

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Honorable John C. Hayes, Circuit Court Judge

THE STATE,

V.

DEAN ALTON HOLCOMB,

ORIGINAL

RECEIVED

MAR 27 2019

RESPONDENT,

SC Court of Appeals

APPELLANT

APPELLATE CASE NO 2017-001659

2nd SUPPLEMENTAL RECORD ON APPEAL

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STATE OF SOUTH CAROLINA)	COURT OF GENERAL SESSIONS
)	
COUNTY OF GREENVILLE)	THIRTEENTH JUDICIAL CIRCUIT
)	
State of South Carolina,)	Case No(s) : 2014GS2308177,
)	2014GS2308179
Plaintiff,)	
)	
-VS-)	TRANSCRIPT OF RECORD
)	
Dean Alton Holcomb,)	
)	
Defendant.)	
)	

October 10, 2014
 Greenville, South Carolina

B E F O R E:

HONORABLE LETITIA H. VERDIN, Judge.

A P P E A R A N C E S:

J. MARK MOYER, Esquire
 Attorney for the Plaintiff

JOHN CRANGLE, Esquire
 Attorney for the Defendant

Teresa B. Johnson, CVR-M-CM, RVR, RVR-M
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 Greenville, S.C. 29602

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EXHIBITS PAGE

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u> <u>EV</u>
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PLAINTIFF EXHIBITS

(No exhibits offered.)

DEFENSE EXHIBITS

(No exhibits offered.)

COURT EXHIBITS

(No exhibits offered.)

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P R O C E E D I N G S

(Proceedings begin on the 10th day of
October 2014, at approximately 11:35 a.m.)

MR. MOYER: May it please the Court,
Your Honor. Dean Holcombe is before you on two
counts of intimidation of a court official and
two counts of threatening the life of public
official. The same two victims on each case:
One of whom is Tim Martin, investigator with
the sheriff's office who's standing next to me;
the other is Assistant Solicitor Sylvia
Harrison who will not be here, but our victim
advocate is going to read a brief statement on
her behalf. The defendant has no bond, and we
are asking that it remains that way.

The way this got to the Court: The
defendant was initially arrested in May 2013
for the charge of breach of trust result from
an incident that happened in May 2012. The
defendant immediately began harassing
investigating officer, Tim Martin, by e-mail.
This culminated in an e-mail on June 9, 2014,
which led to these charges.

In that e-mail, he referenced both Tim
Martin and Sylvia Harrison. In that, he

1 referred to Sylvia as, quote, a lying cunt
2 whore; tells Investigator Martin to consider
3 suicide because he, Holcomb, is so dangerous
4 that his enemies killed themselves; and he
5 says, behind it all, there is a price to pay.

6 He references a scripture reference, Psalm
7 109. In that, to quote part of that, the
8 language is, "Appoint someone evil to oppose my
9 enemy; let an accuser stand at his right hand.
10 When he is tried, let him be found guilty, and
11 may his prayers condemn him. May his days be
12 few; may another take his place of leadership.
13 May his children be fatherless and his wife a
14 widow." We consider that a threat, along with
15 the other references that he makes in that
16 e-mail.

17 Warrants were served for two counts of
18 intimidation of a court official in August 2014
19 in North Carolina, where the defendant was at
20 the time. He waived extradition and was brought
21 to South Carolina and appeared before a
22 magistrate where no bond was set.

23 On August 31, 2014, the defendant filed a
24 motion to relieve counsel and proceed pro se.
25 That motion was held before Judge Miller on

1 September 12, and the defendant withdrew that
2 motion.

3 September 16, 2014, the state directly
4 presented two counts of threatening the life of
5 a public official. Those indictments were
6 served on him September 18, 2014.

7 He does not have any criminal record, but
8 he does have the breach of trust pending. When
9 the defendant was charged in North Carolina --
10 when he was arrested in North Carolina, that
11 time resulted in him being charged in North
12 Carolina with possession of a weapon on
13 courthouse grounds and resisting a public
14 officer. I've been told that they -- North
15 Carolina dismissed those charges to expedite
16 the extradition of the defendant to South
17 Carolina.

18 This case will, ultimately, be prosecuted
19 by another county, Your Honor, due to the
20 conflict. But we are handling the bond hearing.

21 And if it please the Court, I would like to
22 pass up the e-mail that lead to the charges.

23 **THE COURT:** All right. Mr. Crangle, have
24 you seen this?

25 **MR. CRANGLE:** Yes, Your Honor. I have.

1 (The document is handed to the Court.)

2 **THE COURT:** (Reviewing.)

3 All right. Anything else from the state?

4 **MR. MOYER:** Only that one of the victim
5 advocates would like to read a brief statement
6 from one victim, and I think Investigator
7 Martin would like to make a brief comment, as
8 well.

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

10 **VICTIM ADVOCATE:** Thank you, Your Honor.
11 My name is Joan Phillips, and I would like to
12 read a statement that was prepared by Assistant
13 Solicitor Sylvia Harrison.

14 "Your Honor, about a year ago, I was
15 assigned to a breach of trust case concerning
16 Mr. Holcomb where he defrauded a couple out of
17 \$3500. Since this case was assigned,
18 Investigator Tim Martin and I have been
19 bombarded with e-mails, phone calls, and
20 threats from the defendant. At first, I did not
21 fear for my safety. But once an e-mail came to
22 me threatening to kill me and my killing would
23 be justified by the defendant's religious
24 beliefs, my life felt threatened.

25 "In discussing this case with other

1 professionals, I immediately left the state to
2 visit my sister in Texas. Once I returned, I
3 had my brother move in with me for my security.
4 The security system is always on in my house
5 and I sleep with a gun nearby, two things I
6 have never felt the need to do.

7 "I've listened to various jail calls
8 between the defendant and his sister where he
9 hopes his mother will kill herself and has
10 shown a great deal of anger toward Mr. Crangle
11 and Investigator Martin. I have been a
12 prosecutor for over 20 years, and for the first
13 time, I find myself taking these threats very
14 seriously. I believe the defendant is capable
15 of harming Investigator Martin, myself and
16 perhaps other members of his family and is,
17 therefore, a danger to the community.

18 "In addition, the defendant is a North
19 Carolina resident and has no ties to the local
20 community. For these reasons, I would
21 respectfully request that bond be denied."

22 And this is signed by Assistant Solicitor
23 Sylvia Harrison.

24 **THE COURT:** All right. Thank you. Okay.

25 **INVESTIGATOR MARTIN:** Your Honor?

1 discussing with the solicitor a competency
2 evaluation. And we -- the solicitor's office
3 actually doesn't want him evaluated for
4 competency. They kind of want a psychiatric
5 evaluation. We would oppose that, Your Honor.
6 We believe that's a violation of my client's
7 right to remain silent. And also, kind of what
8 they're asking for is a way to evaluate how
9 seriously the threats would need to be taken.
10 We strongly oppose that motion. It's not a
11 competency evaluation. I believe my client
12 would be competent; and in speaking with
13 Ms. Strom about the case, she believes the same
14 thing.

15 Mr. Holcomb has indicated to me that he
16 wishes to request a fast and speedy trial
17 motion, Your Honor. I think if you're going to
18 deny bond, I would ask that you would order
19 this case to be set within 90 days or 120 days.
20 That way, we can get it going. That's all I
21 have right now, Your Honor.

22 **MR. HOLCOMB:** May I speak? May I say
23 something, please?

24 **THE COURT:** Yes, sir.

25 **MR. HOLCOMB:** Judge Verdin, I apologize

1 for the behavior. But one thing that nobody is
2 mentioning is that one of the conditions of my
3 bond was that I maintain weekly contact with
4 Mr. Martin. I don't even know where he's at. I
5 tried to contact Internal Affairs. He basically
6 set me up, and no one's looked at that. But I
7 had to maintain weekly contact.

8 I don't have the ability to get a job. I've
9 never been in trouble before, and yes, I lost
10 my temper on that, but I never -- I don't mean
11 any harm to anyone. I won't contact anyone. I
12 won't bother anyone. I promise you. If you
13 release me, we'd never maintain contact -- I'd
14 never contact anybody again. If I do, I'll turn
15 myself in; I would never ask for bond; I'd
16 plead guilty; I'll do whatever you want me to.

17 But I don't mean to hurt anybody. I may
18 have prayed for someone to, I would never harm
19 them and I don't mean to harm them. I've got
20 some anger issues. But I'm not out to harm
21 anybody, not at all.

22 Tim Martin had even talked to the victim.
23 He went to the grand jury without even speaking
24 to the alleged victim. He talked to someone in
25 prison, that was in prison over this issue.

1 That's what I've been upset about and I don't
2 feel like I've gotten fair treatment from him
3 or Sylvia Harrison. So...

4 But I don't mean to come across as crazy.
5 If you let me get back to work, my health is
6 restored, I'll stay completely away and I'll
7 show up at trial and everything -- we'll work
8 this out. So that's all I have to say. Thank
9 you, Your Honor.

10 **THE COURT:** Thank you. The e-mail that I
11 just read to Officer Martin was certainly
12 disturbing and I think would rise or would at
13 least raise some question about competency. But
14 it sounds like you and the solicitor's office
15 have crossed that bridge already, potentially.
16 And it sounds like this case is going to be
17 referred to another office; is that right?

18 **MR. MOYER:** That is right, Your Honor.
19 Regarding the evaluation, Ms. Strom and I
20 discussed not bringing up the competency, but
21 whether or not Your Honor would think it would
22 be appropriate to have a psychiatric evaluation
23 done by a local or someone in Columbia, just to
24 determine his level of dangerousness. I think
25 that was the issue that we wanted to raise, as

1 opposed to competency.

2 **THE COURT:** I'm going to deny bond at this
3 time. I'm going to refer -- I'm going to order
4 that this case, however the referral process
5 happens, whether it's through the Attorney
6 General's Office or whatever, that that process
7 be undertaken immediately and that once it is
8 assigned than the chief administrative judge
9 there, set a time for -- a time frame for this
10 case to be tried. All right.

11 **MR. MOYER:** Thank you, Your Honor.

12 **MR. CRANGLE:** Thank you, Judge.

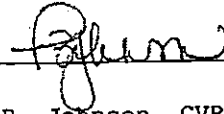
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14 (Proceedings conclude at approximately
15 11:47 a.m.).

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CERTIFICATE

I, the undersigned, Teresa B. Johnson, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Greenville, South Carolina, on this 17th day of March 2019.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

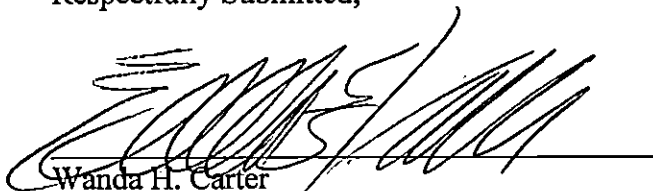


Teresa B. Johnson, CVR-M-CM, RVR, RVR-M
Circuit Court Reporter

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,

A handwritten signature in black ink, appearing to read "Wanda H. Carter", is written over a horizontal line.

Wanda H. Carter
Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 27th day of March, 2019.