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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County

Honorable Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JONATHAN NOE,

APPELLANT

APPELLATE CASE NO. 2025-001778

RECORD ON APPEAL

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**THE FOLLOWING EXHIBIT IS ON FILE WITH THIS COURT:
COURT’S EXHIBIT #1 (PHONE CALL)**

STATE OF SOUTH CAROLINA	)	
	)	COURT OF GENERAL SESSIONS
COUNTY OF AIKEN	)	2024-GS-02-01002
	)	2024-GS-02-01003
	)	2024-GS-02-01004
	)	2024-GS-02-01005
	)	
	)	
STATE OF SOUTH CAROLINA,	)	
PLAINTIFF,	)	
	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
JONATHAN NOE,	)	
DEFENDANT.	)	
_____	)	

August 27, 2025
Aiken, South Carolina

B E F O R E:

THE HONORABLE DEBRA R. MCCASLIN, JUDGE.

A P P E A R A N C E S:

DAVID RITTGERS, ESQ.
Attorney for the Plaintiff

BARRY THOMPSON, ESQ.
Attorney for the Defendant

PENNY M. JOHNSON
Court Reporter III

I N D E X

(There were no witnesses.)

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
	(Court's Exhibits)		
1	USB - Phone Call	30	

All Exhibits were retained by the Clerk of Court for Aiken County.

P R O C E E D I N G S

JONATHAN NOE,

after being duly sworn, testified as follows:

MR. RITTGERS: Your Honor, Mr. Noe is here today before you on 2024-GS-02-01002, 03, 04 and 05 for domestic violence first degree, commission of a crime while on bond, kidnapping and criminal sexual conduct first degree and respectively.

THE COURT: Okay.

Mr. Noe, are you under the influence of any alcohol or drugs today?

THE DEFENDANT: No.

THE COURT: Ever been treated for any type of mental illness?

THE DEFENDANT: Yes.

THE COURT: What have you been treated for?

THE DEFENDANT: It's been a long time ago, but it was like Post Traumatic Stress Disorder, things like that.

THE COURT: Were you on any kind of medication?

THE DEFENDANT: No.

THE COURT: Are you on any kind of medication today?

THE DEFENDANT: Oh, I used to be, but I am not anymore, no, ma'am.

THE COURT: Let me ask you, Mr. Noe, do you know what you're doing here today?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: Have you been able to understand all the
3 conversations with your lawyer concerning your case?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Do you have any questions for the Court
6 before we go forward?

7 THE DEFENDANT: No.

8 THE COURT: Let me ask your lawyer.

9 Mr. Thompson, do you have any concerns about his
10 competency to enter a plea here today.

11 MR. THOMPSON: No, I do not. Jonathan, at all times,
12 has been engaging. He ask appropriate questions. He has
13 appropriate verbal and emotional responses. I don't have
14 any question about his competency.

15 THE COURT: And he's been able to look at all his
16 discovery and --

17 MR. THOMPSON: Yes, ma'am.

18 THE COURT: Did you explain to him all of his jury
19 trial rights?

20 MR. THOMPSON: I did, Your Honor.

21 THE COURT: And you believe that he understood those?

22 MR. THOMPSON: He does, Your Honor.

23 THE COURT: Let me ask you, Mr. Noe, about your jury
24 trial rights. You have a right to a jury trial. There are
25 four charges in front of me. You have a right to have a

1 jury trial on each one of them.

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: You could present a defense. You could
4 call witnesses. You could have your lawyer cross-examine
5 any of the State's witnesses against you. But when you
6 plead guilty, you give up all of those rights, including
7 your right to remain silent because at a trial, you could
8 choose to testify or not to testify. And if you chose not
9 to testify, I'd tell the jury they couldn't hold that
10 against you.

11 Do you understand all of those rights?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: You want to waive those and go forward with
14 a plea today?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: All right. I want to go through your
17 charges with you because they're pretty serious charges.

18 THE DEFENDANT: Yes.

19 THE COURT: I've got criminal sexual conduct first
20 degree that carries not more than 30 years. It's violent
21 and it's classified as most serious. That means it's a
22 strike and it's whatever time I give you, you must serve 85
23 percent of it.

24 Have you discussed that with your lawyer?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: And do you understand?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: And let me explain to you about the strike
4 law. There's a certain combination of strikes that if you
5 walk back into this courtroom, you could be looking at life
6 without parole.

7 Do you understand?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: It doesn't have to be three strikes, it
10 could be two.

11 Do you understand?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Knowing that, do you wish to go forward
14 with your plea?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: I've got kidnapping that carries not more
17 than 30 years. It, too, is violent and serious and is a
18 strike. However, both of these, looks like they happened on
19 the same day, which was February the 25th of 2024, so I
20 think that we count them as one.

21 They're not separate incidents, are they?

22 MR. RITTGERS: They are not. They're from the same
23 incident. I believe they're both most serious.

24 THE COURT: Yes, violent and most serious and it's a
25 strike.

1 It, too, is 85 percent time. Do you understand?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: And then I've got domestic violence in the
4 first degree that carries no more than ten years. It's
5 violent, it's serious. I believe it's a strike, too. That
6 would be your strike number two because it happened on a
7 separate date. That incident occurred on 12/10 of 2023.

8 Do you understand?

9 THE DEFENDANT: No, I didn't know anything about the
10 strikes or anything like that.

11 THE COURT: Well, I'm telling you is it's a strike.
12 And like I just told you a moment ago, there's a certain
13 combination of strikes and if you walk in this courtroom
14 again --

15 THE DEFENDANT: Right.

16 THE COURT: -- and you get another strike, I can pretty
17 much promise you you're going to be looking at life without
18 parole --

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: -- because this plea is two strikes.

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: You get one strike for the kidnapping and
23 the criminal sexual conduct that happened on the same day.

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: But this domestic violence in the first

1 degree happened on an entirely different day, entirely
2 different year, so it's separate.

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: So that's strike number two.

5 MR. THOMPSON: Your Honor, I do think there's a legal
6 argument that if he pleads to them at the same time that
7 it's only one. However, I don't know for purposes of this
8 plea --

9 THE COURT: I understand. I think you can argue it all
10 day long, but I'm here to tell you they're separate
11 incidents. If it was continuing, I would probably tell you
12 yes, but as far as this Court's concerned, it's a second
13 strike. And I want to make sure he understands it.
14 Upstairs might consider it something else, but this Court
15 right here right now considers it the second strike.

16 MR. THOMPSON: And, Your Honor, in absolute candor to
17 the Court, earlier, there had been some comments that he had
18 made that had me question competency and he was evaluated
19 and the Department of Mental Health opined that he was
20 competent to stand trial and that he was competent under
21 McNaughton at the time that these events occurred.

22 So I don't have any concerns about that at this point
23 in time. But he was evaluated and the Department of Mental
24 Health did have an opinion that he was competent to stand
25 trial. And I can supplement this plea by providing Your

1 Honor by e-mail with the copies of the reports. I don't
2 know if Mr. Rittgers has copies, but I can -- we can hand
3 those up to Your Honor as well.

4 The other thing that he and I have spoken about is that
5 this will require registration and that under South Carolina
6 laws, the SVP laws, that were he to serve whatever sentence
7 you impose and be ready to get out that he would be subject
8 to being evaluated by the Department and there may be civil
9 confinement after he is --

10 THE COURT: I'm going to get to that in just a minute.

11 MR. THOMPSON: Yes, ma'am.

12 THE COURT: I'm just getting through all the strikes
13 first.

14 MR. THOMPSON: Yes, ma'am.

15 THE COURT: All right. Mr. Noe, your lawyer said it
16 could be an argument that all of this is one strike, but I'm
17 telling you I'm considering it as two and you should, too,
18 unless a higher court other than me says it's one, okay?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: And they might say that, I don't know.

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: But this domestic violence in the first
23 degree is violent and serious and carries up to ten years.
24 And then the last one is commission of a violent crime while
25 out on bond for a violent crime that carries up to five

1 years. That's a nonviolent offense, okay?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: All right. So let me go over the criminal
4 sexual conduct with you. I just told you it carries up to
5 30 years. It's a strike. You, also, must be -- it's
6 mandatory that I put you on the sex offender --

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: -- registry. The sex offender registry
9 will absolutely change your life. They tell you where you
10 live. You have to jump through hoops, who you can be
11 around, who you cannot be around. And under this criminal
12 sexual conduct first degree --

13 Mr. Thompson, correct me if I'm wrong, but I think it's
14 a lifetime GPS monitoring.

15 MR. THOMPSON: Yes, ma'am.

16 THE COURT: On top of that, should I sentence you to
17 incarceration, you are subject to the sexual violent
18 predator act, meaning that once you serve all your time
19 doesn't mean that you automatically walk out.

20 THE DEFENDANT: Right.

21 THE COURT: You're going to have to pass their test.
22 They need to know that you're not going to reoffend or
23 likely to reoffend. They'll tell you when you can get out
24 and you're subject to hearings. Your lawyer just told me
25 that he's explained all that to you.

1 Knowing that -- let me tell you, your indictments were
2 true billed by the grand jury and states that on or about
3 February the 25th of 2024 that you did commit a sexual
4 battery upon a BP [REDACTED] You're pleading guilty or not
5 guilty to that charge?

6 THE DEFENDANT: Guilty.

7 THE COURT: I think I've explained all the consequences
8 of that plea.

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: All right. The kidnapping plea, again, no
11 more than 30 years. It's been true billed by the grand
12 jury, 85 percent time and a strike. It states on or about
13 February 25th, 2024, same day as the criminal sexual
14 assault, that you did seize, confine BP [REDACTED]

15 Are you pleading guilty or not guilty to that charge?

16 THE DEFENDANT: Guilty.

17 THE COURT: And then this domestic violence in the
18 first degree. That carries not more than ten. It, too, is
19 a strike. It's violent. It's serious. The Court's already
20 told you I consider it a second strike. It states that on
21 or about December the 10th of 2023 that you did cause harm
22 or intend to cause harm to a household member. In this
23 case, a Ms. Brown.

24 Pleading guilty or not guilty?

25 THE DEFENDANT: Guilty.

1 THE COURT: And this carries a mandatory prohibition to
2 a gun, which is the least of your --

3 THE DEFENDANT: Right.

4 THE COURT: By the time we finish here today, you're
5 not ever going to be able to have a gun.

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: Also, with this is two restraining orders,
8 one for BP [REDACTED] and one for Ms. Brown. I'll go over
9 those in just a moment. And this commission of a violent
10 crime while out on bond or pretrial release, that carries up
11 to five years. It has been true billed by the grand jury.
12 It states that on February the 25th of 2024, which goes
13 along with the criminal sexual conduct and the kidnapping
14 that you were out on bond when these crimes occurred.

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Which you were out on bond for the domestic
17 violence is what it looks like to me.

18 MR. THOMPSON: That's correct, Your Honor.

19 THE COURT: So you're pleading guilty or not guilty to
20 those charges?

21 THE DEFENDANT: Yes, guilty.

22 THE COURT: All right. Let me go over these permanent
23 restraining orders now. Because BP [REDACTED] wants one and
24 Ms. Brown wants one and just for the charges that I see in
25 front of me that are so serious, I'm going to tell you that

1 I'm going to sign these. I want to hear from them later,
2 but they don't want any contact.

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: And if I sign these orders, that means you
5 can't call them. You can't get a third party to call them.
6 You can't text them. You can't go by their house. You
7 can't go by their place of work. It is up to you that if
8 you ever see them that you turn around and go in the other
9 direction. If not, you get to go to jail for the full five
10 years.

11 Do you understand that, for violating a permanent
12 restraining order?

13 THE DEFENDANT: Yes.

14 THE COURT: And, again, the restraining order prohibits
15 you from a gun, but, like I said, all these charges prohibit
16 you from a gun ever.

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: Let me ask you this, Mr. Noe, has anybody
19 promised you, forced you or threatened you to get you to
20 plead guilty today?

21 THE DEFENDANT: No.

22 THE COURT: Are you pleading guilty freely and
23 voluntarily?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: Is the State dismissing any indictments?

1 MR. RITTGERS: We are, Your Honor. We are dismissing
2 two indictments in conjunction with this plea. One for an
3 additional kidnapping and for a criminal sexual conduct
4 first degree, Your Honor.

5 THE COURT: You understand that, Mr. Noe?

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: I'm going to ask the State to outline all
8 the allegations in these indictments and then I'll turn back
9 to you in just a moment, Mr. Noe.

10 Go ahead.

11 MR. RITTGERS: Your Honor, on December 10th of 2023 at
12 2030 Black Circle, which is located in Warrentville, within
13 Aiken County, the Defendant and his fiance at the time,
14 Ashley Brown, had gotten into an argument about their
15 relationship. The Defendant became irate and wanted access
16 to her phone.

17 When she resisted in him pushing her thumb to the
18 phone, he did assault her. He grabbed a shirt and stuffed
19 into her face and hit her in the leg with the belt that he
20 had removed stating that if you don't shut up, I will shut
21 you up. The Defendant got upset and after that he said he
22 couldn't live with Ms. Brown, began to make suicidal
23 statements. Ms. Brown said she didn't want him to leave and
24 asked him to stay.

25 He left for a bit and returned later and was upset when

1 he learned that Ms. Brown had changed the password on her
2 phone blocking access to it. He advanced toward her. She
3 tripped over a trash can and then he grabbed her and threw
4 her against the wall onto the ground. He grabbed her by the
5 hair. He slapped her in the face and punched her in the
6 back of the head.

7 He then took her to the bedroom, made her take her
8 shirt off and tied her hands and legs with a phone charger
9 cord and some fabric. Ms. Brown then reminded him that
10 their son that they have in common, biological son, was in
11 the car that he had just returned in and asked him to go get
12 the boy.

13 He did bring the boy in and sit him down. The
14 Defendant did return to the bedroom where Ms. Brown was and
15 did continue to assault her. He, also, placed a dumbbell
16 against the door to block access and took her phone. Ms.
17 Brown ended up reporting the incident the next day after the
18 Defendant left the house.

19 That is the first charge, the domestic violence first
20 degree.

21 Your Honor, the facts for the kidnapping and criminal
22 sexual conduct first degree on February 25th of 2024, a
23 couple months after the first incident, the Defendant who
24 worked as a manager at the Metro Diner had made the
25 acquaintance of Ms. BP [REDACTED] who was a waitress at

1 the Metro Diner on Whiskey Road in Aiken County.

2 She had had a relapse with drugs and had been kicked
3 out of her home by her mother and needed a place to stay.
4 She was living out of her car. The Defendant offered to let
5 her stay at his place. There wasn't a lot of places to
6 sleep in the home. She ended up sleeping in the same bed
7 with the Defendant without any incident for three days.

8 Then on the fourth day, on February 25th, she awoke to
9 the Defendant on top of her pinning her on the bed. He said
10 that he was going to kill her if she didn't do what he
11 wanted. He then did forcibly penetrate her vagina and did
12 commit a sexual battery upon her during the early morning
13 hours of February 25th. Similar to the other incident, he
14 placed dumbbells at the door to bar her exit and, also, took
15 her phone in that incident.

16 Because of the confining in the room, that, also,
17 supports a kidnapping charge that is before the Court, Your
18 Honor. And because the Defendant committed these crimes
19 while he was out on bond for the previous domestic violence
20 in the first degree, that supports the commission of a crime
21 while on bond charge.

22 Once again, the State ask that we be heard separately
23 on sentencing, at which time, we will bring the victims up,
24 both of whom are present in the courtroom, Your Honor.

25 THE COURT: Mr. Noe, you heard the solicitor, do you

1 agree with those facts?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: I'm going to accept your plea, find it to
4 be freely, voluntarily, intelligently made with the advice
5 of excellent counsel.

6 Let me hear from the victims in this case.

7 MS. ASHLEY BROWN: Your Honor, my name is Ashley Brown.
8 Thank you for allowing me the opportunity to stand here
9 today and speak. I come before you not with hate in my
10 heart, but with truth. This has been one of the heaviest
11 chapters of my life and I'm here today because I'm ready to
12 close it.

13 At first, I was bitter and I was angry. I hated John
14 for what he did to me, for how he hurt me and, in turn, how
15 he hurt our son. But over time, those feelings have
16 changed. And as much as some would think that I would hate
17 him for what he did, the truth is that I don't. Because at
18 the end of the day, if it weren't for him, I wouldn't have
19 the greatest gift that life has ever given me, which is my
20 son, Caleb.

21 Being Caleb's mom is my greatest honor, but with that
22 honor carries the weight of his heartbreak. I'm the one who
23 wakes up in the middle of the night to his bad dreams when
24 he misses his dad. I'm the one who finds the crumpled up
25 pieces of paper in his backpack that say he needs a night

1 with dad. I'm the one who picks up his little notes that he
2 slips under his door when he's struggling to make sense of
3 things at such a young age. I'm the one who hears his cries
4 when he remembers the good times and says that he wishes
5 that he could build just one more Lego house with his dad
6 and name all of the Avengers and Super Heroes.

7 I encourage Caleb to remember the good times, too, but
8 the truth is, no matter how many good memories, Caleb holds
9 onto, he, also, remembers the bad. He remembers being in
10 the car that night. He remembers me driving fast just to
11 escape and the fear of his dad coming straight towards us.
12 And I remember, too.

13 I remember that night in the trailer. I remember him
14 telling me that I deserved more and that he should have hurt
15 me more. I remember the shirt being forced over my face to
16 keep me from screaming. And I remember the weight of him
17 holding me down, the sound of his belt coming off and how it
18 felt when it hit my body. I remember his hand gripping my
19 hair and the look of rage that was in his eyes. The slaps
20 across my face and repeated hits to my head. I remember
21 being tied up, humiliated, forced onto my knees and
22 instructed to remove my clothing. I remember the things
23 that he said to me that night, you are worthless, you're
24 dirty, shut up or it's lights out.

25 I remember asking him to take our child out of the car,

1 that's where he had left him while he was doing these things
2 to me. When he finally brought him inside, I heard my son
3 ask him, Where's my mom? And John said back to him, You're
4 mom's not here anymore. In that moment, I thought that he
5 was going to kill me and that's when I did what I had to do
6 to survive.

7 Not every charge that reflects what happened to me is
8 being pursued here today and that is difficult because the
9 truth of what I endured cannot be reduced to paperwork.
10 What happened to me was not just one act. It was an attack
11 on my safety, my trust, my future and even my ability to
12 feel safe in my own skin. And I will live with that reality
13 long after this courtroom closes.

14 When he had me tied up, I said anything that I thought
15 would make him stop. I tried to make him believe that I
16 could forgive him and in that desperation, I chose to have
17 sex with him. But survival is not pursuit and consent
18 requires freedom. Consent means making a choice without
19 fear, without threats and without restraint. What I did in
20 that moment was not a choice of desire, it was a choice to
21 stay alive and it was a choice that no woman should ever be
22 forced to make.

23 I'm not the same woman that I was a little over a year
24 ago. I'm stronger, I'm better and I'm at peace. But I,
25 also, know that no matter how much I heal, no matter how

1 much I grow, no matter how much I've taken the hardest time
2 in my life and I've tried to shape it into something
3 positive that a part of me will always be in that trailer, a
4 part of me will always be sitting on that floor looking up
5 into the eyes of a man who was supposed to love and protect
6 me.

7 And I, also, cannot forget what I found in his car
8 after he was arrested. He was arrested at my job at the
9 time that he knew I would be walking in to start my shift.
10 Inside of his car, I found duct tape and a hammer and a sock
11 that was stuffed full of cotton balls, a picture of me that
12 was ripped off at neck level. To me, those items were proof
13 that he was not finished, proof that he intended to hurt me
14 again. And I believe that with everything in me that if I
15 had not called out of work that night and he had not been
16 stopped when and where he was that I would not be standing
17 here today.

18 Jonathan can seem apologetic. He is charming. He's
19 emotional. And there were times that even after what he did
20 to me, I believed his tears. But the truth is that John is
21 not all bad, but it is very clear which side of him wins.
22 He's apologized for what he did and I do forgive him. But
23 his apologies did not stop him from continuing to choose
24 abuse.

25 Your Honor, what happened to me, what happened to Caleb

1 and what happened to the other victim, these were not
2 isolated events. Based on what he did to me and knowing the
3 pattern of his behavior, I truly believe that he is a danger
4 not only to me and my son, but, also, to other women who may
5 come in contact with him if given another chance. Even
6 though this has been one of the hardest experiences of my
7 life, I have hope that some good can come from it.

8 I know that I'm not the other mother, not the only
9 woman who has endured this kind of abuse at the hands of
10 someone she once trusted and I know that I cannot save the
11 world from every abuser, but, hopefully, I can help save the
12 world from this one.

13 THE COURT: Thank you.

14 I can hear from the other victim.

15 MS. BP [REDACTED] Your Honor, I don't have
16 anything prepared because I didn't know that I was going to
17 say anything.

18 THE COURT: You don't have to have anything prepared,
19 just talk to me.

20 MR. BP [REDACTED] I'm happy that this day has come
21 because I want to put it behind me. Every night when I'm
22 ready to go to bed, it's hard to go to bed because I
23 remember -- well, let me go back. The few nights that I
24 stayed there, he wasn't there at the time that I went to
25 sleep, so we weren't necessarily sleeping in the same bed.

1 However, this night was different. So I didn't really
2 expect this to happen.

3 But whenever I try to go to sleep now, all I can think
4 of is the moment when he pinned the right side of my body
5 down to the bed. And I don't know how to explain the way
6 that I felt, but I was scared to death. He then eventually
7 got completely on top of me and threatened to kill me. He
8 had his arm against my throat. He said he was going to
9 break my kneecaps if I tried to run to get away from him.
10 He, also, did have -- I later noticed, because the room was
11 dark, it was around midnight when this happened, he had two
12 weights up against the door, similar to what he's done
13 previously.

14 And after the first time that he raped me, he allowed
15 me to -- I was prescribed medication. I, also, was trying
16 to come off of drugs. And he told me to take them because
17 what he was going to do, he wanted me to be more comfortable
18 for it. So yes, when I go to sleep now, it's really hard
19 for me because I just think about, you know, someone pinning
20 me down and taking my life.

21 At the time, I was 27, I'm 28 now. And to think that
22 he had taken my phone and, like, my mom -- because I was
23 freshly kicked out and everything, for her to possibly never
24 know what had happened to me and things like that. These
25 are things I will never forget. And I know that I'm going

1 to live my life having to think about this stuff forever. I
2 think that he should have to spend the rest of his life
3 doing the same and pay the price for that.

4 And after what happened to me, I went back and looked
5 at the history and it disgust me. It seems that he commits
6 these acts, does his time that he's given and he skips to a
7 new state and does it again. So I agree with Ms. Brown, he
8 absolutely without a doubt in my mind if he is set free
9 ever, he will do this again to someone else. And that's
10 what I want to prevent from happening.

11 THE COURT: Thank you for coming and thank you for
12 talking to me.

13 MS. BP [REDACTED] Thank you.

14 THE COURT: Can you tell me the Defendant's record,
15 please?

16 MR. RITTGERS: Yes, Your Honor. The Defendant does
17 have a conviction in 2001 out of Illinois for domestic
18 battery, so this is not his first domestic violence
19 incident. In 2008, he has a Kentucky conviction for
20 possession of matter portraying sexual performance by a
21 minor. And in 2009, he was charged in an incident that
22 involved forcing a woman to get tied to a bed at knifepoint.
23 Ultimately, the first degree rape and kidnapping were
24 dismissed and he pled to sexual misconduct and served 12
25 months on that charge.

1 May the State be heard separately on sentencing, Your
2 Honor?

3 THE COURT: Sure. Let me hear from the Defense first
4 and I'll let you finish up.

5 MR. RITTGERS: Yes, Your Honor.

6 MR. THOMPSON: Your Honor, if it please the Court.
7 Jonathan is truly sorry for what he's done. He wants to
8 take responsibility for his actions. He's partially here
9 today to save these ladies from having to go through a
10 trial.

11 He's 44. He graduated from Central Hardman High School
12 in Elizabethtown, Kentucky. He grew up in Kentucky. Out of
13 high school, he joined the Navy and moved to Illinois. He
14 tore up his knee and his ankle in basic training in Illinois
15 and got a medical discharge from the Navy. He moved back to
16 Kentucky, was helping his mother for a while when she wasn't
17 doing well.

18 When she got better, he moved to Texas to be with his
19 sister. He worked in telecommunications and, also, had
20 three other part-time jobs. He's, at all times, been
21 somebody who worked really hard. He was a corporate
22 outsourcing training in telecommunications working with
23 people in the Philippines until he did such a good job that
24 he had outsourced a job and they didn't need him anymore.

25 Then he went back to Kentucky and he met his wife.

1 While he was in Kentucky, he was arrested for possession of
2 child pornography and placed on the registry. But Jonathan
3 and his wife were married for five years. Her job took them
4 to North Carolina and then she got promoted to be the
5 general manager of Golden Corral here in Aiken and that's
6 how he ended up in Aiken. They were married for five years.
7 Ultimately, got separated and divorced, but that was very
8 amicable. They're still friends to this day.

9 In the meantime, he met Ashley, who is the mother of
10 his child, who was before you earlier. By all accounts, he
11 was a halfway decent father, but they ended up in a very
12 emotionally charged breakup that precipitated these 2023
13 charges that we're here before you on today.

14 After that, Jonathan spiraled out of control. He was
15 working as a supervisor at Metro Diner, but he engaged in
16 drug use with the second victim. She was an employee at the
17 Metro Diner and they did drugs together and was at his
18 house. That's pretty much how he ended up here before you
19 today.

20 He's got no excuses for you today. He knows what he
21 did was wrong and he knows he has to face the consequences
22 of his actions. We're just asking for the Court's mercy in
23 this matter.

24 He would like to address the Court at the appropriate
25 time. He has 538 days credit for time served on the

1 domestic violence charge and 537 days credit on the other
2 charges. He, essentially, was arrested and bonded out on
3 the same day on the domestic violence charge.

4 THE COURT: Thank you.

5 I'll be happy to hear from you, Mr. Noe.

6 THE DEFENDANT: Thank you.

7 I just wanted to appear here today. You know, at
8 first, I didn't -- a lot of this didn't hit me, but I've
9 been sitting and I've been thinking and I've been praying
10 and I've been trying to get forgiveness. And one of the
11 things it says is you should ask forgiveness from the people
12 that you've wronged.

13 And I did these things and they're really bad and I
14 know that. And I don't want to try to lie to you and I
15 don't want to try to lie in court, I don't want to try to
16 get off on some technicality. I've had some issues
17 throughout my life from things and I'm really sorry. I wish
18 I had never done these things. I'm so sorry for what I've
19 done to my son and my family. These two girls didn't
20 deserve what I did.

21 That's all I can really say. I just want to tell you
22 I'm really sorry and I wish there was some way I could take
23 it back. There is not. I literally cry everyday. I
24 literally pray everyday for them. I try to send out metta
25 whenever I meditate for them to heal and all of that. I

1 wish there was a way I could take their pain away.
2 Hopefully, part of this will take their pain away. I'm very
3 sorry for what I've done. I understand it's horrible.

4 THE COURT: Thank you.

5 I'll be happy to hear from the State as to sentencing.

6 MR. RITTGERS: Yes, Your Honor. As Ms. Brown noted
7 that when the Defendant had her tied up and brought their
8 child back into the home and told him mommy's not here
9 anymore, she looked into the abyss. There was no coming out
10 of that room. So she was willing to do whatever she had to
11 to survive.

12 And BP [REDACTED] frankly, the assault went on for some
13 time. He did offer to break her kneecaps. He said -- I
14 apologize in advance for the vulgarity, but shut the fuck up
15 or I'll kill you. He did take her to the next room to get
16 her Clonopin and some Fentanyl because what was going to
17 follow was so terrible.

18 During the first part of the assault, the Defendant
19 never ejaculated and grew increasingly frustrated because he
20 was unable to keep an erection. After the taking of the
21 drugs, they returned to the room and the Defendant forced
22 BP [REDACTED] to perform oral sex until he was able to gain an
23 erection. He made her take her clothes off again and then
24 he made her put a black trucker-style baseball hat over her
25 head and then he started taking pictures documenting the

1 assault as he was doing it.

2 The search of the residence did find that black trucker
3 hat and the dumbbells that were used to secure the door in
4 both of the incidences of assault.

5 Moving along in chronological order, at the time of the
6 Defendant's apprehension, it was at the workplace of Ms.
7 Brown with, essentially, a kidnapper starter kit, a hammer
8 and some tape and her picture torn up in the car. So the
9 State understands that she feels like she's looking into the
10 abyss every time she thinks about what happened to her.

11 Ms. Brown, also, did have a phone conversation with the
12 Defendant that she recorded. I have a copy of a thumb drive
13 that I'm going to provide as a Court's Exhibit for this
14 Court. I'm going to play it at this time for the Court.
15 This is a recording Ms. Brown made of a phone call where he
16 is discussing both assaults. This is at 1:01 to about 2:50
17 marks of the exhibit.

18 MR. THOMPSON: Your Honor, while he's queueing this up,
19 I would just argue that the kidnapper starter kit piece of
20 this not be included in the Court's deliberation about the
21 sentencing. That is not something that I have ever heard in
22 discovery. That is not something that I have ever heard in
23 this case. I would ask --

24 THE COURT: He hasn't heard this?

25 MR. RITTGERS: Oh, he's heard this.

1 MR. THOMPSON: I have heard this, but I have not heard
2 anything about duct tape --

3 THE COURT: Duct tape and picture torn up?

4 MR. THOMPSON: No, ma'am. That is not something that
5 I've heard about.

6 MR. RITTGERS: The Defense is aware of this.

7 (WHEREUPON, phone recording was played for the Court.)

8 MR. RITTGERS: So, Your Honor, after these two violent
9 incidents where the Defendant violated the personal autonomy
10 and assaulted these two women, he bragged to Ms. Brown. He
11 gloated about how he assaulted Mr. Putrino.

12 The State is not asking for a particular number, but
13 there is a malevolence in the facts of this case, dare I say
14 evil. And the State ask that you sentence the Defendant
15 accordingly.

16 THE COURT: Thank you.

17 Anything further from the Defense?

18 MR. THOMPSON: Nothing further from the Defense, Your
19 Honor.

20 THE COURT: BP [REDACTED] Ms. Brown, I signed these
21 permanent restraining orders, though I doubt you'll need
22 them. I appreciate you being here. I'm sorry it happened
23 to you. I sit up here and I see a lot of stuff. But let me
24 just tell you one thing, don't be victims, be survivors.
25 Get on with your life. Move on. Don't worry about him.

1 All right. Sentence of the Court, I kind of did this
2 -- I know what I want in my head, but the way I sentenced is
3 just a little bit different. On the kidnapping charge, the
4 sentence of the Court is 30 years. On the criminal sexual
5 conduct, the sentence of the Court is 30 years. Those two
6 will run concurrent. Consecutive will run the domestic
7 violence in the first degree for ten years. That makes 40
8 years. On the commission of a violent crime while out on
9 bond, I ran this consecutive to all of them. So giving you
10 45 years. And you're lucky I'm giving you 45.

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: Horrible, Mr. Noe.

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: I'll add to it if I find out you contact
15 either one of these victims.

16 THE DEFENDANT: No, ma'am.

17 THE COURT: Good luck to you.

18 MR. THOMPSON: Thank you, Your Honor.

19 (WHEREUPON, Court's Exhibit No. 1 was marked for
20 identification.)

21

22

23

24

25

CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

I, PENNY M. JOHNSON, Official Court Reporter for the
Second Judicial Circuit of the State of South Carolina, do
hereby certify that the foregoing is a true, accurate, and
complete Transcript of Record of the proceedings had and the
evidence introduced in the hearing of the captioned case,
relative to appeal, in the Court of General Sessions for
Aiken County, South Carolina, on the 27th day of August,
2025.

I do further certify that I am neither of kin, counsel,
nor interest to any party hereto.

December 28, 2025

Penny M. Johnson
Penny M. Johnson
Official Court Reporter

WITNESSES

Aiken County Sheriff's Office

Ian P. Romero/B Fleury

Law Enforcement Case #: 23-077170

DOCKET NO. 2024GS0201002**The State of South Carolina****County of Aiken**

DHR

COURT OF GENERAL SESSIONS**ARREST WARRANT NUMBER****JUNE TERM 2024****2023A0210700395**FILED May 30 2024Robert J. White
C.C.P. & G.S.Jonaya S. Johnson
Deputy Clerk**THE STATE****vs.****JONATHAN WILLIAM NOE****ACTION OF GRAND JURY**True Bill**CDR #: 3811****Indictment for****DOMESTIC VIOLENCE - FIRST DEGREE****§ 16-25-0020(B)****BILL WEEKS, SOLICITOR**[Signature]
Foreperson of Grand Jury
Date: May 30, 2024**VERDICT**[Signature]
Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF AIKEN)
)

INDICTMENT FOR
 DOMESTIC VIOLENCE - FIRST DEGREE
 § 16-25-0020(B)

At a Court of General Sessions, convened on June 3, 2024, the Grand Jurors of Aiken County present upon their oath:

That **JONATHAN WILLIAM NOE** did in Aiken County, South Carolina, on or about December 10, 2023, commit the crime of Domestic Violence in that the defendant did cause moderate bodily injury to Ashley Brown, a household member of the defendant, or did offer or attempt to cause moderate bodily injury to Ashley Brown with apparent present ability under circumstances reasonably creating fear of imminent peril, and a minor was present or perceived the Domestic Violence and the offense was committed during a Kidnapping. All in violation of Section §16-25-20(A) of the Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


 BILL WEEKS, SOLICITOR

WITNESSES

Aiken County Sheriff's Office

Scott M. Neel/B Fleury

Law Enforcement Case #: 24-012889

DHR

ARREST WARRANT NUMBER

2024A0210700097 FILED May 30 20 24

Robert L. White
C.C.P. & G.S.

Jonathan S. Johnson
TJ

ACTION OF GRAND JURY

True Bill

[Signature]
Foreperson of Grand Jury
Date: May 30, 2024

VERDICT

Foreperson of Petit Jury,
Date:

DOCKET NO. 2024GS0201003

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

JUNE TERM 2024

THE STATE

vs.

JONATHAN WILLIAM NOE

CDR #: 4089

Indictment for

COMMISSION OF A CRIME WHILE ON
BOND

§ 17-15-0270

BILL WEEKS, SOLICITOR

STATE OF SOUTH CAROLINA	)	INDICTMENT FOR
	)	
COUNTY OF AIKEN	)	COMMISSION OF A CRIME WHILE ON BOND
	)	
		§ 17-15-0270

At a Court of General Sessions, convened on June 3, 2024, the Grand Jurors of Aiken County present upon their oath:

That **JONATHAN WILLIAM NOE** did in Aiken County, South Carolina, on or about February 25, 2024, knowingly and unlawfully when released on bond committed violent crimes of Criminal Sexual Conduct – First Degree and Kidnapping, while under a Bond order following his arrest for Domestic Violence – First Degree on December 14, 2023, a previous violent crime. All violating Section §17-15-0270 of the South Carolina Code of Laws (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


 BILL WEEKS, SOLICITOR

WITNESSES

Aiken County Sheriff's Office

Scott M. Neel/B Fleury

Law Enforcement Case #: 24-012889

DOCKET NO. 2024GS0201004**The State of South Carolina****County of Aiken**

DHR

COURT OF GENERAL SESSIONS**ARREST WARRANT NUMBER****JUNE TERM 2024****2024A0210700098**FILED May 30 2024Robert J. White
C.C.P. & G.S.Jonah S. Johnson
Deputy Clerk**THE STATE****VS.****JONATHAN WILLIAM NOE****ACTION OF GRAND JURY**True Bill[Signature]
Foreperson of Grand Jury
Date: May 30, 2024**CDR #: 0095****Indictment for****VERDICT****KIDNAPPING****§ 16-03-0910**[Signature]
Foreperson of Petit Jury
Date:**BILL WEEKS, SOLICITOR**

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)

INDICTMENT FOR

KIDNAPPING

§ 16-03-0910

At a Court of General Sessions, convened on June 3, 2024, the Grand Jurors of Aiken County present upon their oath:

That JONATHAN WILLIAM NOE did in Aiken County, South Carolina, on or about February 25, 2024, unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away BP [REDACTED] without authority of law, all in violation of Section §16-3-910 of the Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


BILL WEEKS, SOLICITOR

WITNESSES

Aiken County Sheriff's Office

Scott M. Neel/ B Fleury

Law Enforcement Case #: 24-012889

DHR

ARREST WARRANT NUMBER

2024A0210700099

FILED May 30 2024

Robert J. Kite
C.C.P. & G.S.

Jonas S. Johnson
Deputy Clerk

ACTION OF GRAND JURY

True Bill

[Signature]

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2024GS0201005

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

JUNE TERM 2024

THE STATE

vs.

JONATHAN WILLIAM NOE

CDR #: 0160

Indictment for

CRIMINAL SEXUAL CONDUCT
FIRST DEGREE

§ 16-03-0652

BILL WEEKS, SOLICITOR

STATE OF SOUTH CAROLINA)
)
 COUNTY OF AIKEN)
)

INDICTMENT FOR
 CRIMINAL SEXUAL CONDUCT
 FIRST DEGREE

§ 16-03-0652

At a Court of General Sessions, convened on June 3, 2024, the Grand Jurors of Aiken County present upon their oath:

That **JONATHAN WILLIAM NOE**, did in Aiken County, South Carolina on or about February 25, 2024, did commit a sexual battery upon the victim, **BP** without her consent, by the use of aggravated force to accomplish the battery, to wit: Jonathan William Noe did forcibly commit sexual battery upon **BP** while holding her down against her will and when she was also the victim of forcible confinement and Kidnapping. All in violation of Section §16-3-652, Code of Laws of South Carolina, (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


 BILL WEEKS, SOLICITOR

NOTICE OF INTENT TO APPEAL
THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
FROM AIKEN COUNTY

September 2, 2025

Indictment #: 2024GS0201002, 2024GS0201003
2024GS0201004, 2024GS0201005

THE STATE OF SOUTH CAROLINA -- Respondent

VS.

JONATHAN WILLIAM NOE -- Appellant

NOTICE OF INTENT TO APPEAL

Jonathan William Noe plead guilty on August 27, 2025, to kidnapping, criminal sexual conduct 1st degree, domestic violence 1st degree, and commission of violent crime while on bond. He was sentenced before Judge Debra R. McCaslin, and he appeals his conviction. Penny Johnson served as the Court Reporter.


Barry Thompson
Attorney for Defendant

Other Counsel of record is:
 David Rittgers
 Assistant Solicitor
 Post Office Box 3368
 Aiken, South Carolina 29802

NOTICE OF INTENT TO APPEAL

State of South Carolina

Vs:

Jonathan William Noe

CERTIFICATE OF SERVICE

I, Rebecca, do hereby certify that I have this day served the original of Appellant's Notice to Appeal upon the South Carolina Court of Appeals, and copies of appellant's Notice of Intent to Appeal to the Clerk of Court of Aiken County and to David Rittgers Assistant Solicitor, Second Judicial Circuit by email:

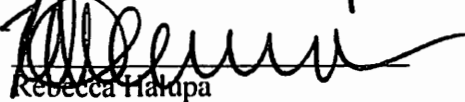
South Carolina Court of Appeals
 Post Office Box 11629
 Columbia, SC 29211

South Carolina Commission
 Of Appellate Defense
 P. O. Box 11589
 Columbia, SC 29211

Clerk of Court
 Aiken County Judicial Circuit
 Post Office Box 583
 Aiken, South Carolina 29802

David Rittgers
 Assistant Solicitor
 Post Office Drawer 3368
 Aiken, South Carolina 29802

Dated this 2nd day of September, 2025.



Rebecca Harupa
 Secretary to Appellant's Attorney
 Post Office Drawer 2247
 Aiken, SC 29802
 803-642-1732

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

STATE OF SOUTH CAROLINA

vs.

Jonathan William Noe
DEFENDANT

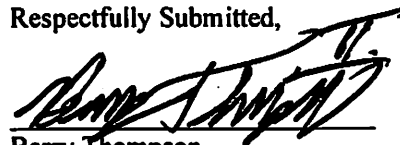
STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

INDICTMENT#:
2024GS0201002, 2024GS0201003
2024GS0201004, 2024GS0201005

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. The Defendant then contacted an attorney in the Public Defender's Office telling him that he wanted an appeal filed in his case. The undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See *Frazier v. South Carolina*, 430 F.3d 696, 706 (4th Cir.2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (Quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully Submitted,



Barry Thompson
Assistant Public Defender
Post Office Drawer 2247
Aiken, South Carolina 29802
803-642-1732

September 2, 2025

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF AIKEN

STATE

VS.

Jonathan William Noe

AKA: SSN:

RACE: White SEX: Male

DOB:

) INDICTMENT/CASE#: 2024GSD201002) AWW#: 2023A0210700395) Date of Offense: 12/10/2023) S.C. Code §: 16-25-0020(B)) CDR Code #: 3811) Range of Offense: 0-10 yearsIn disposition of the above Indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Domestic Violence in the 1st DegreeRange of Offense Pled: 0-10 yearsIn violation of § 16-25-0020(B) of the S.C. Code of Laws, bearing CDR Code # 3811
☐ 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 JuryThe plea is: ☒ w/o Rec/NegotiationsDavid Howard Rittgers
Solicitor106425
SC Bar #Barry L. Thompson, II
Attorney For Defendant72900
SC Bar #The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
for a determinate term of 12 days/months/years/Time Served ☐ YOANTE years and/or shall pay a fineof \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.
☒ The sentence shall run CONCURRENT or ☒ CONSECUTIVE to sentence on: 2024 45 0201005
2024 45 0201004
2024 45 0201003
☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.538 (days/month)☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

☐ PTUP☒ No Contact with Victim ☐ Domestic Violence Intervention Program☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135☐ Other: ☐ Hold for Inpatient Treatment☐ SAC/MHC if necessary☐ RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B))

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b) and (c), and 34-11-90(c) and (d) (Admin Fraud Check Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel, Provviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ §17-3-30(B) Unpaid Application Fee to be paid to the Public Defender FundPenny Johnson
Clerk of Court/Deputy Clerk

Court Reporter

2769
Judge Code8/27/25
Sentence DateNeha McCash
Presiding Judge

Fine/Costs and Assessments are to be paid to the

Clerk of Court within days/months

COUNTY OF AIKEN

I, Robert J. Harris, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina, do hereby certify that the foregoing constitutes a true and correct copy of the

Check Costs

2025

August

2025

CCCP & CS - Aiken, SC

Deputy Clerk

Restitution \$

FINE: \$

\$100

\$100

\$12

\$25

\$25

\$150

\$41

\$50

\$40/ea

TBD

\$500

TBD

TOTAL

\$100.00

\$25.00

\$3.75

\$128.75

SCCA217B
01/27/2025

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF AIKEN

STATE

VS.

Jonathan William Nog

AKA: SSN:

RACE: White SEX: Male

DOB:

) INDICTMENT/CASE#: 2024GS0201003) AWW#: 2024A0210700097) Date of Offense: 02/25/2024) S.C. Code §: 17-15-0270) CDR Code #: 4089) Range of Offense: 0-5 yearsIn disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Bonds / Commission of violent crime while on bond or pretrial release for violent crime
Commission of Violent Crime While on Bond or Pretrial Release for Violent Crime Range of Offense Pled: 0-5 yearsIn violation of § 17-15-0270 of the S.C. Code of Laws, bearing CDR Code # 4089☒ 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 JuryThe plea is: ☒ w/o Rec/NegotiationsDavid Howard Rittgers
Solicitor108425
SC Bar #Barry L. Thompson, II
Attorney For Defendant72900
SC Bar #The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
for a determinate term of 5 days/months/years/Time Served ☐ YOA NTE years and/or shall pay a fineof \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.☐ The sentence shall run CONCURRENT or ☒ CONSECUTIVE to sentence on: 2024 GS0201005; 1004 and 1002☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.537 days/month ☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP
- ☒ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- ☐ Other:

☐ RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B))

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender FundPenny Johnson
Clerk of Court/Deputy ClerkPenny Johnson
Court Reporter27609
Judge Code8/27/25
Sentence DateDebra McCash
Presiding Judge

Restitution	\$
FINE:	\$
	\$
	\$
\$100	\$100.00
\$100	\$
\$12	\$
\$25	\$
\$25	\$25.00
\$150	\$
\$50	\$
\$40/ea	\$
TBD	\$ 3.75
\$500	\$
TBD	\$
TOTAL	\$ 128.75

SCCA217B
01/27/2025

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF AIKEN

STATE

VS.

Jonathan William Noe

AKA: SSN:

RACE: White SEX: Male

DOB:

) INDICTMENT/CASE#: 2024GS0201005) AW#: 2024A0210700099) Date of Offense: 02/25/2024) S.C. Code §: 16-03-0652) CDR Code #: 0160

) Range of Offense: NMT 30 years

In disposition of the above Indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Sex / Criminal sexual conduct - First degree

Range of Offense Pled: NMT 30 years

In violation of § 16-03-0652 of the S.C. Code of Laws, bearing CDR Code # 0160
☐ 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 JuryThe plea is: ☒ w/o Rec/NegotiationsDavid Howard Rittgers
Solicitor106425
SC Bar #Barry L. Thompson, II
Attorney For Defendant72900
SC Bar #The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
for a determinate term of 30 days/months/years/Time Served ☐ YOA NTE years and/or shall pay a fineof \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.
☒ The sentence shall run CONCURRENT or ☐ CONSECUTIVE to sentence on: 2024 GS 0201004
☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.

537 days/month ☐ To include time spent on monitored house arrest prior to trial and sentencing.
SPECIAL CONDITIONS:

- ☐ PTUP
- ☒ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☒ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- ☐ Other:

☐ RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B))

\$14-1-208 (Assessments 107.5%)

\$14-1-211 (A)(1)(Conv. Surcharge)

\$14-1-211 (A)(2)(DUI Surcharge)

\$56-5-2995 (DUI Assessment)

\$56-1-286 (DUI Breath Test)

\$14-1-212 (Law Enforce. Funding)

\$14-1-213 (Drug Court Surcharge)

\$34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs) 2024 day of August 2024

\$50-21-114 (BUI Breath Test Fee)

\$56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund
Jonathan William Noe
Clerk of Court/Deputy Clerk
Penny Johnson
Court Reporter

Judge Code

Sentence Date

Presiding Judge

TOTAL

SCCA217B
01/27/2025

Fine/Costs and Assessments are to be paid to the

Clerk of Court within days/months

COUNTY OF AIKEN

I, Robert J. Harte, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina, do hereby certify that the foregoing constitutes a true and correct copy of the

2024 day of August 2024

Clerk of Court, Aiken County, S.C.

Restitution	\$
FINE:	\$
	\$
	\$
\$100	\$ 100.00
\$100	\$
\$12	\$
\$25	\$
\$25	\$ 25.00
\$25	\$
\$25	\$
\$25	\$
\$25	\$
\$40/ea	\$
TBD	\$ 3.75
\$500	\$
TBD	\$
TOTAL	\$ 128.75

2023A0210700096/2024-GS-02-01002;

2024A0210700097/2024-GS-02-01003;

2024A0210700098/2024-GS-02-01004;

2024A0210700099/2024-GS-02-01005

Noe, Jonathan William

EX Parte Order

Judge Clyburn Pope

May 28, 2024

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

IN THE COURT OF GENERAL SESSIONS

The State of South Carolina,

Plaintiff

v.

JONATHAN WILLIAM NOE

Defendant.

Warrant No.(s):

2024A0210700097, 2024A0210700098,
2024A0210700099, 2023A0210700395

ORDER FOR COMPETENCY TO STAND
TRIAL EVALUATION PURSUANT TO
STATE V. BLAIR

EVALUATION BY:
(Select Only One)

☒ Department of Mental Health (Mental
Illness)

OR

☐ Department of Disabilities and Special
Needs

(Intellectual Disability or Related Disability)

This matter is before me for an order requiring defendant Jonathan William Noe charged with kidnapping, criminal sexual conduct first degree, domestic violence 1st degree, and commission of violent crime while on bond, to submit to an evaluation for competency to stand trial pursuant to State v. Blair, 275 S.C. 529, 273 S.E.2d 536 (1981) and S.C. Code Ann. § 44-23-410 (1976).

BASIS FOR ORDER. I have considered the showing made in support of the motion requesting this evaluation and have reason to believe defendant may lack the competency to understand the criminal proceedings or to assist with the defense as a result of a lack of mental competence.

This order is issued for the following reasons: Defendant reports history of mental illness and is detached in his thinking from the natural flow of time.

THEREFORE, IT IS ORDERED: Defendant shall be examined and observed at an appropriate facility by two examiners of the Department of Mental Health if suspected of having a mental illness or by two examiners designated by the Department of Disabilities and Special Needs if suspected of having an intellectual disability or a related disability, to render an opinion whether defendant is competent to stand trial.

FILED _____ 20

Robert J. White
Clerk of Court

Kristen N. Barnes
Deputy Clerk

COMPLIANCE DEADLINE/TRANSPORT FOR EVALUATION. The examining facility shall schedule the ordered examination no later than thirty (30) days from the examining agency's receipt of this order. If defendant is currently free on bond or personal recognizance, defendant is responsible for making transportation arrangements to attend the examination. In the event defendant does not appear at the scheduled examination, upon written notice of such failure by the examining agency to the Sheriff of the county in which this case arose, defendant shall be taken into custody by the Sheriff and held until an examination can be scheduled and completed, and thereafter shall be released. Defendant's bond or bail is hereby revoked to the extent necessary to carry out the provisions of this order, and upon completion of the examination and release of defendant, any previous bail or bond issued by the Court shall remain in effect. If defendant is in custody at the time of the scheduled examination, the Sheriff is hereby authorized and required to transport defendant to and from the examination, arriving at the examining facility at the time established by confirmed appointment with the staff of the examining facility. In the event defendant is in custody of a law enforcement agency other than a Sheriff's department, nothing herein prevents such agency from carrying out the provisions of this order.

TRANSFER TO ALTERNATE AGENCY. If the initial examination is performed by the Department of Mental Health, and examiners find indications of an intellectual disability or a related disability but not mental illness, the Department of Mental Health shall not render an opinion on mental competency, but shall inform the Court, prosecutor, and defense counsel that defendant is "not mentally ill" and shall provide a copy of such notification and a copy of this order to the Department of Disabilities and Special Needs. Likewise, if the initial examination is performed by the Department of Disabilities and Special Needs, and examiners find indications of mental illness but not an intellectual disability or a related disability, the Department of Disabilities and Special Needs shall not render an opinion on mental competency, but shall inform the Court, prosecutor, and defense counsel that defendant does "not have an intellectual disability or a related disability" and shall provide a copy of such notification and this order to the Department of Mental Health.

In either case, the examining agency shall make copies of any records gathered or created in connection with its examination available to examiners designated by the alternate agency, and the alternate agency shall thereafter designate examiners to evaluate defendant as to competency to stand trial within thirty (30) days of receipt of the notification from the initial examining agency.

FINDING OF DUAL DIAGNOSIS. If examiners of either the Department of Mental Health or the Department of Disabilities and Special Needs find an indication of a dual diagnosis of mental illness and an intellectual disability or a related disability, no opinion on defendant's mental competency shall be rendered, and the dual diagnosis must be reported to the Court, prosecutor, and defense counsel. The examining agency shall also provide notification of the finding and a copy of this order to the other agency. Thereafter, the Department of Mental Health and the Department of Disabilities and Special Needs shall arrange for an examiner from each agency to further evaluate defendant to render a final report on defendant's mental competency. Both agencies are authorized and required to make copies of all relevant records within their possession or control available to examiners for purposes of completing the dual evaluation.

AUTHORIZATION FOR INPATIENT EVALUATION. In the event examiners from either agency determine defendant requires an inpatient examination, upon written notice to this Court from the director of the examining agency or his designee, defendant shall be committed to an appropriate facility of the requesting agency for no more than fifteen (15) days for examination and observation related to defendant's mental competency to stand trial.

REQUEST FOR EXTENSION. Before the expiration of the examination period or the examination and observation period, the Department of Mental Health or the Department of Disabilities and Special Needs, as appropriate, may apply to a judge designated by the Chief Justice of the South Carolina Supreme Court for an extension of time up to fifteen (15) days to complete the examination or the examination and observation.

DETENTION BEYOND EVALUATION PERIOD. If, in the judgment of the designated examiners, defendant is in need of immediate hospitalization or inpatient treatment, upon written request to this Court from the director of the examining facility or his designee, defendant may be detained by the requesting agency in a suitable facility for so long as deemed clinically necessary or until a hearing required and provided by S.C. Code Ann. § 44-23-430 (1976) may be conducted by this Court. An additional Court order shall be necessary for ongoing pre-trial inpatient detention of defendant as discussed in this paragraph.

ISSUANCE AND ADMISSIBILITY OF WRITTEN REPORT. Within ten (10) days of all examinations or the conclusion of the observation period, a written report shall be made to the Court pursuant to S.C. Code Ann. § 44-23-420 (1976). A copy of the report shall also be forwarded to the prosecutor and defense counsel. This evaluation report shall be admissible as

evidence in subsequent hearings pursuant to S.C. Code Ann. § 44-23-420(c) (1976); thus, the report is a statutory exception to the rule against hearsay and shall be admissible without need for foundational testimony. However, the report shall be inadmissible in any other proceedings except as expressly permitted by South Carolina law.

OWNERSHIP AND DISCOVERABILITY OF EXAMINING AGENCY FILES. The examining agency is an independent entity, conducting this evaluation pursuant to Court order, and is not aligned with any party before the Court. To promote full disclosure and to assure the cooperation of defendant during the evaluation process, ownership of the examining agency's files shall be vested with the examining agency, including clinician's notes, staff reports, evaluation documents, memoranda, test results, etc. Neither these files nor any of their contents shall be provided to any party except upon presentation of a Court order authorizing such or a release authorization signed by defendant. In the event the examining agency's evaluation opinion is contested, an examiner may be appropriately and fully questioned as to the basis for the examiner's opinion at any hearing pursuant to S.C. Code Ann. § 44-23-430 (1976). However, examiners and agency staff may not be compelled to testify regarding statements made during the competency examination for any purpose other than to establish competency. Also, statements made during the examination may not be used to impeach defendant at trial. Hudgins v. Moore, 337 S.C. 333, 524 S.E.2d 105 (1999).

MEDICAL PROVIDERS/SCHOOLS MUST RELEASE NECESSARY RECORDS. State agency examiners conducting the evaluation may need clinical and school records concerning defendant to assist in forming an opinion. It is therefore ordered, upon presentation by the examining agency of this order with a written request for specific records attached thereto, that any physician or clinician, licensed health care facility, licensed health care provider, or any school district is hereby authorized and required to furnish copies of all records concerning defendant to the Department of Mental Health or the Department of Disabilities and Special Needs, or both.

COUNSEL REQUIRED TO FURNISH NECESSARY RECORDS. Upon written request from the examining agency, counsel for the prosecution and defense shall furnish to the agency such records and information in counsel's possession as the agency requests, including but not limited to copies of law enforcement reports, investigations, witness statements, statements by defendant (both written and electronic), defendant's medical records, and prior psychiatric or psychological evaluations of defendant. Nothing herein shall be construed to require counsel to

divulge any information, documents, notes, or memoranda that are protected by attorney-client privilege or work-product doctrine.

DUTIES OF DEFENSE COUNSEL. Unless the prosecution is the party moving for this evaluation, defense counsel has the responsibility to file, serve, and transmit this order as outlined in the final paragraph below. Defense counsel does not have the right to attend any clinical interview scheduled pursuant to this Order, nor does defendant have a constitutional right to compel counsel's attendance. State v. Hardy, 283 S.C. 590, 325 S.E.2d 320 (1985). The Court recognizes, however, that circumstances may arise through which the examining agency may request counsel's attendance to facilitate the examination. In the event that such a determination is made, the examining agency may request counsel's attendance in writing, and counsel's level of participation shall be prescribed by the examining agency's written evaluation protocol. In this event, because of the substantial number of individuals awaiting examination, such interviews cannot be rescheduled, postponed, or canceled to accommodate counsel except upon presentation to the examining agency of a written statement from a circuit court judge that counsel's attendance is required in Court at the time the examination is scheduled. Whether or not defense counsel is requested to attend the clinical interview, defense counsel must meet with defendant prior to the interview to discuss this Court order, the evaluation process, the clinical interview, defendant's rights with regard to the clinical interview, and penalties associated with non-appearance and non-cooperation. Failure to comply with these requirements may result in sanctions for defense counsel. Defendant's refusal to participate at the interview because of the absence of counsel will be deemed non-cooperation. Failure of defendant to cooperate or participate in the interview may result in cancellation of the interview, examiners being unable to offer an opinion on competency to stand trial, and the case being called for trial without completion of the evaluation.

FILING, SERVICE, AND TRANSMITTAL OF ORDER. It is the responsibility of counsel for the party requesting the evaluation to file and serve this order as outlined herein. In the event the evaluation has been requested by consent, or the moving party cannot be determined, defense counsel shall be responsible. After being signed by the Court, the original order without attachments shall be immediately filed with the Clerk of Court and a certified copy served upon the opposing party. Further, within five (5) business days, a certified copy of this order, together with the attachments listed at the end of this order, must be served upon the examining agency at the address listed below. To expedite commencement of the evaluation process and scheduling of

of the issuance of this order and forthcoming service upon the agency:

Evaluation Order Service Information

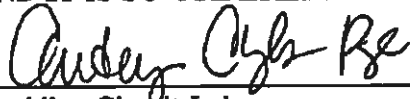
Department of Mental Health

Forensic Evaluation Service Paralegal
S. C. Department of Mental Health
CBHS Forensic Center
7901 Farrow Road
Columbia, S.C. 29203-3220
(803) 935-5540 (Phone)
(803) 935-5544 (Fax)
Email: FES-PARALEGAL@SCDMH.ORG

Department of Disabilities and Special Needs

Office of Clinical Services
Department of Disabilities and Special Needs
Post Office Box 4706
Columbia, S.C. 29240
(803) 898-9694 (Phone)
(803) 898-9660 (Fax)
Email: OBSForensics@ddsn.sc.gov

AND IT IS SO ORDERED.



Presiding Circuit Judge

COURTNEY CLYBURN POPE

Printed Name of Presiding Circuit Judge

AIKEN, South Carolina

Dated:

5/29/2024

DAVID RITTGERS

Prosecutor

109 Park Avenue SW

Address

Aiken, SC 29801

City, State, Zip

803-642-1557

Telephone

Email

BARRY THOMPSON

Defense Counsel

211 York Street NE

Address

Aiken, SC 29801

City, State, Zip

803-642-1732

Telephone

Email

The following documents must be attached to this order upon submission to the Department of Mental Health or to the Department of Disabilities and Special Needs whichever is applicable:

1. Completed DMH/DDSN Outpatient Information Appointment Sheet
2. Copy of the indictment(s) (if issued)
3. Copy of the arresting agency's incident report
4. Copy of the warrant(s)
5. Law enforcement investigative reports
6. Defendant's statements to law enforcement, written or electronically recorded
7. Witness statements to law enforcement
8. Defendant's school psychological records (if available)
9. Autopsy reports (if applicable)

RECEIVED

Mar 18 2026

55
SC Court of Appeals

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with 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."

Respectfully Submitted,



Molly M Keegan
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 18th day of March, 2026.

