

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Greenville County

DEC 07 2017

Honorable Letitia H. Verdin, Circuit Court Judge SC Court of Appeals

THE STATE,

RESPONDENT,

V.

RAMONA DELORES GILMORE,

APPELLANT

APPELLATE CASE NO 2016-002032

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA)	COURT OF GENERAL SESSIONS
)	
COUNTY OF GREENVILLE)	Case No(s) .: 2015GS2300945
)	
State of South Carolina,)	
)	
Plaintiff,)	
)	
-VS-)	TRANSCRIPT OF RECORD
)	
Ramona Delores Gilmore,)	
)	
Defendant.)	
)	

August 9, 2016
 Greenville, South Carolina

B E F O R E:

HONORABLE LETITIA H. VERDIN, Judge.

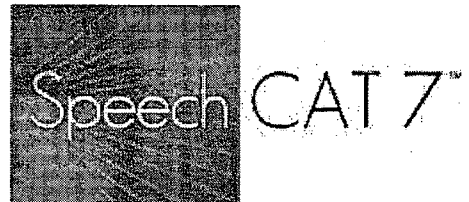
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EXHIBITS PAGENO.DESCRIPTIONID EV**PLAINTIFF EXHIBITS**

(No exhibits offered.)

DEFENSE EXHIBITS

(No exhibits offered.)

COURT EXHIBITS

(No exhibits offered.)

P R O C E E D I N G S

(Proceedings begin on the 9th day of August,
2016 at approximately 2:41 p.m.)

THE CLERK: Your Honor, this is indictment
2015-GS-23-00945, Ramona Delores Gilmore,
indicted for Murder, pleading to Involuntary
Manslaughter. It is a true bill.

MS. HODGE: Excuse me. That's Voluntary
Manslaughter.

THE CLERK: I'm sorry. Apologize.

THE COURT: That's fine.

THE CLERK: Please raise your right hand.
(Defendant is first duly sworn.)

THE COURT: Ms. Gilmore, you are here
today to plead to Voluntary Manslaughter. That
carries up to 30 years. Is that your
understanding?

MS. GILMORE: Yes, ma'am.

THE COURT: That is classified as a
violent and most serious offense. Have you
talked to your attorneys about that?

MS. GILMORE: Yes.

THE COURT: Have you discussed this case
fully with your attorneys?

MS. GILMORE: Yes.

1 **THE COURT:** Are you satisfied with what
2 they've done for you?
3 **MS. GILMORE:** Yes.
4 **THE COURT:** Are you understand the
5 influence of drugs or alcohol here today?
6 **MS. GILMORE:** No, ma'am.
7 **THE COURT:** Has anyone forced you to plead
8 guilty?
9 **MS. GILMORE:** No.
10 **THE COURT:** Has anyone promised you
11 anything to get you to plead guilty?
12 **MS. GILMORE:** No.
13 **THE COURT:** When you plead guilty, you
14 give up certain constitutional rights. One is
15 your right to remain silent about these
16 charges. Do you know that?
17 **MS. GILMORE:** Yes, ma'am.
18 **THE COURT:** You also give up your right to
19 a jury trial on these charges. At that trial,
20 your attorneys could call witnesses for you,
21 cross-examine witnesses against you, and the
22 State would have to prove your guilt beyond a
23 reasonable doubt. But when you plead guilty,
24 you give up your right to a jury trial in this
25 matter. Do you know that?

1 **MS. GILMORE:** Yes.

2 **THE COURT:** You were initially charged
3 with Murder, and this is a plea to Voluntary
4 Manslaughter. Have there been any negotiations
5 in the case?

6 **MS. HODGE:** There is a recommendation of
7 18 years by the State, Your Honor.

8 **THE COURT:** All right. Is that your
9 understanding of the recommendation in this
10 case?

11 **MS. GILMORE:** Yes.

12 **THE COURT:** All right. How do you plead to
13 this charge, guilty or not guilty?

14 **MS. GILMORE:** Guilty.

15 **THE COURT:** This sentencing sheet says
16 you're 34 years old. How far did you go in
17 school?

18 **MS. GILMORE:** Graduated.

19 **THE COURT:** Okay. What kind of work have
20 you done since you've been out?

21 **MS. GILMORE:** I used to do hair.

22 **THE COURT:** Okay. Have you ever been treat
23 for any type of mental health problem, anything
24 like that?

25 **MS. GILMORE:** Yes, ma'am.

1 **THE COURT:** Tell me about that.

2 **MS. GILMORE:** I went to an outpatient
3 program in 2011.

4 **THE COURT:** What were you treated for?

5 **MS. GILMORE:** Depression.

6 **THE COURT:** Were you treated with
7 medication?

8 **MS. GILMORE:** Yes, ma'am.

9 **THE COURT:** Are you still taking that
10 medication?

11 **MS. GILMORE:** Yes, ma'am.

12 **THE COURT:** Are you taking it as
13 prescribed?

14 **MS. GILMORE:** Yes, ma'am.

15 **THE COURT:** Does it leave you clearheaded
16 here today?

17 **MS. GILMORE:** Yes.

18 **THE COURT:** You feel like you understand
19 what's going on?

20 **MS. GILMORE:** Yes.

21 **THE COURT:** Have you ever been treated for
22 any substance abuse problem?

23 **MS. GILMORE:** No, ma'am.

24 **THE COURT:** All right. I'll ask you both
25 if you discussed these charges with your client

1 and you agree with her decision to go forward
2 and plead guilty?

3 **MR. ERWIN:** Yes, Your Honor.

4 **THE COURT:** All right. All right. I'm
5 going to have some other questions for you. You
6 don't have any concerns about her competency
7 here today?

8 **MR. ERWIN:** No, ma'am.

9 **THE COURT:** Okay. She seems very
10 clearheaded, seems to understand my questions
11 very well. All right. You'll have 10 days from
12 today's date to appeal this plea, if you so
13 choose, but you must do so in writing to this
14 Court.

15 Yes, ma'am.

16 **MS. HODGE:** Thank you, Your Honor. May it
17 please the Court. On July the 19th, 2014,
18 deputies with the Sheriff's Office responded to
19 911 calls from several different residents in
20 The Granite apartment complex. They stated a
21 man was lying in the stairwell with a wound to
22 his chest, possibly dying.

23 Deputies arrived, and the victim, Mr.
24 Lawrence Bress, was lying on the stairs. There
25 were several people trying to assist him and

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around. The defendant was sitting with him crying. The defendant said that she had stabbed the victim because they were arguing and she was trying to get him off of her. The defendant and the victim were married at this time.

Apparently, after the victim was stabbed, he fled the apartment. He went downstairs, knocked on a neighbor's door. The neighbor answered the door. The defendant stated that she got me good this time and asked him to call the police. The victim would not come inside this person's apartment. This was a Mr. Henry.

Mr. Henry then closed his door, but looked out the peephole and saw the defendant was now coming by his doorway. She, apparently, locked the door to leave the apartment, had her purse and her keys and was just leaving and then came upon the victim lying in the hallway. Mr. Henry also stated that many neighbors had come out and it was chaos and that the defendant was stating that she had did it, but he did not hear any reason as to why she stated she did it.

Investigator Campbell was the lead investigator on this case and he spoke to

1 several residents in the apartment. One of the
2 other ones, Ms. Goforth, stated that she had
3 heard and seen the defendant arguing with the
4 victim in the past, but the victim seemed to be
5 passive. The victim would not argue with the
6 defendant, at least in front of the witnesses.

7 The officers then processed the victim's
8 apartment. They found that the door was locked
9 cause they tried to enter. Once they got
10 inside, the master bedroom door appeared to had
11 been damaged and kicked inward -- or knocked
12 inward. There were paint slivers on the inside
13 of the floor. That was current damage that
14 apparently happened at this incident because
15 they checked with maintenance before and they
16 had been in there recently and the door had not
17 been in that condition. It had been pushed or
18 broken from the outside in.

19 They found the television was on. Call of
20 Duty was on pause. They found a Pizza Hut box
21 at the foot of the bed by the controller. There
22 was a small paring knife between the bed and
23 the dresser. Drops of blood were found on the
24 floor by the controller. Then, there was a
25 larger area of blood by the doorway where the

1 victim apparently stopped before trying to
2 leave.

3 During the course of investigation, it was
4 determined the victim had purchased that pizza
5 several hours earlier in the day while the
6 defendant was at work. He was actually at home
7 in the bedroom, appeared to be playing video
8 games when the defendant got home from work and
9 the stabbing occurred. According to the
10 employment records, or verification through
11 Investigator Campbell, the defendant had left
12 her job. Approximately 15 to 20 minutes later,
13 actual 911 call came in. This, apparently,
14 happened fairly quickly.

15 Investigators, then, interviewed several
16 witnesses at the victim's place of employment.
17 Mr. Bress was a long-distance truck driver. He
18 worked for Pro Trucking. He spoke with a
19 Mr. Finchum, who worked with the victim. He
20 stated that a few weeks prior to the victim's
21 death, the victim had asked him to hold onto
22 the keys to his trucks.

23 The defendant had come the work location,
24 was mad because she wanted to go on a trip with
25 the victim and he wouldn't let her. During that

1 argument, the defendant then sat in her car.
2 After a few minutes, she backed up at a high
3 rate of speed towards the victim appearing to
4 want to hit him according to the witness,
5 Mr. Finchum. He stated he had to pull the
6 victim out of the way so he would not be hit by
7 the defendant.

8 The victim, then, confided that he couldn't
9 do it anymore. He wanted to leave the defendant
10 because she was going crazy. The victim also
11 told this man that he had been stabbed the
12 victim -- excuse me -- by the defendant a prior
13 prior time when she had gotten mad at him. That
14 was stated to several witnesses that spoke to
15 Investigator Campbell that the defendant had
16 previously stabbed him, in the arm, I believe.

17 Finchum also stated that he had given the
18 victim a ride home several times because the
19 defendant would get mad at him. She would take
20 his car. He stated he had slept in his actual
21 truck bed several times, again, because of his
22 arguments with the defendant. The defendant
23 believed that the victim was cheating on her
24 and the defendant was angry about that.

25 The owner of the trucking company was also

1 interviewed. He stated the victim was a good
2 worker. He always tried to pick up extra shifts
3 to make extra money to support his family. He
4 said that there were times that he had been on
5 the phone with the victim and the victim would
6 have to call him back because this defendant
7 would be yelling at him so loudly in the
8 background.

9 The operations manager, Beverly Broyles,
10 was interviewed. She stated there were times
11 the victim would come back from a trip and just
12 sit in her office because he did not want to go
13 home and face the problems and confrontations
14 with the defendant. The victim had also told
15 her about the prior stabbing. Ms. Broyles
16 stated she had even had a confrontation with
17 the defendant herself. The defendant had been
18 upset because Ms. Broyles, I guess, the office
19 manager-type person, she would call the
20 defendant "Honey" -- excuse me -- the victim
21 "Honey." That upset the defendant. There was
22 jealousy and lack of trust between them,
23 obviously.

24 Investigation Campbell also reached out to
25 other family members. He spoke to the victim's

1 ex-wife, who stated that he was never violent
2 or aggressive with her. They had been together
3 for more than 14 years. They had two children
4 together. The victim's daughter, I believe she
5 goes by Monet, is a 16-year-old currently. He's
6 got a son, Lawrence, Jr, I believe, who is
7 currently 12.

8 Investigator also spoke with the victim's
9 mother, Ms. Bress. She's here today -- stating
10 that she is aware that the defendant had
11 previously stabbed the victim before they ever
12 got married and also tried to run him over. She
13 stated she would talk to her son about the
14 relationship. Talked to him just a few days
15 prior to his death. He stated that he was in
16 his truck in the Wal-Mart parking lot because
17 he just did not want to go home and he wanted
18 to leave the relationship.

19 Mr. Bress died as a result of a single guns
20 -- gun -- excuse me. It's usually gunshot --
21 single stab wound to his upper left anterior
22 chest. It's about 2.7 inches deep. He also had
23 a second superficial cut to his chest and to
24 his right forearm, which was possibly a
25 defensive wound.

1 That would be the general basis of the
2 facts we would present at trial. The
3 investigation by the sheriff's office,
4 especially Investigator Campbell, was very
5 extensive. Spoke with numerous witnesses. This
6 was, basically, the flavor of all of it from
7 several people at work, several people in the
8 family and several people in the apartment
9 complex.

10 **THE COURT:** All right. All right. Thank
11 you.

12 Ms. Gilmore, how do you plead to these --
13 this charge, guilty or not guilty?

14 **MS. GILMORE:** Guilty.

15 **THE COURT:** What's that? I'm sorry?

16 **MS. GILMORE:** Guilty.

17 **THE COURT:** All right. I'll accept your
18 plea as being freely and voluntarily made with
19 the advice of extremely competent counsel with
20 whom you say you're well satisfied. The plea
21 has a substantial factual basis.

22 Is there anything you would like to say,
23 sir?

24 **INVESTIGATOR CAMPBELL:** Just one other
25 thing, Your Honor. The prosecution mentioned

1 Mr. Henry who lived in the apartment below the
2 Bresses. I'd just add that during the week, he
3 said it was quiet because Mr. Bress was out on
4 the road. But as soon as he came home, he could
5 hear a female voice arguing the whole time he
6 was at home. So I asked him if he had heard a
7 male, you know, voice. He said it was always
8 female who was always in a rant and that he
9 never heard any slamming, any thumping on the
10 floor, anything that you would hear -- in the
11 apartment underneath the apartment.

12 **THE COURT:** All right. All right. All
13 right. I appreciate it. And you said the
14 victim's mother wanted to speak?

15 **MS. HODGE:** Yes, Ms. Bress is here and she
16 would like to address the Court at the
17 appropriate time. Would you like her to do that
18 now?

19 **THE COURT:** Certainly. That would be
20 great.

21 **SPEAKER:** I'm Lawrence's mother. Ramona,
22 you took my son's life. I don't know why. You
23 could have just left. You did not have take my
24 son. You not only took my son, you took my
25 grandchildren's father, my children's brother.

1 He will never get to see them grow up.

2 Montreal was full of life, always smiling
3 and laughing. He was a good person. He gave you
4 everything that you wanted. You were so full of
5 jealousy and hatred for his family. Why didn't
6 you just leave?

7 Montreal was more than a son to me, he was
8 my friend. We used to talk two or three times
9 every day. He had to sneak and call me when he
10 met you. That's a shame. He told me how things
11 were between the two of you. I told him to
12 leave. He tried to be happy with you. I seen a
13 change in him.

14 God will deal with you. My last
15 conversation with Montreal, he told me he was
16 tired and he wanted to be happy and he was
17 coming home. That was on his birthday. Four
18 days later, he was dead. I used to want you
19 would see his face every time you close your
20 eyes. But now, that's too good for you. God's
21 going to pay you for what you did to my son.
22 Ramona, you also stole my name, my social
23 security number, but you will never be the
24 woman that I am.

25 But Montreal free from you now, resting in

1 God's arms, at peace, smiling and laughing back
2 to himself. Thank you God from saving my son. I
3 know I have to forgive you one day, but not for
4 you, but for my sake, because I want to go to
5 heaven. Never will I forget what happened.
6 Montreal is gone, but not forgotten. Yes, he's
7 free, free from you.

8 **THE COURT:** Thank you, ma'am, and I am so
9 sorry for your loss. So sorry.

10 Anything else from the State?

11 **MS. HODGE:** Do you want to hear prior
12 records, Your Honor?

13 **THE COURT:** Yes, please.

14 **MS. HODGE:** All right. From New Jersey,
15 she has a 2001 Shoplifting, 2005 Possession of
16 Controlled Substance, a 2006 Resisting Arrest
17 and Probation Revocation, and a 2013 Assault by
18 Auto. That involved a -- she was driving a car
19 and under the influence of drugs and got into
20 an accident, and I believe it was her -- she
21 and possibly her passenger were hurt in that
22 accident.

23 **THE COURT:** All right. Thank you.

24 All right. Yes.

25 **MR. ERWIN:** Thank you, Your Honor. I will

1 start out by saying that -- that we very much
2 appreciate the recommendation that the State
3 has made in this case. We understand this is a
4 very serious case and it is a case that
5 resulted in a death. However, I will tell you
6 that we're going to ask for a vastly more
7 lenient sentence than what the State is
8 recommending.

9 In this case, Your Honor, very early on, it
10 was obvious to us that this was a case that
11 potentially involved battered women syndrome,
12 something that I know that the Court is
13 familiar with. We had our defendant -- we had
14 her evaluated by Dr. Lois Veronen, who is a
15 licensed clinical psychologist out of Rock
16 Hill. This is the kind of work that she does.
17 I, in fact, have used her for multiple battered
18 women syndrome cases.

19 She came up with -- she made several
20 evaluations for our defendant, spent some time
21 with Ms. Gilmore, looked at all the facts --
22 all the evidence that was given to us by the
23 State in this case and wrote a report that
24 includes her conclusions that she drew from
25 that evaluation, Your Honor.

1 I'd like to introduce this as a Defendant's
2 Exhibit as part of this plea. I would like to
3 pass it up to the Court to read. It's six pages
4 long. It's not a terribly long report.

5 **THE COURT:** All right. (Reviewing.)

6 All right.

7 **MR. ERWIN:** Thank you, Your Honor. Of
8 course, the State has a copy of that report.

9 **THE COURT:** Sure.

10 **MR. ERWIN:** Just for the record, you'll
11 noticed we corrected a typo on the last page.

12 **THE COURT:** Right.

13 **MR. ERWIN:** That of course was -- we
14 consulted on that. Both sides agree that that
15 was appropriately done.

16 **THE COURT:** Okay.

17 **MR. ERWIN:** Now, you will see in that
18 report that battered women's syndrome, in this
19 case, is not being used as a defense. By no
20 means are we saying that Ramona is guilty -- not
21 guilty of this. We are saying -- we understand
22 that she -- the victim died by her hand in this
23 case.

24 Judge, the mitigation presented by that
25 analysis, I think, is powerful. I think that

1 this was a situation where Ramona was being
2 abused and that the tragic result of this case
3 came directly from that. I understand that the
4 State has characterized the abuse in this -- in
5 this relationship as going the opposite
6 direction. I will point out -- and while -- the
7 Sheriff's Office, certainly, did an in-depth
8 investigation in this case, as you heard from
9 the factual recitation, they talked to friends
10 of the victim. They talked to coworkers of the
11 victim.

12 There was nobody in Ramona's life to speak
13 up for her afterwards. That is because she was
14 separated. Her family is in New Jersey, Your
15 Honor. She was completely separated and cut off
16 from everyone in her life from her support
17 system, which, as you will note in the report,
18 is a very classic symptom of an abusive
19 relationship -- of an abuser. I believe that's
20 what we had here, Judge.

21 In a minute, I'm going to hand it over to
22 Ms. Price who's going to tell you a little more
23 about Ramona. To get to the bottom line here,
24 we are asking the Court to consider a sentence
25 of six years in this case. Like I said, Powers

1 is going to tell you a little bit more about
2 Ramona and give you a little context for what
3 I'm trying to say here.

4 **THE COURT:** All right. Yes, ma'am.

5 **MS. PRICE:** Thank you, Your Honor. Ramona
6 has been in jail for 752 days now. As Jake just
7 said, she was born and raised in New Jersey.
8 Her entire family lives up there. All of her
9 friends live up there. Her mother and her
10 stepfather drove all the way down here
11 yesterday and they are here today in support of
12 her. Her mom would like to say a few words at
13 the appropriate time.

14 She and Lawrence were married in 2011. They
15 dated for approximately two years before that.
16 They, originally, were up north and then they
17 moved down south in 2010. They've been here
18 continuously since then other than a long trip
19 to New Jersey back in 2012 when Ramona's mom
20 had surgery.

21 Despite trying, they were not able to have
22 kids. As you've heard, Lawrence does have kids
23 from prior relationships. He would often put
24 Ramona down for not being able to have
25 children. That was only one of the causes of

1 marital tension in their relationship.

2 As you've also heard, he was a long-
3 distance truck driver. There was a lot of
4 infidelity on his part while he was on the
5 road. Ramona never cheated on Lawrence, but she
6 found out that there was a lot of infidelity on
7 his part. She found out that he had a separate
8 cell phone. She found a lot of text messages to
9 various women. Some where he even offered to
10 pay money for sex. She had not -- she did end
11 up with two sexually transmitted diseases
12 during the course of their marriage.

13 Investigators also interviewed a woman up
14 in North Carolina. Lawrence had apparently
15 stayed with her several days prior to this
16 incident. That woman described herself as
17 Lawrence's fiancé, but had no idea that he was
18 married to Ramona.

19 Your Honor, this is a classic battered
20 spouse case. There was domestic violence in the
21 past. As common, it was not recorded. There is
22 a cycle of him beating her, as detailed in the
23 report. Then he would buy her flowers, take her
24 out and then promise her that she was his
25 world. Also, her neighbors did hear report of

1 fights, but Ramona was not the aggressor in
2 those fights.

3 She was also separated from friends and
4 family. I've spoken to a lot of her family
5 members and friends up in New Jersey. They all
6 characterized Ramona as being withdrawn when
7 she got married to Lawrence. When she did call
8 them, it was only when Lawrence was on the
9 road. Then, as soon as he came back in the
10 door, she would immediately hang up. Lawrence
11 did not want to hang out with any of her family
12 or any of her friends. He also didn't want her
13 to hang out with them either.

14 Your Honor, he also drank often throughout
15 the marriage. At the time that this happened,
16 he had a BAC of .11. Ramona is not a big
17 drinker.

18 Immediately after she stabbed him, she was
19 the one that screamed for help. She was the one
20 that was banging on apartment doors. You could
21 hear in the officer's in-car video, she yelled
22 out several times, "Where is the ambulance? Why
23 is it taking so long?"

24 Several of the witnesses who did see them
25 out in the hall and witnessed that, they did

1 say that it did not appear that Ramona meant to
2 hurt him that badly. She did cooperate with
3 authorities. She stayed there with him in the
4 hallway until EMS employees came. She was
5 interviewed twice. Your Honor, based on all
6 this, we are asking for the Court to consider a
7 sentence of six years.

8 **THE COURT:** What about this person who
9 lives down below who said that he would -- on
10 weekends, or at least this weekend, I don't
11 know if it was weekends or one weekend.

12 **INVESTIGATOR CAMPBELL:** It was weekends,
13 plural. He was a long -- he drove, like, Monday
14 or Sunday night through Friday. When he would
15 come into the door on Friday, he would start
16 hearing a female voice screaming at someone. He
17 never heard a male voice retaliate. It was
18 always a female. He said he never heard any
19 thud or thump or anything on the floor as if a
20 fight. It was just yelling and arguing.

21 **THE COURT:** What about that? That doesn't
22 really fit in. I mean, I guess a concern that I
23 have, while I don't challenge in any way Dr.
24 Veronen's qualifications to do this type of
25 thing, I think we'd have to all agree -- and

1 maybe it is because she was isolated -- it's
2 all self-reported. I mean, it's all pretty much
3 what she relayed to the psychologist during
4 this.

5 **MR. ERWIN:** Understood, Your Honor, and
6 you're right. Unfortunately, that's kind of
7 what we're stuck with here. I'd point out that
8 a lot of the evidence to the contrary, you're
9 talking about the neighbor underneath, I think
10 he said, that is also self-reported. We're
11 talking about, you know, testimony.

12 This is one of those cases that, as a trial
13 lawyer, I wish that we, you know, could try it,
14 because I would very much like to talk to that
15 witness. It sounds like there's a lot of
16 speculation going on, but this has never been a
17 trial. This is a plea. This is -- Ms. Gilmore's
18 here to take responsibility for this. Judge, I
19 just think that it's a speculation from both
20 sides here. It's obvious there was abuse
21 happening. I mean, none of us will know what
22 happened inside of that apartment.

23 **MS. HODGE:** I would like to point out for
24 the record though, Investigator Campbell did
25 speak to the defendant's mother. He did reach

1 out to her. There was nothing reported to him
2 that she was a battered woman, abused woman.
3 That came from -- he spoke to the mother twice
4 and thought -- the mother then thought she
5 shouldn't speak to him anymore and rightly so,
6 wanted to protect her daughter's interest.
7 There was that.

8 There was also speaking to the defendant's
9 coworkers. Nobody ever said she came in with a
10 black eye, bruise, whatnot, nothing was
11 reported by her coworkers. Finally, on the
12 night of this when she claimed there was
13 fighting and she was just trying to get the man
14 off of her, she had no injuries. They took
15 photographs of her that night. EMS checked her.
16 She complained of nothing.

17 The next day when they interviewed her,
18 they took photographs again. She still had no
19 bruises or anything that came up. So she had --
20 there was nothing in the evidence that we have
21 collected -- the Sheriff's Office collected, to
22 say that there's been anything as far as
23 domestic violence going between the defendant
24 being a victim.

25 **MR. ERWIN:** Judge, I think we would

1 actually disagree on that last point. I think
2 there was evidence that was turned over to the
3 State that Ramona had some injuries that night
4 -- the day of.

5 **THE COURT:** Ms. Gilmore, is there anything
6 you'd like to say?

7 **MS. GILMORE:** I'd just like to thank you
8 for letting me speak and say something. I want
9 to tell the Bress family that there are no
10 words to express how deeply sorry I am for
11 causing so much pain. You don't deserve this.
12 If I could take all your pain away and carry it
13 all myself, I would. I pray every night that
14 God will give you peace.

15 I don't want you to think I did this in
16 anger. I was frightened and I was -- it was
17 unintentionally. I would never hurt Lawrence on
18 purpose. I loved him unconditionally. I hope
19 that one day you'll give me -- forgive him. I
20 just want you to know that I loved him too and
21 I miss him too.

22 **MS. PRICE:** Your Honor, I'd also like to
23 add several friends and family members from New
24 Jersey could not be here today, but I have
25 seven handwritten letters just summarizing all

1 of them. The State has a copy of all of these.
2 They don't characterize Ramona as a violent
3 person at all. They all say that she's a very
4 caring and loving person. It's not like her.

5 **THE COURT:** And did you say that her
6 mother's here and wanted to speak?

7 **MS. PRICE:** Yes, Your Honor.

8 Ramona wants to say one more thing.

9 **THE COURT:** Oh, certainly. Yes, ma'am.

10 **MS. GILMORE:** They said that they spoke to
11 my mom. But when everything was happening that
12 night, I called my mom and he was in the
13 background screaming and yelling. I did talk to
14 my mom and she did say something about that to
15 the police. So it wasn't that I don't -- I
16 didn't talk to my mom. I did talk to her when
17 everything was going on.

18 **THE COURT:** Thank you.

19 Yes, ma'am. Tell me your name please.

20 **SPEAKER:** My name is Pamela Jackson.

21 **THE COURT:** Yes, ma'am.

22 **SPEAKER:** I am Ramona Gilmore's mother.
23 First of all, I'd like to give my condolences
24 to the Bress family. My daughter today seems
25 like a monster the way that they've been

1 describing her, but I know her as a warm, very
2 affectionate person. I do know of some things
3 that was going on between her and Lawrence, and
4 Ramona talked to her friends more than me about
5 the violence. She did come to me a couple of
6 times. I had to go pick her up one time on the
7 highway where she had left the house and she
8 was just walking around. I had to leave my
9 business to go get her.

10 They did go to South Carolina to live. I
11 had emergency surgery and she came home. At
12 that time, she told me she didn't want to go
13 back. Lawrence insisted that they come back
14 this way, so she left. I've been in contact
15 with my daughter the whole time she was here.

16 The night it happened, I was on the phone.
17 She called me. She was very upset. I heard him
18 yell, as well as her yell. I was telling her to
19 leave the house. The phone went dead. Called
20 back. I couldn't get her. Maybe about four
21 minutes, three minutes, I don't know, my phone
22 rang again and it was Ramona again. This time
23 you couldn't -- I guess it was tussling over
24 the phone or what have you. I kept saying,
25 Ramona leave because she kept saying she didn't

1 know what to do. I said leave, and the phone
2 went dad. Two days later, I was called to say
3 that, you know, Lawrence was dead.

4 As I said, my daughter is a very
5 compassionate and loving person. I do not
6 believe that she did anything in anger. If
7 anything, she was defending herself.

8 **THE COURT:** All right. Anything else?

9 **MR. ERWIN:** I believe that's it from our
10 side.

11 **THE COURT:** Well, saying we're getting two
12 very conflicting sides would be an
13 understatement in this case. However, -- and
14 again, I understand that from the defense's
15 prospective, she felt somewhat isolated, but I
16 hear from the mother that she talked to
17 friends, that she didn't -- she wasn't
18 isolated.

19 And I believe that the State's
20 recommendation -- the reduction in charge and
21 the State's recommendation takes into account
22 that there could be -- you know, that there
23 potentially was some validity to the fact that
24 it was a violent relationship from both sides.
25 As such, ma'am, sentence of the Court is 18

1 years, credit for 752 days. I wish you the best
2 of luck.

3 Oh, I'm sorry.

4 **MR. ERWIN:** Your Honor, I passed up the
5 statute 16-25-90. Would you consider making a
6 finding on the record of violent from a
7 household member in this case? It would only
8 affect parole eligibility for her sentence.

9 **MS. HODGE:** We would strongly object to
10 that because I don't believe any credible
11 evidence has been presented. She'd parole after
12 one-fourth of her sentence at that point.

13 **THE COURT:** Here's what I'm going to do.
14 This is the first time, in all candor, I've
15 been faced with this. I want to take a look at
16 this. I'll make a decision about that. I will
17 tell you right now I feel like what's been
18 presented probably cuts against her with regard
19 to that, but I'll think about it and have a
20 decision, if not by tomorrow, by the end of
21 this term of court.

22 **MR. ERWIN:** Thank you.

23 **THE COURT:** All right. Thank you.

24 **MS. HODGE:** Thank you, Your Honor.

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(Proceedings conclude at approximately
3:14 p.m.)

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN THE COURT OF GENERAL SESSIONS)
THIRTEENTH JUDICIAL CIRCUIT)

THE STATE OF SOUTH CAROLINA)

WARRANT # 2014A2330206802)
INDICTMENT # 2015GS2300945)

VS.)

RAMONA DELORES GILMORE,)
DEFENDANT.)

ORDER)

RECEIVED)

SS#: 150748391 DOB: 7/16/1982)
Race: B Sex: F)

SEP 27 2016)

SC Court of Appeals)

FILED
CLERK OF COURT
GREENVILLE CO. SC
2016 SEP 12 PM 2:20

This matter came before the court at the time of defendant's guilty plea, August 9, 2016. Defendant was present and represented by Powers Price and Jake Erwin. The State was present and represented by Kris Hodge. Defendant pled guilty to Voluntary Manslaughter, reduced from Murder. The State recommended a sentence of 18 years, the defendant argued for less, and specifically requested a sentence of 6 years. In addition the defense requested the court consider finding defendant was entitled to parole eligibility after 1/4 of sentence was served, pursuant to South Carolina Code Section 16-25-90. The court sentenced the defendant to 18 years.

Facts were presented by the State as follows:

July 19, 2014, defendant stabbed the victim one time in the chest, during a verbal altercation. Victim and defendant were husband and wife, and lived together in an apartment in Greenville County. The victim died as a result of the single stab wound.

During the course of investigation, officers received statements from many witnesses in the victim's apartment complex, and at the victim's place of employment, that the defendant was the primary aggressor in the arguments between the she and the victim. Witnesses also stated defendant was a jealous person who suspected the victim of having an affair. Witnesses stated victim would delay going home from work so that he could avoid arguments with defendant. Witnesses also stated that on a prior occasion, defendant came to victim's place of employment, was angry at him for not taking her on a work trip with him, and attempted to run him over with her car. In addition, a friend of the victim's and the mother of the victim gave statements that the defendant had previously stabbed the victim in the shoulder, when defendant and victim lived in New Jersey, prior to moving to Greenville, SC.

The crime scene was processed and it appeared the victim was at home for several hours before the defendant on the incident date. Victim had ordered pizza and was playing video games in the bedroom. The door frame to the bedroom had been broken or kicked inward, and there was a spot of blood near the video game controller, and then larger amounts of blood at the doorway out of the apartment. Victim fled the apartment, knocked on a neighbor's door to ask for help, and stated to the neighbor, " she stabbed me, and she got me good this time". Victim then fell down in the stairwell and died there.

Greenville County Sheriff's Office responded to the scene and found defendant in the stairwell with the victim next to him crying. She stated they were arguing and she stabbed him to get him off of her, yet she had no visible injuries, and did not complain of any injuries when EMS arrived and checked her.

Defense presented evidence from a psychologist that the defendant suffered from Battered Woman's Syndrome. In addition defense stated defendant was in fear of the victim, and that he had been abusive to her, and isolated her from friends and family.

The court noted the only evidence the defense presented regarding a history of criminal domestic violence perpetrated by the victim on the defendant, was the defendant's self-reporting of this abusive relationship; and it was directly contrary to the facts presented by the State's investigation.

After hearing the facts of the case by the State, and mitigating facts presented by the defense, the court declines to find defendant is entitled to the benefit of early parole under 16-25-90, due to the lack of credible evidence of a history of criminal domestic violence.

THEREFORE, IT IS ORDERED that defendant does not qualify for early parole eligibility cited in SC Code Section 16-25-90.

IT IS SO ORDERED



Presiding Judge

Date: 9/12/16
Greenville, South Carolina



000945

DOCKET NO. 2015-GS-23-

KBH

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

February

TERM 2015

THE STATE

vs.

RAMONA DELORES GILMORE

ARREST WARRANT NUMBER

2014A2330206802 and 2014A2330206803

ACTION OF GRAND JURY

TRUE BILL

Wayne Shefferson
FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

Indictment for

0116 and 0549

MURDER

and

POSSESSION OF A WEAPON DURING THE

COMMISSION OF A VIOLENT CRIME

VIOLATION § 16-03-0010 and § 16-23-0490

ENTERED
ACCT. CLERK
LDT

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
MURDER
and
POSSESSION OF A WEAPON DURING
THE COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on
County present upon their oath:

FEB 24 2015

the Grand Jurors of Greenville

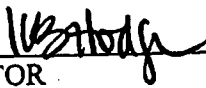
COUNT I - MURDER

That RAMONA DELORES GILMORE did in Greenville County, on or about the 19th day of July 2014, unlawfully and with malice aforethought kill LAWRENCE BRESS by means of a stab wound, and that LAWRENCE BRESS died as a proximate result thereof. This is in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

COUNT II - POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That RAMONA DELORES GILMORE did in Greenville County, on or about the 19th day of July 2014, possess or visibly display a knife during the commission or attempted commission of a violent crime, to wit: MURDER. This is in violation of §16-23-490 of the South Carolina Code of Laws (1976) as amended.

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



SOLICITOR BAR # 8245

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with 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."

Respectfully Submitted,



Robert M. Pachak
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 7th day of December, 2017.

RECEIVED

DEC 07 2017

SC Court of Appeals