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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Aiken County

Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ANTONIO JAMARI ISAAC,

APPELLANT

APPELLATE CASE NO. 2026-001037

ANDERS BRIEF OF APPELLANT

WANDA H. CARTER
Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
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(803) 734-1330

ATTORNEY FOR APPELLANT

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STATEMENT OF ISSUE ON APPEAL

Appellant's pleas were not voluntarily given in the case because he was unaware of all rights waived upon pleading guilty to the assault charges at the plea proceeding.

STATEMENT OF THE CASE

Appellant Antonio Jamari Isaac pled guilty to two counts of first degree assault and battery during the August 2025 term of the Aiken County General Sessions Court before Judge Walton J. McLeod, who sentenced him to imprisonment for an aggregate term of fifteen years. Attorney Wallis Alves represented appellant at the plea proceeding, and Assistant Solicitor Ashley Hammack prosecuted the case.

Appellant appealed. This brief follows.

STANDARD OF REVIEW

In criminal cases, the appellate court sits to review errors of law only. State v. Nesbitt, 411 S.C. 194, 768 S.E.2d 67 (2015), quoting State v. Jacob, 393 S.C. 584, 713 S.E.2d 621 (2011).

ARGUMENT

Appellant's pleas were not voluntarily given in the case because he was unaware of all rights waived upon pleading guilty to the assault charges at the plea proceeding.

Appellant was accused of firing gunshots into a residence located in Aiken County on December 25, 2022. R. 6, l.19-p.11, l.22. During the plea proceeding, the trial judge informed appellant of the rights waived upon pleading guilty as follows:

> The Court: Do you understand that you have a right to remain silent, but you give up that right in order to plead guilty?
>
> Defendant: Yes Sir.

R. 3, l.24-p. 4, l.3

> The Court: Do you understand you have a right to a jury trial, where your attorney can assert defenses on your behalf and confront the state's witnesses and the state would have to prove their case against you beyond a reasonable doubt? But by pleading guilty here today, you're giving up those jury trial rights.
>
> Defendant: Yes Sir

R. 4, lines 9-16.

Conspicuously missing from the plea judge's listing of what rights were waived upon entering a guilty plea was the right to cross-examine one's accusers. The plea judge referred to the right to confront witnesses without specifically speaking further to the waiver of the right to cross-examine the state's accusers. A defendant who pleads guilty simultaneously waives several constitutional rights: including the privilege against self-incrimination, the right to a jury trial, and the right to confront his accusers. Stave v. Patterson, 278 S.C. 319, 295 S.C.2d 264 (1982), citing to Boykin v. Alabama, 395 U.S. 238 (1969). Furthermore, a guilty plea also specifically waives one's right to cross-examine witnesses as well. California v. Green, 399 U.S. 149 (1970).

In Boykin v. Alabama, 395 U.S. 238 (1969), the Court summarized the waivers connected to guilty plea as follows:

> Several federal constitutional rights are involved in a waiver that takes place when plea of guilty is entered in state criminal trial: first is privilege granted against compulsory self-incrimination guaranteed by the Fifth Amendment and applicable to states by reason of Fourteenth, second is right to trial by jury, and third is right to confront one's accusers; [and] a waiver of these three important federal rights cannot be presumed from a silent record. U.S.C.A. Const. Amends. 5, 14.

In the case at bar, the record established that appellant's pleas were given involuntarily because he was unaware of all rights he waived upon entering his guilty pleas at the plea proceeding.

CONCLUSION

Based on the foregoing argument, counsel for appellant would request that appellant's guilty pleas and sentences in the case be vacated.

Wanda H. Carter
Chief Appellate Defender

ATTORNEY FOR APPELLANT

This 16th day of October, 2026.

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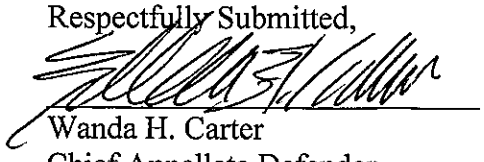
PETITION TO BE RELIEVED AS COUNSEL

Counsel for Antonio Isaac states that:

1. She is Chief Appellate Defender for the South Carolina Office of Appellate Defense and was appointed to represent appellant.
2. She has reviewed the record of appellant's guilty plea before Judge Walton J. McLeod, IV, which was held on August 4, 2026, and, in her opinion, the appeal is without legal merit sufficient to warrant a new trial.
3. She has, pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396 (1967), briefed an arguable legal issue which arose during the course of the trial.

WHEREFORE, she asks the Court to relieve her as counsel for Antonio Isaac.

Respectfully Submitted,



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DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

(1) Guilty Plea Transcript dated Aug. 4, 2025
(2) Motion to Reconsider Sentence dated Aug. 6, 2025
(3) Memorandum in support of Motion to Reconsider Sentence dated Aug. 6, 2025
(4) Order Denying Motion to Reconsider or Modify Sentence Signed Sep. 19, 2025
(5) Indictments
(6) Sentence Sheets

I certify that this designation contains no matter which is irrelevant to this appeal.

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CERTIFICATE OF COUNSEL

The undersigned certifies that to the best of my ability this Anders Brief of Appellant complies with Rule 211(b), SCACR, and 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."

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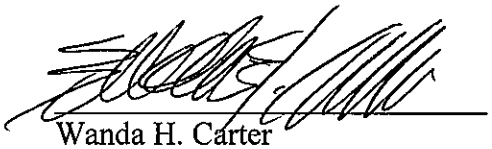
CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Anders Brief of Appellant and Designation of Matter in the above-referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Antonio Isaac, #398295, at Palmer Pre-Release Center, 2012 Pisgah Road, Florence, SC 29501, this 16th day of October, 2026.



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