

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BAMBERG)
)
 STATE OF SOUTH CAROLINA)
)
)
)
 vs.)
)
 Homer Arthur James,)
 Defendant.)
 _____)

IN THE COURT OF GENERAL SESSIONS
 SECOND JUDICIAL CIRCUIT

2014-GS-05-00209

MOTION FOR NEW TRIAL

RECEIVED
 SEP 29 2016
 SC Court of Appeals

The Defendant was convicted of Armed Robbery on August 11, 2016 and received a sentence of Life without Parole. The Defendant filed a timely motion for a new trial.


A hearing was held on this matter in Aiken County on September 7, 2016. The Defendant was present with his attorney, Wallis Alves. Deputy Solicitor David W. Miller represented the State. Prior to the hearing, the Court inquired whether the Defendant was in agreement with having this matter heard in Aiken County and through his attorney, he agreed to have this matter heard in Aiken County.

Having considered the Defendant's memorandum in support of the motion, arguments made by counsel, and the testimony and rulings during the trial of the case, this Court finds that the motion should be denied.

IT IS THEREFORE ORDERED that for the reasons stated on the record during the hearing, the motion is denied.


 R. Lawton McIntosh
 Presiding Judge

FILED
 BAMBERG COUNTY
 2016 SEP 19 AM 10:46
 JAMES B. HERS
 CLERK OF COURT
 BAMBERG, SC


 Aiken, South Carolina
 September 15, 2016

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Bamberg
STATE VS.
Homer Arthur James
AKA:
Race: Black Sex: M Age: 56
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2014GS0500209
A/W#: 2014A0510100227
Date of Offense: 6/5/2014
S.C. Code § : 16-11-0330(A)
CDR Code #: 0139

RECEIVED

SEP 29 2016

SC Court of Appeals
LIFE

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Robbery/Armed Robbery

CONVICTED OF or PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: David W. Miller, David Warren SC Bar# Defendant
Ward W. Miller, 69553 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of Life Without Poss. b. l. of Prob. days/months/years or Under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Sct by SCDPPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly prnts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Table with 3 columns: Description, Amount, Total. Rows include assessments like § 14-1-206, § 14-1-211(A)(1), § 14-1-211(A)(2), § 56-5-2995, § 56-1-286, Proviso 61.6, § 14-1-212, § 14-1-213, § 50-21-114, § 56-5-2942(J).

TOTAL \$ 128.90

Clerk of Court/ Deputy Clerk Patricia K. Thomas
Court Reporter: Bethanie Creppon
SCCA/217 (07/2016)

Presiding Judge
Judge Code: 2155
Sentence Date: 8-11-16

WITNESSES

State Law Enforcement Division

D Williams

Law Enforcement Case #: 31140045

JWH

ARREST WARRANT NUMBER

2014A0510100227

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury

Date: October 16, 2014

VERDICT

Keen J. M. Laverit

Guilty

X Brittany A Sandifer 10-16-14

Foreperson of Petit Jury

Date: *8-11-16*

DOCKET NO. 2014GS0500209

The State of South Carolina

County of Bamberg

COURT OF GENERAL SESSIONS

OCTOBER TERM 2014

THE STATE

vs.

HOMER ARTHUR JAMES

CDR #: 0139

Indictment for

ARMED ROBBERY

§ 16-11-0330(A)

J. STROM THURMOND, SOLICITOR

FILED
BAMBERG COUNTY
CLERK OF COURT
BAMBERG, SC
2015 DEC -3 PM 3:40

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BAMBERG)
)

INDICTMENT FOR
 ARMED ROBBERY
 § 16-11-0330(A)

At a Court of General Sessions, convened on October 20, 2014, the Grand Jurors of Bamberg County present upon their oath:

That HOMER ARTHUR JAMES did in Bamberg County on or about June 5, 2014, while armed with a deadly weapon or while alleging either by action or words that he was armed while using a representation of a deadly weapon or an object which a person present during the commission of the robbery reasonably believed to be a deadly weapon, to wit: firearm, feloniously take from the person or presence of Rebecca Templeton by means of force or intimidation goods or monies of Enterprise Bank of South Carolina, such goods or monies being described as follows: United States currency, all in violation of §16-11-330, Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

J. Strom Thurmond
 J. STROM THURMOND, SOLICITOR