

RECEIVED

Apr 24 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of General Sessions

Walton J. McLeod, Circuit Court Judge

2023-GS-02-01732
2023-GS-02-01733

THE STATE OF SOUTH CAROLINA -- Respondent

vs.

Antonio Jamari Isaac - Appellant

PETITION TO FILE APPEAL OUT OF TIME

Antonio Jamari Isaac pled guilty to Assault and Battery (2 counts) on August 4, 2025 before Judge Walton J. McLeod, IV. On indictment 2023-GS-02-01732, he received a sentence of 10 years with credit for 890 days. On indictment 2023-GS-02-01733, he received a sentence of 5 years with credit for 890 days consecutive.

On August 6, 2025, the attorney for Defendant Isaac filed a motion to reconsider the sentence and a memorandum in support of the motion. The motion and memorandum were served on the solicitor and the judge. The judge took the motion under advisement.

On September 2, 2025, the defense attorney emailed the judge, copying the solicitor, to ask if he had made a decision in this case. The solicitor responded by sending a memorandum responding to the original motion. There was no response from the judge.

On April 21, 2026, the defense attorney received a message from the Defendant's mother. At that time the attorney realized that there has never been any Order received regarding the motion to reconsider. The attorney had recently had another unrelated case where the judge sent an order directly to the Clerk of Court rather than to the attorneys. The attorney decided to check the records for the Aiken County Clerk of Court and found the Order Denying Reconsideration had been filed on September 19, 2025. According to the

Clerk of Court records, a copy of the Order was sent to the defense attorney and the solicitor. The attorney never received any such Order.

Upon inquiring with the Clerk of Court, it was determined that their standard practice is to leave Orders for public defenders office in an internal mailbox box labelled for the Aiken County Public Defenders' Office.

Typically, when orders are received in the Aiken office for cases being represented by attorneys in the Barnwell office, those orders are held and transported to the Barnwell office. In this case, no such order was ever received by the defense attorney. The defense attorney cannot say whether the Order was received by anyone in the Aiken office. The person who would have been responsible for the collection and handling of the paperwork is no longer employed by the office.

The defense attorney is employed by the 2nd Circuit Public Defenders Office which encompasses Aiken, Bamberg and Barnwell Counties. The attorney is located in the Barnwell office. This office has a different address from the Aiken office. This attorney's address with the South Carolina Bar is in Barnwell, South Carolina, not Aiken. She represents defendants in cases in Barnwell and Bamberg Counties with a small amount of cases in Aiken County. She was appointed to represent Defendant Isaac in his Aiken County charges because during the time he had these charges pending, he also had charges pending in Barnwell County. It was decided that his interests would best be served by having a single attorney represent him in both counties.

Immediately following the imposition of sentence, the defense attorney discussed the appeal process with the Defendant. He wanted her to pursue the Motion to Reconsider and an appeal if that was unsuccessful. Had the attorney been aware of the Order Denying Reconsideration, the appeal would have been filed at the time that was done.

Therefore, the undersigned attorney for the Defendant respectfully requests that she be allowed to file the appeal of this conviction and sentence at this time.



Wallis Alves
Post Office Box 267
Barnwell, SC 29812
Attorney for Appellant

April 24, 2026

Other Counsel of record is:

Ashley Hammack
Second Judicial Circuit
P.O. Drawer 3368
Aiken, SC 29802

RECEIVED

Apr 24 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of General Sessions

Walton J. McLeod, IV, Circuit Court Judge

Indictments 2023-GS-02-01732
2023-GS-02-01733

THE STATE OF SOUTH CAROLINA -- Respondent

vs.

Antonio Jamari Isaac - Appellant

CERTIFICATE OF SERVICE

I, Wallis Alves, do hereby certify that I have this 24th day of April 2026 served the Appellant's Notice of Appeal and Petition to File Appeal Out of Time upon the following parties by depositing the same in first class mail with sufficient postage affixed thereto.

Ashley Hammack
Post Office Box 3368
Aiken, SC 29802

Aiken County Clerk of Court
Post Office Box 583
Aiken, SC 29802

SC Office of Indigent Defense
Post Office Box 11589
Columbia, SC 29211



Wallis Alves
Post Office Box 267
Barnwell, SC 29812
803-541-1129