

# OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD  
Lexington Public Defender  
407 W. Main St.  
Lexington, SC 29072  
**Telephone (803) 785-8873**  
**Fax (803) 785-1443**

**Eleventh Judicial Circuit**  
Lexington, Saluda, Edgefield,  
and McCormick Counties

**ROBERT M. MADSEN**  
**Circuit Public Defender**

BENNETT E. CASTO  
Tri-County Public Defender  
Post Office Box 1852  
McCormick, SC 29835  
**Telephone (864) 852-9555**  
**Fax (864) 852-9554**

August 15, 2016

Claire Allen  
The South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**  
AUG 19 2016  
SC Court of Appeals

Re: The State v. Valentino Hammonds  
Appellate Case No. 2015-000644

Dear Ms. Allen:

I received your letter of August 8, 2016 regarding the status of pending post-trial motions in the case of Valentino Hammonds.

I have enclosed a copy of Judge Keith Kelly's May 13, 2015 order granting the motion for reconsideration, and changing Hammonds' sentence to a concurrent one, rather than consecutive. I have also enclosed a letter I sent to Hammonds explaining the situation to him. As you will see in that letter, I was under the impression that the Notice of Intent to Appeal had been withdrawn, based on a conversation I had with your office regarding this matter. I don't know where the train ran off the track, but obviously the appeal remained in place.

Mr. Hammonds is no longer in the Department of Corrections, per the website. I do not know when he was released, but I suspect he maxed out his sentence sometime around April of this year, since he would have served about 18 months total, backdated to start November 19, 2014. He has had no contact with me since I sent him the letter clarifying that his sentence would be changed to reflect concurrent, rather than consecutive, time.

I hope this explains the status of his case, and will enable you to close his file for appeal. Feel free to contact me if you need more information.

Sincerely,



Sally J. Henry  
Deputy Public Defender  
11<sup>th</sup> Judicial Circuit

sh/  
enc.

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ELIZABETH FULLWOOD  
Lexington Public Defender  
407 W. Main St.  
Lexington, SC 29072  
Telephone (803) 785-8873  
Fax (803) 785-1443

**Seventh Judicial Circuit**  
Lexington, Saluda, Edgefield,  
and McCormick Counties

ROBERT M. MADSEN  
Circuit Public Defender

BENNETT E. CASTO  
Tri-County Public Defender  
Post Office Box 1852  
McCormick, SC 29835  
Telephone (864) 852-9555  
Fax (864) 852-9554

May 08, 2015

Mr. Valentino M. Hammonds #309227  
K.C.I. - 4848 Goldmine Hwy. H-C 216  
Kershaw, SC 29067

**RECEIVED**

AUG 19 2016

SC Court of Appeals

Dear Mr. Hammonds:

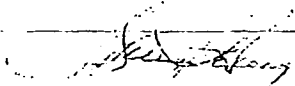
After speaking with you this week I called the Office of Appellate Defense to alert them to postphone dealing with your Notice of Intent to Appeal until your Motion to Reconsider had been taken care of. After providing them with documentation showing your Motion filing preceeded the filing of the Appeal, they agreed to do so. The Appeal is now withdrawn.

Further, since Judge Kelly had jurisdiction and would have to have the hearing before his term of court ended today, I contacted both him and the Solicitor to request that be scheduled. Judge Kelly said he would not need a hearing, but would decide based upon what documentation had been provided by both sides.

Here is the bottom line: Judge Kelly today agreed to change your sentence so that it would run concurrently with the one you are presently serving, and back dated the start of your new sentence to the start date of your present sentence (9-19-14). The processing of the order will take a bit of time to show up on your status at SCDC, but it will be entered as ordered.

Once I receive a clocked copy of that order, I will send you a copy for your records.

Sincerely,

  
Sally J. Henry

sh/

ORIGINAL

COUNTY OF LEXINGTON ) IN THE COURT OF GENERAL SESSIONS  
2015 MAY 20) AM 7:08 THE ELEVENTH JUDICIAL CIRCUIT  
STATE OF SOUTH CAROLINA )

BETH A. CARRIGG  
STATE OF SOUTH CAROLINA ) COURT ORDER  
Vs. ) EXHIBIT IN 2015GS-32-00721, 2012GS-02-1598  
VALENTINO M. HAMMONDS, )  
Defendant. )

RECEIVED

AUG 19 2016

SC Court of Appeals

THIS MATTER COMES BEFORE THE COURT by Sally J. Henry, counsel for the Defendant, upon the motion for reconsideration of his sentence.

The Court finds that the Defendant, upon entering a plea of guilty to Assault and Battery 2<sup>nd</sup> Degree and Violation of Probation, was sentenced on March 16, 2015 by the Honorable Keith Kelley to 3 years, to be served consecutively to the sentence that the Defendant is presently serving at the South Carolina Department of Corrections.

Upon reconsideration of the motion, the Court finds that the sentences should be served concurrently, with the start date for the 3 year Assault and Battery conviction being set as September 19, 2014, to conform to the start date of Defendant's present sentence.

THEREFORE IT IS ORDERED that the Defendant's sentence for Assault and Battery 2<sup>nd</sup> Degree be a determinate term of 3 years concurrent with the SCDC sentence he is presently serving, and back dated to begin September 19, 2014.

AND IT IS SO ORDERED.

*Keith Kelly*  
Keith Kelly  
Presiding Judge, Eleventh Judicial Circuit

This 13 day of May, 2015  
Lexington County, South Carolina.