

RICHLAND COUNTY
2024 AUG 15 PM 3:21

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Aug 15 2024

SC Court of Appeals

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APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Honorable Martha Rivers, Circuit Court Judge

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SC Court of Appeals

Indictment: 2023GS4002778

The State,.....Respondent,

v.

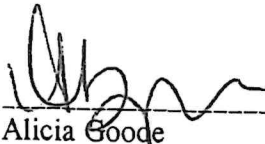
Alfredo Jose Reyes,.....Appellant.

NOTICE OF APPEAL

Alfredo Jose Reyes appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Martha Rivers on August 12, 2024.

2023GS4002778 -- Criminal Sexual Conduct with a Minor 2nd degree; 20 years suspended to 12 years active and credit for 1035 days, must register as a Sex Offender, no contact with victim and Central Registry of Child Abuse and Neglect.

Date: August 15, 2024



Alicia Goode
Richland County Public Defender's Office
P.O. Box 192
Columbia, South Carolina 29202
(803) 766-5763
Attorney for Appellant

Other Counsel of Record:
Assistant Solicitor Kathryn Cavanaugh
Office of the Solicitor, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street
Columbia, South Carolina 29201
Attorney for Respondent

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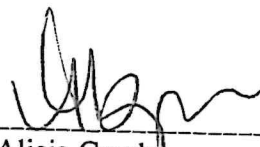
v.

Alfredo Jose Reyes,.....Appellant.

**STATEMENT OF BASIS FOR APPEAL FROM
GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B)**

Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), the Defendant was dissatisfied with his sentence and insisted on appealing. I am of the opinion that if the client insists on appealing, I am constrained to file an appeal. Weathers v. State, 319 S.C. 59, 459 SE 2d 838 (1995).

Date: August 15, 2024



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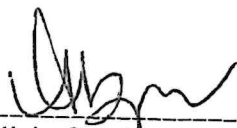
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PROOF OF SERVICE

I hereby certify that a true copy of the Notice of Intent to Appeal & the Statement of Basis for Appeal from Guilty Plea Pursuant to Rule 203(d)(1)(B) in the above-referenced case has been served upon opposing counsel by delivering same this date to her office at the Office of the Solicitor, Fifth Judicial Circuit, Richland County Judicial Center, 1701 Main Street, Columbia, South Carolina 29201.

Date: August 15, 2024



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Richland County Public Defender's Office
P.O. Box 192
Columbia, S.C. 29201
(803) 766-5763
Attorney for Appellant

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1701 Main Street
Columbia, South Carolina 29201
Attorney for Respondent

WITNESSES

(S) Lt. Joseph Clarke
- RCSD

DOCKET NO. 2023-GS-40-02778

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

APRIL TERM 2023

116

ARREST WARRANT NUMBER

DP23141

TRUE BILL

ACTION OF GRAND JURY

**THE STATE
vs.**

Alfredo J Reyes

Foreperson of Grand Jury
Date: APR 19 2023

VERDICT

Foreperson of Petit Jury
Date:

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

Alfredo J. Reyes

hereby appear in my own proper person and plead guilty to the within indictment or to

[Signature]
Defendant

Witness:

C.C.C. PLS. AND G.S.

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SC Court of Appeals

Indictment for
**CRIMINAL SEXUAL CONDUCT WITH A
MINOR - 2ND DEGREE**

SC Code: 16-03-0655(B)(1)
CDR Code: 0396

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on April 18, 2023, the
Grand Jurors of Richland County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR
2ND DEGREE (AGE 11-14)

That Alfredo J. Reyes did in Richland County, State of South Carolina, on or
between December 18, 2015 and December 17, 2019, willfully, unlawfully and
feloniously engage in sexual battery with a minor who was at least fourteen (14)
years or less but who was at least eleven (11) years of age, to wit: _____, in
violation of Section 16-03-655(B) [formerly Section 16-3-655(2)], S. C. 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.


BYRON E. GIPSON, SOLICITOR

STATE VS. Alfredo J. Reyes

INDICTMENT/CASE#: 2023 -GS- 40 - 02778

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF RICHLAND

STATE

INDICTMENT/CASE#: 2023 -GS- 40 - 02778

Alfredo VS. J. Reyes

A/W#: DP23141
Date of Offense: 12/18/15 - 12/17/19
S.C. Code §: 16-3-0655(B)(1)
CDR Code #: 0396

AKA: _____
Race: H Sex: M Age: 41
DOB: 4-13-83 SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

Defendant Pro Se

In disposition of the above indictment comes now the Defendant who

WAS CONVICTED OF or PLEADS

TO: CSC w/ a minor 2nd deg (3)(1)

In violation of § 16-3-0655(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0396

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-41
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The State's Position is:

None

Negotiated and Agreed Upon Sentence: 30 Years, suspended to 12 active Months, Probation for _____ Years, _____ Months

Negotiated and Agreed as to Charges Only

Recommended and Agreed Upon Sentence: _____ Years, _____ Months, Probation for _____ Years, _____ Months

ATTEST:

Kathy Craft 77690
Solicitor SC Bar #

[Signature] 100067
Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center

for a determinate term of 20 Hours/ Days/ Months/ Years Time Served

- Home Detention Program(HIP) MH Evaluation and Compliance Batterer's Treatment
- Domestic Abuse Counseling Drug Court Drug Program Alcohol Program Inpatient Facility
- Hold Until Bed Space Available Mental Health Court Balance Suspended with Drug Court
- Other: _____

Judicial Review _____ Days/ Months

Youthful Offender Act not to exceed _____ Days/ Months/ Years

And/ Or to pay a fine of \$ _____ ;
SCCA/217 (7/2024)

STATE VS. Alfredo J. Reyes

INDICTMENT/CASE#: 2023 -GS- 40 - 02778

provided that upon the service of 12 ~~Hours/ Days/ Months~~ Years Time Served

- Home Detention Program(HIP) MH Evaluation and Compliance Batterer's Treatment
- Domestic Abuse Counseling Drug Court Drug Program Alcohol Program Inpatient Facility
- Hold Until Bed Space Available Mental Health Court Balance Suspended with Drug Court
- Suspended To Batterer's Treatment
- Other: _____

And/ Or a payment of \$ _____ ; plus costs and assessments as applicable*

the balance is suspended with **probation** for _____ Months/ Years

- Suspended During Probation Suspended During Drug Court Suspended During Batterer's Treatment
- Other: _____

and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or CONSECUTIVE to sentence on: _____

- The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40. 1035 days/months.
- To include time spent on monitored house arrest prior to trial and sentencing.
- The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. Section 922 and §16-25-30 it is unlawful for a person convicted of a violation of Section §16-25-20 or §16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

Defendant has 10 days to apply for Home Detention Program or this will convert to an active sentence.

SPECIAL CONDITIONS:

- PTUP after _____ Months/ Years Home Detention Program(HIP)

And Other Terms Listed Below:

- Conditional Discharge
- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
- Other: _____

STATE VS. Alfredo J. Reyes

INDICTMENT/CASE#: 2023-GS-40-02778

RESTITUTION: Deferred Def. Waives Hearing Ordered

See Attached Restitution Order

Total \$ plus 20% fee: \$

Payment Terms: Set by SCDPPPS

Recipient:
*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ <u> </u>	Beginning	<u> </u>	\$ <u> </u>
§14-1-206 (Assessments 107.5%)				\$ <u> </u>
§14-1-211 (A)(1)(Conv. Surcharge)				\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)				\$ <u>100</u>
§56-5-2995 (DUI Assessment)				\$ <u>12</u>
§56-1-286 (DUI Breath Test)				\$ <u>25</u>
§14-1-212 (Law Enforce. Funding)				\$ <u>25</u>
§14-1-213 (Drug Court Surcharge)				\$ <u>25.00</u>
§50-21-114 (BUI Breath Test Fee)				\$ <u>150</u>
§56-5-2942(J) (Vehicle Assessment)				\$ <u>50</u>
3% to County (if paid in installments)				\$ <u>40/ea</u>
Other Costs (As Authorized by Cost Code)*				\$ <u>TBD</u>
Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees				\$ <u>500</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund				\$ <u>TBD</u>
				\$ <u>3.75</u>
				\$ <u>128.75</u>
				\$ <u>TOTAL</u>

Clerk of Court/Deputy Clerk: Janette McBride
Court Reporter: J. Johnson

Presiding Judge: Martha R...
Judge Code: 2288
Sentence Date: 8-12-2024

Specify Other Costs*

<input type="checkbox"/> Cost Code	Cost Description	Amount
<input type="checkbox"/> <u> </u>	<u> </u>	<u> </u>
<input type="checkbox"/> <u> </u>	<u> </u>	<u> </u>
<input type="checkbox"/> <u> </u>	<u> </u>	<u> </u>
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