

Herbert Holmes # 139850

A. C. I. F4-A30

P.O. Box 1151

Fairfax, SC 29827

Oct. 16, 2017

Honorable Jenny A. Kitchings  
Clerk of the Court of Appeals

P.O. Box 11629

Columbia, SC 29211

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OCT 24 2017

SC Court of Appeals

RE: Case No. 2013-000907

Herbert Holmes Vs. The State

Dear Ms. Kitchings:

Thank you for your letter dated 9-26-17 in which you provided the case information I requested in July of 2017. Unfortunately, a great mistake or error has been made in my case.

Your letter indicated that my direct appeal had been dismissed based on the rules governing direct appeals from a guilty plea. The Order you provided me from the Court of Appeals specifically stated my case was being dismissed based on my

failure to provide the Court with an explanation of what I was appealing from my guilty plea. However, I Never pled guilty.

My case went to trial and I was found guilty by a jury. There was no guilty plea. Further, my appellate attorney nor the court ever discussed this issue with me. I was never contacted in 2013 that my appeal had been dismissed, and I was not given any transcript or other trial information.

As I now view my sentencing sheet, it specifically states that I was "convicted of" the charged offense. There was NO guilty plea. Hence, the Ct. of Appeals improperly processed my direct appeal.

Respectfully,

15/ Musht. J. Holmes

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