

South Carolina  
Court of Appeals

(P1)

(motion on my Appeal:)

VS

defendent

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MAY 12 2026

SC Court of Appeals

Dear south carolina court of Appeal my name is manifest <sup>sonny</sup> Harden thay Got my name is manifest sonny is my middle name that's About Another Reason for on my Due process Due process saids the Conduct of legal processdings According to Establisshed Rules And Principle for the practaction And Enforcement of The protection And Enforcement of private Rights Including notice and the Rights to A fair hearing before A tribunal with the power to decide The case. the Criminal Law A Resonable ground To suspect That A person has committed or is committing A Crime or that A place contains specific Items connected with A crime. under The fourth Amendment probable cause which amounts To more than A bare suspicious but less than Evidence That would Justify A conviction must be shown case before magistrate Judge many prisoner complaints ARE given to magistrate Judge my preliminary Hearing procedure The S.C. supreme court in the case of State v Keenam 278 S.C. 3A1 296 2.d 676, (1982) declared unconstitutional The preliminary hearing procedure Contained in S.C. code Ann § 17-23-160 The Supreme Court substiantced Rule 104, Rules of practice for the circuit courts for The unconstitioal statutory provisions.

Courts of Appeals I had wrote the magistrates courts and I put An motion in  
To the clerk of courts To Mrs. Rhonda McElveen and this what I said motion  
if you want the court to do Any thing specific you must make An oral  
motion in court, OR A written motion to Request the court to do it the Rule  
of Civil And Criminal procedure will inform the petitioners of what they  
can Request from The court, by motions. There ARE other matters that  
The court will consider but familiarly with the Judicial system can inform  
you of the traditional motions Then I said written motions began by moving  
The court for A specific act And state the Rule that Allows the court to act  
And give The grounds that you are Relying on for the court to act. for  
Example, If you are seeking A Default Judgment, The popular ground for  
this Request is the opponent failed to Answer OR Respond within the  
Allowed Time, And you ARE Entitled To the Judgment in your FAVOR for A  
Summary Judgment. Court of Appeal there is no genuine issue involved  
That's Require A trial OR hearing is The proper ground. Mr. OIA Johnson, Had  
Appeal charges 2024 GS0600138, 2024 GS 0600139 And A motion on Defendant's  
Requests for VOIR DIRE) He filed motion to suppress it saids The Defendant  
moves to suppress all statements Allegedly made by the Defendant under  
Jackson v. Denno 378 U.S. 368 (1964) And the 5th Amendment to the United  
States Constitution

Mr. Ola Johnson file motion To suppress Audio Video Recording on (P3)  
Charge 2024 GS0600138, 2024 GS0600139 the defendant moves to suppress  
All Audio Video collected in the case His Legal Argument the Items seized  
ARE NOT Relevant to the prosecution for the charges brought Against the  
defendant And will be prejudicial to the defendant Items seized are NOT  
Relevant And are prejudicial. The state has failed to provide evidence that  
These Exhibits ARE Relevant OR that their probative value outweigh their  
Prejudicial effect. South Carolina Rules of Evidence, Rule 402, 403, in Addition  
These Items contain evidence of other crimes And hearsay that is Inadmissible,  
South Carolina Rules of Evidence Rule 404, 802 this motion was file April-  
8-2026) And the other was file April 9, 2026 motion to suppress photographs  
All, so April 8-2026 on South Carolina Rules of Evidence. 402, 403, And Rule  
404, 802. on April 8-2026 A motion to suppress was file on charge 2024 GS0600  
138 And 2024 GS0600139 were the defendant moves to suppress The testimony of the  
Victim Alice Rhoads And any Recordings of her statement OR testimony Regarding  
her statements. The states evidence Indicates that the victim suffered in Injury to her  
head That would prevent her from providing accurate statements Regarding the  
Include when interviewed after The Incident OR testifying at trial. it said  
In summary facts The states Allegation Recorded in a police Report  
Indicates That The victim was struck 20 Times in The head with A hammer

And was bleeding and unable to communicate Initially but gave a statement later to law Enforcement. (A) General Rule. Every person is competent to be a witness except as otherwise provided by statute or these Rules (B) Disqualification of a witness. A person is disqualified to be a witness if the court determines that (1) the proposed witness is incapable of expressing himself concerning the matter as to be understood by the Judge and Jury either directly or through Interpretation by one who can understand him or (2) The proposed witness is incapable of understanding the duty of a witness to tell the truth. South Carolina Rules of Evidence Rule 601 And <sup>my lawyer</sup> said at the end of the motion said as a result of the foregoing, this witness is not competent to testify as she cannot express herself to anyone regarding the alleged incident due to her head injury and this evidence is inadmissible, on April 8 2026 motion to suppress motion on 600138, and 2024 GS0600139] The Defendant moves to suppress all items seized from 6770 Poplar Road though the search warrant used in this case dated 4/24/24 The law enforcement collected multiple photographs and a bloody blue rag from this location with a search warrant obtained by law enforcement in this case, resulting in DNA evidence being tested and a report created by the state LAW Enforcement Division.

South Carolina Court of Appeals post office box 11629 Columbia SC 29211 I have the south Carolina commission of Appellate Defense po box 11589 Columbia SC 29211 my lawyer said He cant Represent me on my Appeal and I dont have much paper Im in R.A.E in Kirkland. OK watch one the commission OR Court of Appeals

can provided me with an hawyer its supposed to be free but I can pay and fee also to get my Information ol Johnson her was supposed To send my property A copy of my property of All them And he was suppose to make copys and send it to me so can you get them and send them to me. To me

The basis for this search and seizure was the search warrant mentioned Above and No Exigent circumstances or other search Exceptions to the search warrant Requirement applied. The warrant contained insufficient information for the magistrate to find a probable cause To Issue the warrant. A magistrates may Issue a search warrant only upon a finding of probable cause state v west,

329 SC 287, 494 S.E. 2d 801 (1997) SC code section 17-13-140 The Affidavit must contain sufficient undentifying facts and information upon which A magistrate can make A probable cause determination

State v. Robinson 335 S.C. 620 518 S.E.2d 269 (Ct App 1997) The duty (p6)  
of The Reviewing court is to ensure the Issuing magistrate had A  
Substantial basis upon which to conclude that probable cause <sup>Ex. 3</sup>  
State v Adams 352 S.E.2d 483 (1987). This violation of Defendants  
Right under the fourth Amendment cannot be Admitted under  
A good faith Exception The good faith Exception does not Apply if the  
Affidavit does not include sufficient Information to Allow A magistrate  
To determine probable cause State v Adolphe 314 S.C. 89.441 SE2d 832  
(1994) Therefore the Evidence seized from the Execution of this search  
is the product of An unlawful search and seizure and exclusion of  
the Evidence is Required to deter Improper police behavior and to Aviate  
The Prejudicial effect on defendant. The Defendant moves to suppress  
The 911 cal and testimony Regarding statements made by the victims  
husband to law enforcement during the 911 Recorded in this case. In  
the event that the witness does not testify At trial and will not  
Therefore be subject to cross-examination by defense counsel, the  
defendant objects based upon the defendants right under confrontation  
clause (6<sup>th</sup> Amendment <sup>us const</sup>) In addition this cal is not Relevant and  
this contains hearsay Evidence that is inadmissible south carolina  
Rules of Evidence Rule 402, 403, 404, Also this contains hearsay Evidence

South Carolina Rule of Evidence Rule 802, and is misleading as it contains statements from the witness (John Rhodes) that ARE NOT based on the Actual Knowledge of the witness but on an Assumption.

South Carolina Rule of Evidence. Rule 403, 602, The defense also objects based upon the Hearsay Rule, SC Rule of Evidence Rule 802 as this Evidence does not qualify as an excited utterance or through any other Exception to this Rule upon a review of a "Totally of Circumstances" Related to this case.

Forensic Evaluation Service of South Carolina Matthew E. Caskins MD forensic psychiatrist and second Examiner Akilah Glover LISW-CP Social Worker. Court of Appeal I wrote and had clock and stamped and signed by the clerk of court and motion for the competent test to see and know

And to make shower I'm competent of the law that's why I'm suing the solicitor David Miller and David Hayes Prosecutorial misconduct is

The prosecutors duty is a criminal prosecution is to seek Justice therefore the prosecutor should prosecute with earnestness and vigor but may not use

Improper methods calculated to produce a wrongful conviction. prosecutorial misconduct justifies reversing a conviction only where it so infected the trial with unfairness as to make the resulting conviction a denial of

Due process.

To Reverse A conviction A claim of prosecutorial misconduct Requires <sup>(P8)</sup>  
Proof of improper conduct by the prosecutor that. Taken in the context of  
to Trial As A whole violated the defendant. Multiple charges and punishment  
In single prosecutions If the same act or transaction violated two distinct  
Provisions multiple charges, and punishment in a single prosecution do not violate  
double Jeopardy if clearly <sup>Expressed legislative intent supports the imposition</sup>  
of cumulative punishment. <sup>1469</sup> If legislative intent is Ambiguous the blockburg  
test determines whether multiple charges <sup>1490</sup> constitute the same offense and are  
Therefore barred by double Jeopardy. Proving Elements beyond A Reasonable  
Doubt The constitutionality of A statute Allocating the burden of proof to the  
defendant for An <sup>Affirmative</sup> defense depends on how A legislators define the  
Elements of the crime. <sup>3095</sup> I didnt plea to know part of the crime David miller  
lied and David Hayes won't me to plea to AN WARRANT less charge when the  
clerk of court have change my court date How Every charge I get they  
gave me David Hayes, Even when Judge pope grand me ola Johnson AS  
A Lawyer OK hers the prove Elements A beyond A Reasonable Doubt.  
South Carolina LAW ENFORCEMENT DIVISION forensic services Laboratory  
Report.  
Henry D. mcmaster Governor And mark A. Keel chief.

Noah Klenholz Barnwell county sheriff's office said they had to prove Elements beyond A Reasonable Doubt forensic scientist Rachel Nguyen and forensic Scientist Madison Davenport. first the Element that they had was my car work Rag.

### Items of Evidence

1) Swab from Table in dining Room

Results:

- presumptive Testing for blood was positive
- A DNA profile suitable for comparison was developed
- Sonny Harden is excluded at the contributor.
- Likelihood Ratios (LR) for this profile were calculated using STRmix

• proposition set:

- The DNA profile was interpreted as single source.
- $H_p$  = The person of Interest contributed the DNA profile.

•  $H_d$  = An unidentified unrelated individual contributed the DNA profile

• The DNA profile is approximately, 420 octillion ( $4.2 \times 10^{29}$ ) times more likely of Alice Rhoades contributed the profile than if an unidentified unrelated contributed the profile (2) Swab from dining room floor (2) Results

3) Paper from dining room floor 3.1 Swab from entire surface of side table 3.1 of paper from dining room floor Results:

• Presumptive testing for blood was positive

• A DNA profile suitable for comparison was developed.

• Sonny Harden is excluded as the contributor.

• Likelihood Ratios (LR) for this profile were calculated using STRmix.

• proposition set:

- The DNA profile was interpreted as single source.
- $H_p$  = The person of interest contributed the DNA profile.
- $H_d$  = An unidentified unrelated individual contributed the DNA profile
- The DNA profile is approximately 420 octillion ( $4.2 \times 10^{29}$ ) times more likely if Alice Rhoads contributed the profile than if an unidentified unrelated individual contributed the profile. • No Y-STR profile was developed.

4) Blue Rag 4.1 cutting from blue Rag and 4.2 cutting from blue Rag Results for Items 4.1 and 4.2 • presumptive testing for blood was positive. • A DNA profile suitable for comparison was developed. • Alice Rhoades is excluded as the contributor. • Likelihood Ratios (LR) for this profile were calculated using STRmix

Proposition set:

- The DNA profile was interpreted as single source
- $H_p$  = The person of interest contributed the DNA profile
- $H_d$  = An unidentified unrelated individual contributed the DNA profile.
- The DNA profile is approximately 8.9 octillion ( $8.9 \times 10^{27}$ ) times more likely if Sonny Harden contributed the profile than if an unidentified unrelated individual contributed the profile. • These items are not eligible for entry into the combined Index system (CODIS) 4.3 swab from remaining portions around items 4.1 and 4.2 from blue Rag Results:

• A DNA profile suitable for comparison was developed. • presumptive testing for blood was positive. • Likelihood Ratios (LR) for this profile were calculated using STRmix

And Circumstantial Evidence Equally and crimes may be proven (P11).  
by circumstantial evidence the law makes no distinction between  
the weight or value to be given to either Direct or Circumstantial  
Evidence However, to the extent the state relies on circumstantial  
evidence, all of the circumstances must be consistent with each other,  
and when taken together, point conclusively to the guilt of the accused  
beyond a reasonable doubt. If these circumstances merely portray  
the defendant's behavior as suspicious the proof has failed the state  
has the burden of proving the defendant guilty beyond a reasonable  
doubt. This burden rests with the state regardless of whether the  
state relies on direct evidence circumstantial evidence, or some  
combination thereof. The Jury verdict form you (1)

1). Indictment 2024-GS-06-00138 you found Sonny Harden Guilty  
Burglary in the first degree (2) on the Attempted murder Not Guilty  
3). Assault and Battery of a high and aggravated nature. Guilty  
We was going to trial and I'm competent for the charges  
2024-GS-06-00138 and 2024-GS-06-00139 and that's Attempted  
murder and Burglary in the first degree if my motion on  
challenge the charges and all the motion in Johnson file is the  
same on my motion in this cases you said Not Guilty on the

• proposition set 1 • The DNA profile was interpreted as A mixture originating from two individuals.

• Hp = The person of interest and an unidentified unrelated individual contributed to the mixture.

• Hd = two unidentified unrelated individuals contributed to the mixture. In other words, forensic scientist Rachel Nguyen and forensic scientist Madison Davenport, said on the stand at trial the DNA on the blue rag was ~~sonny~~ Harden supposed to be manifest ~~sonny~~ Harden presumptive testing for

blood was positive that the blood was mine but it was approximately 8.9 octillion ( $8.9 \times 10^{27}$ ) forensic scientist Rachel Nguyen and forensic scientist

Madison that Alice Rhoads DNA was not on the blue rag and on the Paper David Miller said and the crime was approximately 420 octillion

( $4.2 \times 10^{29}$ ) Alice Rhoads blood and it not no way manifest ~~sonny~~ Harden blood was not on the crime scene, OK on charge 2024-GS-0600138, and

charge 2024-GS-06-00139, The court of appeal I wrote an motion to the clerk of court challenge my charge and direct and circumstantial

evidence evidence may be direct or circumstantial. Direct evidence is testimony by a witness about what the witness personally saw, heard or did.

Circumstantial evidence on the other hand, is indirect evidence. stated differently, it is proof of one or more facts from which

one can find another fact. you may consider both direct

On attempt murder but fine me guilty on burglary 1<sup>st</sup> were P.13  
the Assault and battery com from I got found Not Guilty were  
did the first degree burglary come from you can't place me on the  
Crime scene the forensic scientist determining that there's No way  
I was on the crime scene my motion was clock and file 2:04  
NOV 4 2025 as challenge throw the Supreme court David Miller  
Violate and Deprived me of my Rights of change of venue to change  
Solicitor They gave new lawyer and motion get everything I didn't  
have preliminary hearing to see what all evidence do to David Hayes  
My sentence order says Range of offense 15-years - Life burglary 1<sup>st</sup> the  
Sentence and run concurrent and gave me 722 days Assault and Battery  
of a high and Aggravated nature 0-30 years The sentence shall run  
concurrent 723 days credit I Had one charge Attempted murder  
How I get first degree burglary and then How you can't place me  
on the crime scenes know I get life and 20 years ran concurrent  
Can you tell me How much time I have and what charge  
so I can get the Appeal court to get me a lawyer to Represent  
me

**OLA JOHNSON  
ATTORNEY AT LAW**

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April 24, 2026

The South Carolina Court of Appeals  
Attn: Notice of Appeal (Criminal)  
PO BOX 11629  
COLUMBIA, SC 29211


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

DEFENDANT: SONNY HARDEN  
INDICTMENT: 2024GS0600138, 2024GS0600139

Dear Sir or Madam:

Enclosed please find the Notice of Intent to Appeal on behalf of the Defendant in respect of the above referenced indictment, along with a copy of the sentencing sheet, Indictment and warrant. It is anticipated that this appeal will be handled by the Office of Appellate Defense, in view of the indigent status of the Appellant/Defendant.

Yours truly,

  
Ola Johnson

Sonny M. Harden #211909 CZA-02

Kirkland Correctional  
4344 Broad River Road  
Columbia, SC 29210

COLUMBIA SC 290

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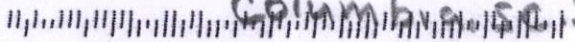
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SC Court of Appeals

The south carolina court of  
Appeals notice of appeal  
(Criminal) PO box 11629

Columbia, SC 29211

29211-162929



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