

Apr 04 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

IN THE COURT OF GENERAL SESSIONS

INDICTMENT NO.:
2019-GS-21-01040

STATE OF SOUTH CAROLINA,

vs.

**ORDER DENYING CREDIT FOR TIME
SERVED WHILE ON MONITORED
HOUSE ARREST**

MAESHA JAQUETTA SHANIQ
JOYNER,

Defendant.

2024 APR -4 PM 3: 32
2019 FLORENCE COUNTY
CLERK OF COURT S.C.

FILED

Here before the court comes a motion for credit for time served while on monitored house arrest. The Defendant received a bond following her charges which placed her on monitored house arrest until resolution of the pending charges. At issue is whether the Defendant is entitled to credit for time served while on monitored house arrest.

Section 24-13-40 of the South Carolina Code is the sentencing statute in this matter. The statute reads, "In every case in computing the time served by a prisoner, full credit against the sentence must be given for time served prior to trial and sentencing, and may be given for any time spent under monitored house arrest." 24-13-40 of the South Carolina Code.

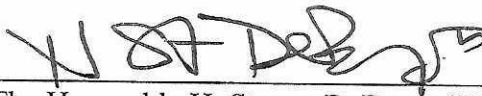
Here the statute clearly and plainly vests the presiding Judge the authority to either grant or deny credit for time served if the Defendant is placed on monitored house arrest. The court considered the a report from the monitoring company of the defendant that contained no violations. However, it was also brought to the court's attention that the Defendant was arrested and charged while on monitored house arrest in this matter with a drug trafficking charge that was later dismissed prior to this trial.

MSA

CERTIFIED: A TRUE COPY
Ms. Paula Allen
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY S.C.

After taking all of this information into consideration and having presided over the trial, and in light of the sentence imposed, I respectfully deny the motion and decline to give credit for time the defendant served while on monitored house arrest.

IT IS SO ORDERED.


The Honorable H. Steven DeBerry, IV

Florence, South Carolina
4/4, 2024

FILED

2024 APR -4 PM 3:32

CHRISTOPHER CHARRA
CLERK OF COURT
FLORENCE COUNTY, SC

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CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY S.C.