

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions

David Caraker, Circuit Court Judge

RECEIVED

JUN 10 2026

CASE NO: 2026-000400

SC Court of Appeals

The State,

Respondent,

V.

Bornold Eberhart,

Appellant.

PRO SE BRIEF

Bornold Eberhart #400136
610 Highway 9 West
Bennettsville, SC 29512
Appellant Pro Se

Captioned Appellant submits the following points to allow this Court to consider vacating the guilty plea under North Carolina v. Alford, 400 U.S. 25 (1970) Appellant entered in the lower court.

There is no substantial factual basis to support Appellant's Alford Plea based on the following:

1. That Bornold Alastair Eberhart did in Horry County, on or about September 23, 2023, willfully, feloniously, and intentionally kill the victim, Kristin Ann Laymon, with malice aforethought, either express or implied, and the victim did die as a proximate result thereof on or about September 23, 2023 in Horry County, in violation of Section 16-03-0010. S.C. 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.

2. The DeKalb County Medical Examiners Patrick L. Bailey, Director, Gerald T. Gowitt, M.D., Chief Medical Examiner, Fredic N. Hellman M.D., M.B.A., Deputy Chief Medical Examiner, Bruce Wainer, M.D., Ph.D., Associate Medical Examiner, Steven F. Dunton, M.D., Associate Medical Examiner, Marcel Castor, M.D., Associate Medical Examiner forensic examination report on Kristan Laymon examination procedure in full, cause of death is undetermined and manner of death is undetermined.

CONCLUSION

Appellant clearly did not Murder the victim, and this Court should therefore Vacate Appellant's Alford plea.

Respectfully submitted,

/s/ Bornold Eberhart

Bornold Eberhart #400136

610 Highway 9 West

Bennettsville, SC 29512

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM Horry County
Court of General Sessions

RECEIVED

JUN 10 2026

SC Court of Appeals

David Caraker, Circuit Court Judge

CASE NO: 2026-000400

The State,

V.

Respondents,

Bornold Eberhart,

Appellant.

AFFIDAVIT OF SERVICE

I Bornold Eberhart, do declare in the presence of below signed Notary Public, that I Did deposit a True and Exact Copy, of my Pro Se Brief into the custody of the Evans C.I. Mail Room Clerk, for said items to be forwarded by sufficient postage to:

S.C. Attorney General
P.O. Box 11549
Columbia, SC 29211

Blake L. Hewitt
Clerk of SC Court Of Appeals
South Carolina Court Of Appeals
P.O. Box 11629
Columbia, SC 29211

/s/ Bornold Eberhart

Bornold Eberhart

Prisoner I.D. No.: 400136

Evans C.I. FA20162

610 Highway 9 West

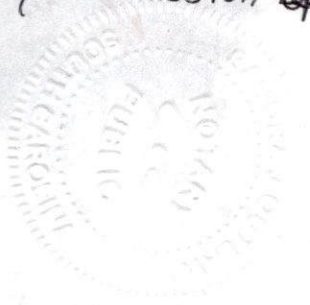
Bennettsville, SC 29512

Sworn and Subscribed to
~~at~~ before me this 5th
day of June, 2026

/s/ Sarah Oulley

Notary Public, South Carolina

* My Commission ~~to~~ Expires 2/28/34



Bornold Eberhart #400136
F2A0162
Evans C.I.
610 Highway 9 West
Bennettsville, SC 29512

COLUMBIA SC 290

8 JUN 2026 PM 4 L



US POSTAGE
IMPERIAL BOWES

ZIP 29512 \$ 001.03
02 4W
0000378442 JUN 05 2026

RECEIVED

JUN 10 2026

SC Court of Appeals

Blake L. Hewitt
Clerk of SC Court of Appeals
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

29211-162929

