or vials. App. 201, l. 16 – 202, l. 20; App. 166, l. 22 – 168, l. 12; App. 209, l. 24 – 211, l. 14.

In 1993, Asbell moved the evidence to a different evidence storage room. In 1994, the Sheriff's Office moved, and the evidence from the evidence room was boxed up, packed on a truck, and moved to the new office over the course of a couple of days. Others were involved in the moving, but Asbell supervised. Asbell did not remember who helped with the move, but

believed it was a detective. Asbell said he would have noticed if something appeared to be tampered with. App. 204, l. 1 – 206, l. 16; App. 212, l. 20 – 213, l. 19.

Asbell decided to resubmit the evidence to SLED in 2009. Another officer transported it there. When Asbell filled out the request for SLED to test the evidence, one of the items he sent to SLED was oral wash. App. 203, ll. 1-24; App. 206, l. 19 – 215, l. 6.

Officer Buster Edwards also transported the evidence to SLED and retrieved it back from SLED (apparently this was in 2009, given his employment history). App. 225, l. 16 – 233, l. 16.

Kenneth Bogan, who was qualified as an expert in DNA analysis, worked at SLED for many years. He did all of the testing on the evidence in this case. Bogan was the analyst who tested the evidence originally when it came to SLED in 1985. As part of that initial round of testing, Bogan took a cutting from the panties that were collected. Bogan again checked the evidence in 1988 and determined not to do further testing at that time. In 2009, Bogan performed additional testing on the evidence when it was again sent to SLED for analysis. App. 299, ll. 12-15; App. 310, ll. 1-6; App. 300, l. 13 – 335, l. 10.

At some point in the 1980's, Bogan removed certain items of evidence from the sexual assault kit, including vaginal wash, vaginal swab, oral swab, rectal swab, saliva, and oral wash. They became separated from the other evidence. When certain items were resubmitted, the oral wash was “not found.” App. 332, l. 4 – 333, l. 1; App. 269, l. 1 – 270, l. 11.

Bogan was asked why there was no “signature of person receiving evidence” signed on the SLED request for analysis forms from the 1980's. Bogan said he did not know, but that at the time, “[t]he secretaries would call the analyst and ask them to come up and pick up the evidence.” The forms were also time stamped as received by SLED. Bogan did not think he was

required to sign the forms in 1985. Bogan believed the secretary at that time was Susie Wilson. App. 249, l. 8 – 250, l. 24; App. 258, l. 260, l. 13.

Bogan opined that when he re-tested the cutting from the panties in 2009, he found DNA that was a mixture of at least two individuals. He got a partial profile from a major contributor, who was an unidentified male. The minor contributor to the mixture was consistent with Complainant. At a later time, a known standard for Petitioner was submitted. Bogan opined that the “DNA profile that I developed from that major contributor from the panties, matched the DNA profile of Herbert Holmes. The probability of randomly selecting a unrelated of unrelated individuals [sic] having a DNA profile matching that major contributor is approximately 1 in 350 billion.” App. 320, l. 6 – 324, l. 24; App. 335, ll. 1-10.

However, in 2009, when Bogan received the evidence, one of the items was mismarked. Bogan noted receipt said the cutting from the panties and the cutting from the skirt were both labeled N. Bogan claimed Item N was the cutting from the panties and Item M was the cutting from the skirt. As seen, Bogan matched Petitioner’s DNA to the cutting from the panties. However, Bogan said it was only the receipt that was mislabeled, not the items themselves. App. 270, l. 12 – 272, l. 5.

Petitioner moved to exclude the DNA evidence, cited to *State v. Hatcher*, 392 S.C. 86, 708 S.E.2d 750 (2011), and argued the State had not proven chain of custody as far as practicable, since much was left to conjecture. App. 273, l. 25 – 295, l. 13; App. 246, l. 8 – 248, l. 17. The bases for exclusion due to an incomplete chain of custody were as follows.

- First, a discrepancy in the testimony about whether the rape occurred on October 24 or 25, 1984. Complainant was certain the crime occurred on the 24th but others’ testimony was that it occurred on the 25th. App. 275, ll. 19-25.

- Second, when the evidence was collected during the sexual assault examination, “neither one of the nurses was able to say for sure who collected the evidence and who labeled it, if they were both there.” App. 276, ll. 2-16.
- Third, no one at SLED signed they received the evidence when it was delivered by Lt. Nevins in January of 1985. *See* App. 583 – 584. (State’s Exhibit #18 and State’s Exhibit #19 are the forms Nevins submitted to SLED and the “signature of person receiving evidence” line is blank.) Counsel argued that since these were SLED’s own forms, they should have followed “their own protocol.” Moreover, testimony about how the evidence got from Nevins to Bogan while at SLED was speculative. App. 276, l. 25 – 278, l. 9.
- Fourth, it was unclear when the evidence was returned from SLED in 1985; whether it all came back in the same batch or whether it was returned in two batches (which is how it was delivered). App. 278, l. 14-20.
- Fifth, when the evidence went back up to SLED in 1988, once again no one at SLED signed receipt of the evidence, as shown by State’s Exhibit #22 and State’s Exhibit #33. (State’s Exhibit #33 is the second page of State’s Exhibit #22). *See* App. 585; App. 587. Also, testimony differed on whether the evidence was returned to the Sheriff’s Office in 1988 or 1989. App. 278, ll. 20-22.
- Sixth, the State presented conflicting testimony on how evidence was stored while at the Sheriff’s Office. As seen, Nevins, Moultrie, and Knight agreed the evidence was kept in a locker and only Nevins, Moultrie, and the Sheriff had a key. However, Asbell said each of the detectives kept his own evidence. App. 279, ll. 16-23.
- Seventh, when Nevins left the office and Asbell took custody of the evidence, the inventory of the evidence locker was incomplete as to this case. The only mention of the

evidence in this case on the inventory was the inclusion of P.R.'s name along with seven other people's names listed as a "box of miscellaneous envelopes." The inventory did not mention any bags of clothes, kits, swabs, cuttings, or vials. Counsel argued this was "a documented break in the chain." App. 279, l. 23 – 281, l. 1.

- Eighth, the evidence was boxed up and moved from the old Sheriff's Office to the new Sheriff's Office and it was unclear who helped Asbell move the evidence. App. 281, ll. 1-14.
- Ninth, when the evidence went back to SLED in 2009, the receipt for the cuttings from the panties and skirt was mislabeled—an item was marked N but should have been marked M. Also, the oral wash had disappeared. App. 281, l. 16 – 283, l. 9.
- Tenth, a lack of testimony about the standard operating procedure for chain of custody at SLED or the Sheriff's Office. App. 284, l. 1 – 287, l. 2.

The court denied the motion. It ruled that discrepancies about the date of the rape went to weight, that Nurse Schafer remembered how the evidence was collected, and that Nevins and Moultrie were clear about their procedure and who had access to the evidence. The court found the chain was clear as to the hospital, the Sheriff's Office, and SLED, noting the same analyst at SLED did the analysis each time. The court did note the oral wash disappeared, but found any problems went to weight and not admissibility. App. 295, l. 14 – 298, l. 19.

The DNA was the only evidence linking Petitioner to the crime. He was convicted as indicted and sentenced to consecutive terms of life for kidnapping and thirty years for first-degree criminal sexual conduct. App. 427, l. 21 – 428, l. 4; App. 438, l. 3 – 439, l. 3.

## *Discussion*

The State failed to establish the chain of custody on the DNA evidence as far as practicable. The sexual assault examination evidence passed through multiple hands over the decades; some of those hands were identified and some were not. The evidence was separated, moved, transported and re-transported several times, and tested and retested several times. During these events, one item, the wash, went permanently missing. Other items, including the item that purported to connect Petitioner to the crime, was not accounted for on the inventory when the evidence was transferred to a new custodian. There were discrepancies in the testimony and documentation regarding storage, handling, and transport of the evidence.

“[A] party offering into evidence fungible items such as drugs or blood samples must establish a complete chain of custody as far as practicable.” *State v. Sweet*, 374 S.C. 1, 6, 647 S.E.2d 202, 205 (2007) (citing *Benton v. Pellum*, 232 S.C. 26, 33, 100 S.E.2d 534, 537 (1957)). “We have consistently held complete chain of evidence must be established as far as practicable, tracing possession from the time the specimen is taken from the human body to the final custodian by whom it is analyzed.” *S.C. Dep’t of Soc. Servs. v. Cochran*, 364 S.C. 621, 628–29, 614 S.E.2d 642, 646 (2005) (citing *State v. Carter*, 344 S.C. 419, 424, 544 S.E.2d 835, 837 (2001)). “Where the substance analyzed has passed through several hands the evidence must not leave it to conjecture as to who had it and what was done with it between the taking and the analysis.” *Id.*, 364 S.C. at 627, 614 S.E.2d at 645 (citing *Benton*, 232 S.C. at 33–34, 100 S.E.2d at 537). “Accordingly, if the identity of each person handling the evidence is established, and the manner of handling is reasonably demonstrated, no abuse of discretion by the trial court is shown in admitting the evidence absent proof of tampering, bad faith, or ill-motive.” *Sweet*, 374

S.C. at 6, 647 S.E.2d at 205–06 (citing *State v. Taylor*, 360 S.C. 18, 25, 598 S.E.2d 735, 738 (Ct. App. 2004)).

“Testimony from each custodian of fungible evidence, however, is not a prerequisite to establishing a chain of custody sufficient for admissibility.” *State v. Pulley*, 423 S.C. 371, 377, 815 S.E.2d 461, 464 (2018) (citing *Sweet*, 374 S.C. at 7, 647 S.E.2d at 206). “Where other evidence establishes the identity of those who have handled the evidence and reasonably demonstrates the manner of handling of the evidence, our courts have been willing to fill gaps in the chain of custody due to an absent witness.” *Id.* (citing *Sweet* at 7, 647 S.E.2d at 206). “Proof of chain of custody need not negate all possibility of tampering so long as the chain of possession is complete.” *Id.* (citing *State v. Carter*, 344 S.C. 419, 424, 544 S.E.2d 835, 837 (2001)). “In applying this rule, we have found evidence inadmissible only where there is a missing link in the chain of possession because the identity of those who handled the substance was not established at least as far as practicable.” *Id.* (cleaned up). A brief time discrepancy (fourteen minutes) is not fatal to chain of custody where each person who possessed the sample is identified. *State v. Rowell*, 436 S.C. 54, 60-65, 870 S.E.2d 175, 178-80 (Ct. App. 2022).

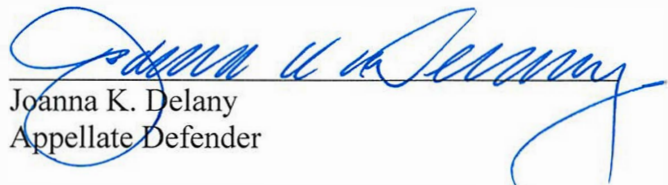
The trial judge’s discretion regarding chain of custody and admission of evidence “must be reviewed in the light of the following factors: the nature of the article, the circumstances surrounding the preservation and custody of it, and the likelihood of intermeddlers tampering with it.” *State v. Hatcher*, 392 S.C. 86, 94–95, 708 S.E.2d 750, 754–55 (2011) (citing *United States v. De Larosa*, 450 F.2d 1057 (3d Cir. 1971) (cleaned up). “If upon the consideration of such factors the trial judge is satisfied that in reasonable probability the article has not been changed in important respects, he may permit its introduction in evidence.” *Hatcher*, 392 S.C. at 95, 708 S.E.2d at 755 (citing *Gallego v. United States*, 276 F.2d 914, 917 (9th Cir. 1960)).

“Evidence is still required as to how the item was obtained and how it was handled to ensure that it is, in fact, what it is purported to be.” *Id.* “While the admission of evidence is within the discretion of the trial judge, we have held that it is an abuse of discretion to admit the results of a blood alcohol test where the identity of those who sealed, labeled, and transported the blood sample is not established.” *State v. Cribb*, 310 S.C. 518, 522, 426 S.E.2d 306, 309 (1992). “[W]here there is evidence to establish the identity of those who have handled the evidence and the manner in which it was handled, a weakness in the chain merely raises a question of credibility, not admissibility.” *Taylor*, 360 S.C. at 24, 598 S.E.2d at 737. “The State need not establish the identity of every person handling fungible items in all circumstances; rather, the standard is whether, in the discretion of the trial judge, the State has established the chain of custody as far as practicable. This determination will necessarily depend on the unique factual circumstances of each case.” *Hatcher*, 392 S.C. at 95, 708 S.E.2d at 755. *See also State v. Trapp*, 420 S.C. 217, 233, 801 S.E.2d 742, 750 (Ct. App. 2017) (chain of custody sufficient where “the State identified every individual that handled the evidence”).

The State failed to establish the chain of custody as far as practicable here. The problems with the chain were significant. Some discrepancies could be seen as minor (i.e., the discrepancy in testimony about the date the evidence was collected or which nurse collected the evidence, or who helped Lt. Asbell move the evidence in 1993). Other problems with the chain were serious (i.e., conflicting testimony on whether the evidence was returned to the Sheriff’s Office by Officer Rivers in 1988 or Officer Rush in 1989; the failure to establish who had access to the evidence at the Sheriff’s Office before 1993, since some officers said only three people had keys to one evidence locker, while another officer said each officer maintained his own evidence; documented breaks in the chain such as the missing oral wash; the failure to identify the

evidence on the 1993 inventory except for noting a box of “miscellaneous envelopes” containing evidence from eight cases including this one; the receipt listing the cutting from the panties was mislabeled N instead of M; SLED’s failure to follow its own apparent protocol upon receipt of the evidence in 1985 and 1989 by leaving the signature blank on the request for analysis forms; the failure to establish the identity of the person at SLED who took the evidence from Lt. Nevins and gave it to Analyst Bogan during the various deliveries; the lack of information on how the evidence was returned from SLED in 1985).

Given these circumstances, the admission of this evidence was an abuse of discretion. *State v. Hatcher*, 392 S.C. at 94–95, 708 S.E.2d at 754–55. The State failed to establish chain of custody as far as practicable. *State v. Sweet*, 374 S.C. at 6, 647 S.E.2d at 205. Much was left to conjecture. *S.C. Dep’t of Soc. Servs. v. Cochran*, 364 S.C. at 627, 614 S.E.2d at 645. Respectfully, rehearing should be granted to Petitioner Herbert Holmes.



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ATTORNEY FOR PETITIONER

This 12th day of March, 2026.

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**Mar 12 2026**  
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Appeal from Dorchester County

Honorable Diane Goodstein, Circuit Court Judge

HERBERT LEROY HOLMES,

PETITIONER

V.

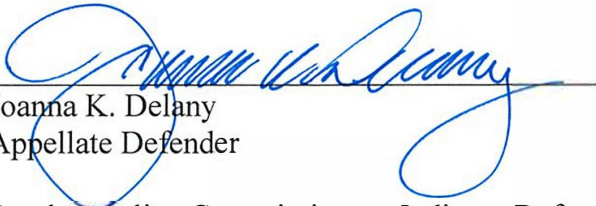
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-001369

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Petition for Rehearing in the above-referenced case has been served upon L. David Leggett, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Herbert Leroy Holmes, #139850, at Allendale Correctional Institution, 1057 Revolutionary Trail, Fairfax, SC 29827, this 12th day of March, 2026.

  
Joanna K. Delany  
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Division of Appellate Defense  
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ATTORNEY FOR PETITIONER

RECEIVED

Mar 12 2026

SC Court of Appeals

**From:** [Mcinnis, Sara](#)  
**To:** ["davidleggett@scag.gov"](mailto:davidleggett@scag.gov)  
**Cc:** [Delany, Joanna](#)  
**Subject:** 2022-001369 Herbert Holmes v. State Petition for Rehearing  
**Date:** Thursday, March 12, 2026 5:06:00 PM  
**Attachments:** 2022-001369 Herbert Leroy Holmes v. State Petition for Rehearing.pdf  
AG Cover Letter - PFR.pdf

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Good Afternoon Mr. Leggett,

Attached for service in the above-referenced case is the Petition for Rehearing, which will be filed with the Court of Appeals today, March 12, 2026, via email filing.

Thank you,

Sara McInnis  
Administrative Assistant  
South Carolina Commission on Indigent Defense  
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(803) 734-1330