

The South Carolina Court of Appeals

Khalil Ibn-Thorpe
Appellant

v.

The State

Respondents

Appellate Case No. 2025-002531

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SC Court of Appeals

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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY

Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

Khalil Ibn-Thorpe,

Appellant

v.

State of S.C. Greenville

Respondents

INITIAL APPEAL BRIEF
WITH DESIGNATION OF MATTER

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STATEMENT OF FACTS

Appellant appealed a Summary Court Criminal guilty plea dated June 27, 2024 with/to Greenville County circuit court. An appeal hearing was held on October 16, 2024 by the circuit court. Following the hearing the circuit court remanded the case. see Exhibit B

A year later, November 21, 2025 the Circuit Court mysteriously revisits the case, dismisses the Appeal and Affirms the magistrate Court decision alleging "At the hearing on this appeal on October 16, 2024, Appellant failed to establish any of the claims set forth in his Notice of Criminal Appeal (July 5, 2024).

ARGUMENT

Appellant's first argument is simple. Appellant was facing a prison term / Jail sentence of up to 1 (one) to 5 (five) years under S.C. Code of Laws (§47-1-40).

Hence, Appellant was appointed counsel by the court to represent him in this matter. See Exhibit D. States Attorney acknowledge this fact. However, Appellant's appointed counsel did not show up the date of the Trial court Hearing, therefore leaving Appellant with no counsel and no representation in this criminal matter which is Appellant's first claim in his Notice of Criminal Appeal to the Circuit Court. Appellant had an expectancy and Legal right to representation where he faced prison time, and never knowingly, voluntarily or intelligently waived this right and the record is void of any such action claiming he/Appellant did do so.

Therefore, the circuit Court erred in its decision to dismiss Appellant's initial Appeal as the record reflects Appellant did establish his very first claim in his Notice of Appeal where he was in fact denied Counsel. Gideon v. Wainwright, 372 U.S. 335 (1963) as well as Argersinger v. Hamlin (1972) which extended this right to counsel to any crime punishable by imprisonment, including misdemeanors.

Appellants Second Argument, Involuntary Plea, Coercion with threat and Intimidation. It is uncontested that Greenville County Sherriif and Animal Control took appellants puppies and dogs. However, it is also uncontested that the Judge subsequently ordered for them (pups and dogs) to be returned after appellant makes corrective changes to his yard, this is why the sherrif was ordered to go to Appellant's yard after this hearing, to inform Appellant of necessary changes. Then the dogs were to be returned despite the out come of the criminal charges.

However, a bias and prejudice one sided hearing was held without Appellant being permitted to attend, and the pups and dogs are now held ~~without~~ until disposition of the case (criminal). So what happens the day of Appellant's case to go to Trial, appellant is stripped of Legal representation, ~~indigent~~ indigent facing a jail term and Police threatening to keep his pups and dogs if Appellant does not just go ahead and pay the fine, confused, stressed and under duress, appellant goes to the window and pays one of the four (4) fines/tickets without going before the judge where he could have notified him (Judge) of the coercion and been informed of his rights that he never waived, in ~~in~~ writing nor verbally.

Hence, Appellant argues that Supreme Court Cases (Boykin v. Alabama 395 U.S. 238 (1969); Brady v. U.S. 397 U.S. 742 (1970) United States v. Tateo 377 U.S. 463 (1964) established that a guilty plea is a grave waiver of constitutional rights that must be voluntary, knowing and intelligent; if coerced, it is reversible error. Key rulings confirm that pleas resulting from coerced confessions, judicial coercion, or lack of understanding of the charges constitute involuntary pleas. Judicial coercion, a judge must not involve themselves in the plea bargaining process to force a plea. In this case the judge held a private hearing with a female officer and changed his order to help the state force a plea from Appellant. This is Judicial coercion.

Appellants final arguments of Improper court room for hearing where no transcripts are made, Lack of evidence, equal treatment, practice and due process of Law. Appellant directs this court to Exhibit C, the magistrates Supplemental Return where it clearly states, "There is no audio available." Then to add insult to injury the magistrate concludes saying "if this matter had been handled without a hearing, a signed guilty plea form would be in this courts file."

So it is verified that there was no signed guilty plea form and none of Appellant's rights was ever advised to him that he would lose them. However the magistrate in his attempt to pursue the circuit court to go along with their error, the magistrate alleges "this gives this court further confidence that this was handled in the court room." So here he wants you to clearly assume that appellant rights weren't violated when in fact they undoubtedly were.

The Supreme Court has made the Law clear in cases of this nature, Boykin v. Alabama (1969) established that a guilty plea is invalid, constituting reversible error, if the record does not affirmatively show it was voluntary and intelligent. A silent record does not affirmatively show it was voluntary and intelligent.

A silent record - Lacking a transcript of the colloquy - cannot sustain a conviction, as a waiver of constitutional rights cannot be presumed.

WHEREBY Appellant request this court to reverse the Circuit Court decision and Order the original charges Dismissed with prejudice or remanded back to Summary Court.

S/ Khalil 
Khalil Iba-Thorpe

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

Khalil Ibn-Thorpe

Appellant/Respondent

v.

State of S.C. Greenville

Appellant/Respondent

Designation of Matter

Designation of Matter

The items to be designated as Matter on record in this case are as follows ;

1. The Court Order by the Circuit of Greenville County ~~Ette~~ Electronically Filed - 2025 Nov 21 9:14 AM - GREENVILLE - COMMON PLEAS - CASE # 2024CP2304179 - Marked at Bottom as Exhibit A.
2. The Greenville County Circuit Court Order Electronically Filed - 2024 Oct 17 12:28 PM - GREENVILLE - COMMON PLEAS - CASE # 2024CP 2304179 - MARKED at bottom as Exhibit B.
3. The Magistrate's Supplemental RETURN Date stamped '24 NOV 12 PM 5:42 Brice Garrett COCGVL SC - Marked at bottom as Exhibit C.
4. The Circuit Court Transcript C.A. NO. 2024 CP 2304 Dated October 16, 2024 before Honorable Judge Perry H. Gravely - Marked at bottom as Exhibit D.

Khalil Ibn Thorpe
PLAINTIFF(S)

South Carolina State Of
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled);
☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☒ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☒ Affirmed; ☐ Reversed; ☐ Remanded;
☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

See Page 2 for Order of Court.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

☒ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 11/20/2025 .

North Greenville Summary Court for South Carolina State Of
Khalil Ibn Thorpe for Khalil Ibn Thorpe
Khalil Ibn Thorpe for Khalil Ibn Thorpe

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

EXHIBIT A.

10f 3

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

This is a follow up on an appeal from appellant's guilty plea on June 27, 2024. The Court issued an Order after a hearing on October 16, 2025 requesting that the Magistrate submit an audio recording of the plea. Even though the supplemental return was filed on November 12, 2024, it had not been presented to this Judge until this week. Upon review of the file, it appears that there was a malfunction with the recording device so there is no audio recording of the plea hearing. This appeal is a little confusing because it mixes 2 matters-the charge for cruelty to animals and the hearing for "Continued Custody of Seized Animals". (See case Appellate case 2024CP2303579). By Order of October 16, 2024, the Court dismissed the Case for seizure of animals because the Plaintiff's dogs had been returned to him. Based on the return, the Appellant pled guilty to all 4 charges and was sentenced to the minimum fine and paid one of the fines and set up a payment plan for the balance. At the hearing on this appeal on October 16, 2024, Appellant failed to establish any of the claims set forth in his Notice of Criminal Appeal (July 5, 2024). Therefore, this Appeal is dismissed and the sentence of the Magistrate is affirmed.

Exhibit A.
2 of 3



Greenville Common Pleas

Case Caption: Khalil Ibn Thorpe VS South Carolina State Of

Case Number: 2024CP2304179

Type: Order/Electronic Form 4

So Ordered

s/ Honorable Perry H. Gravely, #2755

Electronically signed on 2025-11-20 17:44:03 page 3 of 3

Exhibit A 3 of 3

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP2304179

Khalil Ibn Thorpe
PLAINTIFF(S)

South Carolina State Of
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled);
☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRCP; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☒ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☒ Remanded;
☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

Appellant Khalil Thorpe has appealed his guilty plea on June 27, 2024 for 4 counts of animal control. At the hearing on October 16, 2024, Appellant claims he was coerced and never went before a judge and thus argued that his plea was not valid. The Court is requesting that the Magistrate, within 15 days, submit an audio recording of the guilty plea of June 27, 2024. After reviewing any additional information provided by the Magistrate, the Court will issue an Order on this Appeal. It is so Ordered.

ORDER INFORMATION

This order ☐ ends ☒ does not end the case.

☐ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 10/17/2024 .

North Greenville Summary Court for South Carolina State Of
Khalil Ibn Thorpe for Khalil Ibn Thorpe
Khalil Ibn Thorpe for Khalil Ibn Thorpe

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Exhibit B, 1 of 2



Greenville Common Pleas

Case Caption: Khalil Ibn Thorpe VS South Carolina State Of

Case Number: 2024CP2304179

Type: Order/Electronic Form 4

So Ordered

s/ Honorable Perry H. Gravely, #2755

Electronically signed on 2024-10-17 11:59:24 page 3 of 3

Exhibit B.
2 of 2

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Khalil Thorpe)
APPELLANT)
vs)
The State / Greenville County)
RESPONDANT)
_____)

IN THE COURT OF COMMON PLEAS
2024EP3304179
C.A. No.: 2024-CP-23-03579
2310276; 2310277; 2310278; 2310279
MAGISTRATE'S SUPPLEMENTAL
RETURN

25 OCT 2024
09:06:42
Clerk's Office

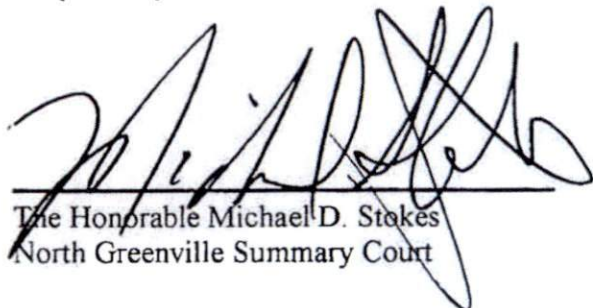
This matter was remanded to this court by The Court of Common Pleas. The Circuit Judge requested that This Court forward an audio recording of its proceedings and any further information This Court might have regarding this case.

As to the transcript, this Court would refer The Circuit Court to paragraph (C) of This Courts original return. There is no audio available. Attached as exhibit A is the clerk's notes regarding the problem with the audio. The Courtroom in question in this matter is Courtroom A.

This Court further examined its file and the tickets in this case were signed off by the clerk that was in the courtroom.

Further, if this matter had been handled without a hearing, a signed guilty plea form would be in This Courts file. There is no such document. This gives This Court further confidence that this was handled in the courtroom.

Respectfully Submitted,


The Honorable Michael D. Stokes
North Greenville Summary Court

October 30, 2024

Exhibit C.
pg. 1 of 2

ENTERED COMPUTER

Fusion Said

- Court Room C is working fine.
- The recordings in Court Room A and B are working and you can hear them but the microphones are not protecting sound inside of the courtrooms.
- There is nothing we can do to control the recording volume, it is in the programming and there is something that is causing it keep turning down.
- They are coming back out on Thursday.

Exhibit C

pg 2. of 2.

STATE OF SOUTH CAROLINA) IN THE CIRCUIT COURT
COUNTY OF GREENVILLE) C.A. NO. 2024CP2304179

KHALIL IBN THORPE)
 Plaintiff(s),)
versus)
)
STATE OF SOUTH CAROLINA)
 Defendant(s).)

H E A R I N G

Before The Honorable Perry H. Gravely

DATE: October 16, 2024
LOCATION: South Carolina Circuit Court 13
TRANSCRIBED BY: Jane Daniel

LEGAL EAGLE
Post Office Box 5682
Greenville, South Carolina 29606
864-467-1373
Depos@legaleagleinc.com

Exhibit D.

1 APPEARANCES:

2 KHALIL IBN THORPE, Pro Se

3 Attorney for the Plaintiff,

4

5

6 H. DEAN CAMPBELL JR, Esquire

7 Greenville County Attorney's Office

8 301 University Ridge, Suite N-4000

9 Greenville, SC 29601

10 Attorney for the Defendant,

11

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(None Marked)

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(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL

25

IS REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

PROCEEDINGS

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THE COURT: All right. This is -- these are two separate matters. Thorpe v. State. 22 -- one of them is 24CP233579, and one is 24CP234179. All right. Mr. Thorpe, I want to make sure that you understand what's going on.

I think one of it looks like it's an appeal from the order from the court regarding (inaudible). And then one of is actually appeal of your guilty plea, a motion to cease and desist; is that correct? A little bit difficult to follow.

MR. THORPE: Yeah. One of them is, like you said, the first is the appeal of the conviction where they charged me with the cruelty to animals.

And then the other one is a motion to cease and desist against the state from doing illegal activity, like entering my property without reason or warrants and just coming on my property or harassing me about my dogs. You know, because it was like when I went to court.

THE COURT: I just -- let me hear.

MR. THORPE: Okay.

THE COURT: I'll hear from you in just a minute, just real quick. What was your name again?

MR. CAMPBELL: I'm Dean Campbell with the Greenville County Attorney's Office.

THE COURT: Okay. Thank you. All right. So anyway, so this is your opportunity. This is your appeal on, you

1 know -- you have the burden here. So I'm going to hear from
2 you and then I'll hear from the -- the county's attorney.
3 So, all right. Now, go ahead. I'm sorry I interrupted you
4 there.

5 MR. THORPE: All right. My motion to appeal -- look at
6 my documents here. All right. My first round is a denial of
7 counsel, an attorney or public defender. During the -- the
8 day of the actual hearing, it was supposed to been a trial
9 hearing and prior -- that week prior, I had met with the
10 Greenville County head defense attorney, I can't remember her
11 name here at the -- downstairs, you know, in the court -- in
12 the courthouse.

13 And she told me that Ms. McClain, who was assigned to
14 me, did not want to represent me, that she had got off the
15 case. And she said, "Don't worry about that. I'll have
16 another attorney to appear with you when you go to court.

17 And we'll just get it continued, but it'll be another
18 attorney to appear with you and they'll represent you. But
19 we will have someone to represent you." So when I get to the
20 court --

21 THE COURT: From the public defender's office?

22 MR. THORPE: Yes, sir. From the public defender's
23 office.

24 THE COURT: All right.

25 MR. THORPE: Right. Because I had been assigned

1 counsel by the judge. Once they issued the charges there the
2 judge at North Greenville courthouse and Travis Rest (ph), he
3 -- he gave me the order because I -- when I went and asked
4 for public defense, public attorney, because you know, I'm
5 unemployed, I had got injured at work, they, you know -- I
6 had to pay the \$40 for them to see if I qualify.

7 And they were like, you have to go get something from
8 the judge and order for, you know, them to say that, you
9 know, like -- you going to be facing 30 days or more and the
10 charge carries 30 days or more, then you know, we -- we will
11 appoint you counsel because we see that you unemployed.

12 So went and got the order from the judge brought it
13 back to the -- to the courthouse, to the public defender's
14 office. And they assigned Ms. McClain as my attorney.

15 I met with her like once or twice and we had a
16 difference of opinions as to the things that was going on
17 with the search and seizure and, you know, the pictures that
18 showed, you know, that they couldn't see certain things.

19 So in our differences, she didn't want to take the --
20 the case and represent me in the case because she's --

21 THE COURT: Excuse me. Are you also -- did you plead
22 guilty to these charges?

23 MR. THORPE: Yes, I was -- I was told that if I didn't
24 plead guilty, I wouldn't receive my dogs back which most of
25 them was puppies and that I would be barred from owning dogs

1 again. She, like they -- this is what the officers are
2 telling me, who the officers took total control of this case.

3 The judge -- when we had the first hearing, the judge
4 told the officer, he said, "Well, okay, y'all went and took
5 Mr. Thorpe dogs." He said, I want y'all to go back there, to
6 -- you know, go -- come meet with me on the day that you know
7 that I'm -- I'm going to be available within the next week
8 because he said he was going on vacation in two weeks.

9 So when we met, they were supposed to look and tell me
10 what I need to do to get the pens up to the status that's
11 necessary for me to receive my dogs back. Because he was
12 like, we need to get Mr. Thorpe his dogs back because the --
13 the allegation they were making did not add up to anything
14 that the judge felt was relevant. There was good health.
15 There wasn't nothing relevant for them to seize my dogs. So
16 he was like--

17 THE COURT: Okay. Then what's the status of the dog
18 now?

19 MR. THORPE: I got the dogs back. When I took the
20 plea, they gave me the dogs back. And that's why I say I was
21 coerced because that was not a part of the judge's order in
22 the first hearing where it was a hearing based on them
23 seizing the dogs, and it was a hearing based on the charge of
24 cruelty to animals.

25 So they was like, well, if you plead guilty to the

1 charge, then we'll give your dogs back. So I wasn't pleading
2 guilty to the charge because I wasn't guilty of cruelty to
3 the animals. And I explained to them that first -- well
4 first they had violated several of my rights by illegally
5 entering my property to go back there. Because my gates, I
6 have --

7 THE COURT: Well (inaudible). Our law says that when
8 you plead guilty, you waive all those claims.

9 MR. THORPE: Right. And I would not have pled guilty
10 if I wouldn't have been intimidated --

11 THE COURT: Yes. But you did plead guilty. So
12 therefore you waive any objections you have to whatever they
13 needed.

14 MR. THORPE: Well, the -- the law -- also, I'm -- I'm
15 not -- I'm not here to tell you the law. I'm just asking a
16 question. I'm just asking a question. If -- if they
17 intimidate me with threat or if I -- if I plead guilty under
18 duress, and I'm not pleading guilty willingly, but I'm
19 pleading guilty because they -- they put a -- a plea -- a
20 part of the plea bargain in there that was illegal, you know.

21 To say that we're going to do something the judge did
22 not order in order for you to get your dogs back, you got to
23 plea guilty to these charges.

24 The judge ordered them to look at the stuff to tell me
25 what I need to do and then to give me my dogs back. They

1 didn't do that. They -- they went, looked at the property.
2 She didn't tell me anything about what I need to do. She
3 said, "I'll get back with you."

4 And at that point, she went to the judge, had a meeting
5 with the judge, and then I get a order in the mail saying
6 that it's going to be continued till after the -- the trial
7 or the charges, you know, dealing with the the -- the
8 criminal charges.

9 So now it's like they're holding the dogs to see if I'm
10 guilty of the criminal charges, you know, and at -- at that
11 point she says, "We're going to keep the dogs if you don't
12 plead guilty."

13 So I was like, how does that make sense? And I said,
14 "I got an attorney. You really don't even supposed to talk
15 to me. You need to talk to my attorney." Oh, your attorney
16 ain't -- ain't showing up. Your attorney done already said
17 that. You going to have to represent yourself. So I -- I
18 don't see nobody there from the defense -- public defender's
19 office. No one. No one came or anything. So at that point
20 I was dead in the water.

21 THE COURT: Well, I mean, looking at -- I mean, looking
22 at the return filed by the magistrate, he called you, asked
23 if he wanted to plead guilty. He said, you said, "Yes." And
24 whether you were in fact guilty and you said, "Yes."

25 Had you been promised anything, you said, "No. Were

1 you coerced or threatened the plea?" You said, "No." Did you
2 want a jury trial? And you said "No." And that you wanted to
3 proceed without your attorney.

4 MR. THORPE: These -- these -- your Honor, what I'm
5 telling you, I don't -- I don't recall him asking me all them
6 questions. But I'm telling you on everything here to God,
7 you can give me a lie detector test today I did not have no
8 attorney there or an attorney --

9 THE COURT: (Inaudible). So what is your complaint
10 now? You got your dogs back.

11 MR. THORPE: Right.

12 THE COURT: You pled guilty. You were the one who pled
13 guilty, sir. Are you trying to throw the guilty plea out?
14 Is that what you're doing?

15 MR. THORPE: Yes, sir. Yes, sir. That -- that I was
16 not guilty of the charges. That they put fines on me and
17 they put stuff in my record that should not be there. And
18 that they did this illegally by coercion. And as far as what
19 the judge said in the courtroom, I don't even recall going
20 into the courtroom when that happened.

21 What they did was they gave me the paperwork and I
22 never went before the judge. I just took -- and they gave me
23 the tickets. I got them here and I went and paid on the
24 tickets. And I don't even recall this case going before no
25 judge. I didn't even have to go to the judge. They said,

1 you go -- you can go home. We didn't go before no judge.

2 The judge tell me are you -- you pleading guilty and
3 all this. I didn't plead guilty in front of no judge. The
4 case never went before a judge. I was never instructed of
5 any of the rights you just read. It didn't -- it didn't go
6 before no judge. They gave me the tickets and -- and sent me
7 to the window. And said, you can go home.

8 THE COURT: All right. I believe that -- all right.
9 You've also got a motion to cease and desist.

10 MR. THORPE: Right.

11 THE COURT: And I'm not sure that's properly before the
12 Court because that's a civil matter that has to be filed
13 separately. That can't be --

14 MR. THORPE: It was filed separately.

15 THE COURT: I mean, you've got it filed as part of your
16 appeal, I think.

17 MR. THORPE: No. It -- it was filed different than the
18 appeal even maybe on a different date, if I'm not mistaken.

19 THE COURT: All right.

20 MR. THORPE: But it was filed separately. But the only
21 reason I filed that, because at the time prior to me filing
22 these motions in the appeal, I was being harassed by the
23 animal control board from Greenville County sheriff's
24 department.

25 THE COURT: All right. Are they leaving you alone now?

1 MR. THORPE: Yeah, they haven't been down there lately.

2 THE COURT: All right. Let me hear from Mr. Campbell
3 here and see if he can shed some light on this.

4 MR. CAMPBELL: Thank you, your Honor. Again, Dean
5 Campbell with the Greenville County attorney's office. We
6 didn't have any involvement with this case. We -- we do
7 handle the jury trial. Jury trial is involved in animal
8 cruelty officers.

9 So I can only go by what the -- is in the return. But
10 I also am aware because we did get a call from the public
11 defender's office asking if we would agree to the public
12 defender being relieved as counsel.

13 We said we would. And as part of the return, I believe
14 there's an order in there from Judge Sutherland indicating
15 the public defender was relieved as counsel. And just to
16 give you a little background, animal control got a -- a call
17 about the living conditions of the dogs.

18 I believe Mr. Thorpe had 12 dogs that were in kennels.
19 They -- the -- the call said the smell was very bad. They
20 had a lot of urine and feces in the kennels and around the
21 kennels. They went out to the property.

22 They said the first thing they noticed was the smell.
23 And then they did see some of the -- some of the bad
24 conditions. They then went as they should have done, and got
25 a search warrant. And I believe a copy of the search warrant

1 is also included in the return.

2 THE COURT: Can you address, I mean, the guilty plea.
3 He's saying he never went in the courtroom and never plead.
4 I mean, is there --

5 MR. CAMPBELL: I -- I can't speak to that, your Honor.
6 The -- the only thing I can say is I guess it's possible that
7 -- I know -- I know sometimes if a person is pleading guilty,
8 they may talk to the animal control officer. You know, they
9 have a set day where they have a bunch of hearing -- cases
10 heard. But I can't -- I can't really speak to that.

11 THE COURT: There may have been some issue with a
12 recording actually of a --

13 MR. CAMPBELL: Right. I do see that. That they --
14 there is some indication there was no recording of available
15 because of some technical difficulty. But the -- you're
16 right, there are -- there are two appeals.

17 So after he was charged they had a hearing pursuant to
18 state law before Judge Sutherland. Judge Sutherland, after a
19 hearing from animal control at that hearing, ordered the
20 county to maintain custody of the dogs until the final
21 adjudication of the charges.

22 And that may be what he's -- may be what he's speaking
23 to. But so before the charges were dealt with in court, he
24 filed an appeal over that seizure. So while that's -- so
25 that's pending or that was the first appeal. My

1 understanding is he then comes in and pleads guilty. He's
2 given a fine.

3 Judge Stokes indicated that was the -- the lowest fine
4 he could give him. I believe there were four charges. I
5 think he paid \$225 on -- on the court -- on the date when he
6 -- when he went to court.

7 And they gave him time to pay the -- the balance. The
8 -- I believe it was \$675. And then subsequent to that -- to
9 that filed this appeal. Again, there was no objection to
10 anything at -- you know, when he -- when he paid his fine,

11 MR. THORPE: Never went before the Judge.

12 THE COURT: So you're saying you never went before the
13 judge?

14 MR. THORPE: No, sir.

15 THE COURT: And I think that there -- when you paid one
16 of the tickets, right. Paid one of them, I mean -- looked to
17 see if there was a time. Was the appeal timely filed? I
18 don't --

19 MR. THORPE: Yes, it was.

20 THE COURT: Okay.

21 MR. THORPE: When I paid that one ticket it was like
22 the very next day I went -- I believe I went to file the
23 appeal, but I knew I had 10 days to file the appeal. So I
24 went and filed the appeal because I didn't -- I didn't -- I
25 knew everything they was doing and that was wrong. And they

1 was like, it was -- they were just holding -- he said that
2 they don't have anything.

3 I got a -- I got a transcript right here, sir. Woody
4 said a minute ago about the court -- courtroom, that they
5 were having technical difficulties.

6 Well, what happened was when I filed the first appeal
7 about the hearing, because when -- excuse me for taking this
8 out. But when they said that they wasn't going to give my
9 dogs back, and I went and filed the appeal because they was
10 like, wait until the -- until the other hearing.

11 So I went and filed an appeal about them refusing to
12 give my dogs back because I didn't go to the hearing where
13 the judge made this order. It was a hearing without me being
14 present. And this was the second time that that had been
15 done where the state was allowed, which was Ms. Bratcher --
16 Officer Bratcher.

17 She was allowed to go to the judge, meet with the judge
18 outside of defense's -- I mean, you know, outside of my
19 presence for any objection that I may have to what she's
20 saying. Because the judge made it clear, this is what they
21 gave me from the courtroom.

22 THE COURT: Now that's from the previous hearing
23 though.

24 MR. THORPE: This is for (inaudible). Now reason I'm
25 saying this --

1 THE COURT: Now here -- here's kind of what -- here's
2 what I -- my main concern is.

3 MR. THORPE: Correct.

4 THE COURT: And I -- I may have to go to the magistrate
5 and get a -- sometimes they -- and I don't have my clerk
6 here. Sometimes they have a recording. They send the
7 recording of the hearing.

8 So what I'm going to do is I'm going to request a audio
9 recording of your guilty plea date, which is on June 27th,
10 '24 is what the magistrate said. And if -- if they provide
11 that and it supports that you plead guilty and they discussed
12 all this, your (inaudible).

13 MR. THORPE: That's fine because then --

14 THE COURT: If it's not then (inaudible).

15 MR. THORPE: It's -- it's not there.

16 THE COURT: I mean, I don't know that -- I think I need
17 to do that.

18 MR. CAMPBELL: Yes, sir. I -- I -- and I -- I wish I
19 could elucidate further. I -- I -- the only other thing I
20 want to add is he did get his dogs back. So I think one of
21 the appeal --

22 THE COURT: Exactly. That was one of your issues on
23 here. It sounds like that's kind of been resolved. So
24 you're really -- the only thing you're dealing with is --

25 MR. THORPE: Charges being put on my record for animal

1 cruelty and the fines. I'm unemployed. I have to struggle
2 to work. I'm 55 years old and I got a lot of problems from a
3 serious back injury. And it's -- it's causing a lot of other
4 problems with high blood pressure and other things and heart
5 trouble, you know.

6 So it's hard for me to find work and that's making it
7 hard. But little work I do have, I had to take care of the
8 dogs or, you know, I had to give some away. And, you know,
9 I'm -- I'm really just -- just saying that for them to place
10 these fines on me under a situation where they didn't give me
11 a notice --

12 THE COURT: Well, hold on. That's the man -- that I --
13 if you pled guilty or not, then I'll figure out what you need
14 to do. So --

15 MR. THORPE: All right.

16 THE COURT: -- I'm going to request that they provide
17 -- it could have been that they filed it, like I said, my
18 clerk's not in here to do that, but sometimes they file it,
19 but sometimes they don't. I'll get the audio recording of
20 that.

21 MR. THORPE: All right.

22 THE COURT: And I'll -- I'll -- so I'll probably do it
23 -- I'll issue an order now, sending it back, requesting that
24 from the magistrate, so.

25 MR. THORPE: Is -- is there a way -- can I be provided

1 a copy of it?

2 THE COURT: Well, let me see what we get. I'll -- I
3 don't -- I don't know. They'll -- they'll make me a disc and
4 it may be something that -- I guess I can get -- ask them to
5 send an extra copy. I don't know. We don't have the ability
6 to copy it here, so I'll see what I can come up with.

7 MR. THORPE: All right. Thank you.

8 MR. CAMPBELL: Your Honor, may I -- can we -- can we
9 deal with the one appeal over the -- I believe he's appealed
10 -- he was appealing the -- the -- that he didn't have his
11 dogs and he's got his dog back.

12 MR. THORPE: There's no fight basically about me having
13 the dogs.

14 THE COURT: Cease and desist (inaudible).

15 MR. THORPE: I'm fine with that too. Right. Right.
16 Right.

17 THE COURT: We're only dealing with whether you should
18 be having these charges --

19 MR. THORPE: Right.

20 THE COURT: Okay.

21 MR. CAMPBELL: Thank you, your Honor.

22 THE COURT: I'll put -- I'll you that in the order.

23 MR. CAMPBELL: Thank you Honor. Appreciate it.

24 THE COURT: (Inaudible).

25 MR. THORPE: That'll it be about the fine and the

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I, JANE DANIEL, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had, and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court of Greenville County, South Carolina, on October 16, 2024.

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

Jane Daniel

January 15, 2026

JANE DANIEL

TRANSCRIBER