

5

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GREENVILLE)
)
 State of South Carolina,)
)
 Plaintiff,)
)
 v.)
)
 Dean Alton Holcomb,)
)
 Defendant.)
 _____)

IN THE COURT OF GENERAL SESSIONS
 FOR THE 13TH JUDICIAL CIRCUIT

RECEIVED
 Indictment No.: 2014-GS-23-08177-2179

AUG 04 2017
 SC Court of Appeals

ORDER

FILED-CLERK OF COURT
 GREENVILLE CO. S.C.
 PAUL B. WICKENSIMMER
 2017 JUL 5 AM 9 16

The above-captioned case was tried to a verdict on June 16, 2017 in Greenville County, South Carolina. Defendant and defense counsel were given ten (10) days within which to file any post-trial motions in this matter, that time having expired as of June 27, 2017.

The undersigned has been made aware that Appellate Defense has made contact with the Greenville County Clerk of Court's Office concerning an appeal of this matter. However, the undersigned has also been made aware that no notice of intent to appeal has been filed with the Greenville County Clerk of Court's Office.

Based on the time for post-trial motions having expired, this court lacks further jurisdiction over this matter. Additionally, assuming it was timely filed, a notice of intent to appeal would, in and of itself, extinguish this court's jurisdiction over the matter.

IT IS SO ORDERED.

John C. Hayes III

 The Honorable John C. Hayes, III
 Presiding Judge

June 28th, 2017
 York, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
State of South Carolina,)
)
vs,)
)
Dean Alton Holcomb,)
)
Defendant.)
_____)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT

2014-GS-23-08176, 8177, 8178 and 8179

ORDER

FILED-CLERK OF COURT
GREENVILLE CO. S.C.
PAUL B. WICKENSIMMER
2017 JUL 21 AM 9 02

Defendant, Dean A. Holcomb, has moved the Court, to reconsider its Order of June 28, 2017 in this matter. To the extent, the Court now has jurisdiction to do so. I hereby vacate said Order. The Court treats the Defendant's "Amended Motion to Reconsider" as the motion currently before the Court, even though it on its face reflects a date of July 3, 2017, a date outside the ten days the Court allotted for post-trial motions.

The Court below addresses the Issues framed by Defendant. However, none of the three grounds appear to be proper grounds for post-trial relief in a criminal case. See State v. Taylor, 348 S.C. 152, 558 S.E.2d 917 (Ct. App. 2001).

Due to the limited time a defendant may appeal from an adverse General Sessions verdict, the Court must state that the undersigned was on vacation the weeks of July 3rd and 10th, 2017, and has only seen the Motion to Reconsider the June 28, 2017 Order and the July 3, 2017 Amended Motion, on the 17th day of July 2017.

Taking in order the issues Defendant raised in his July 3, 2017 amended motion.

Issue I) I find the record does not support the assertion that the jury was compromised by two of their brethren.

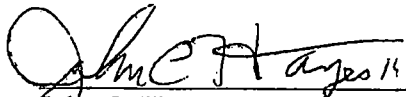
Issue II) I find that no evidence ruled out of Defendant's trial of September 2016, was admitted and published save evidence from said trial offered and published by Defendant, or as necessitated by

evidence offered or published by Defendant.

Issue III) I find no grounds for granting a new trial based on any mental issues asserted by Defendant.

Defendant's Motion for a New Trial is Denied.

IT IS SO ORDERED.



John C. Hayes, III
Presiding Judge #2

July 19th, 2017
York, South Carolina