

**THE STATE OF SOUTH CAROLINA  
In the Appellate Court**

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**APPEAL FROM GREENVILLE COUNTY  
Court of General Sessions**

**William C. McMaster III, Circuit Court Judge**

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**Case No(s).: 2025GS2303685A**

**RECEIVED**

**JUL 22 2025**

**SC Court of Appeals**

The State,

v.

Respondent.

Robert Daniel Mistretta,

Appellant.

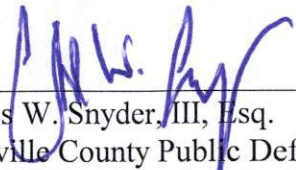
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**Rule 203 Explanation of Issue**

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As required by Rule 203(d)(1)(B)(iv), SCACR, Robert Mistretta is appealing his sentence because he was not given all of his pretrial confinement credit. The denial of credit was based on an interpretation of SC 23-14-40. At the guilty plea, Mr. Mistretta's attorney asked for the credit, but that credit was denied

Date: July 16, 2025

  
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Charles W. Snyder, III, Esq.  
Greenville County Public Defender  
305 East North Street Suite 123  
Greenville, SC 29601  
Attorney for Appellant

Other Counsel of Record:

Peyton C. Swancy, Esq.  
Thirteenth Circuit Solicitor Office  
305 E. North Street, Suite 325  
Greenville, SC 29601  
Attorney for Respondent



WITNESSES

*Bennie Durham #706/260*

Greenville County Sheriff's Office

8/16/2023

DIRECT PRESENTMENT

DOB: W/M SSN:

ACTION OF GRAND JURY  
**.TRUE BILL**

*Kim Sanborn*

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2025-GS-23-

PCS

203685A

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

May

TERM 2025

THE STATE

vs.

ROBERT DANIEL MISTRETTA

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JUL 22 2025

SC Court of Appeals

Indictment for

0095

ATTEMPTED KIDNAPPING

VIOLATION § 16-03-0910

ENTERED  
ACCT.

*6*

A Certified Copy

*J. Jennings Ashburn*

Clerk of Court C.P. & G.S. & Family Court  
Greenville County, SC

Dated: 7-17-25

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

INDICTMENT FOR  
ATTEMPTED KIDNAPPING

At a Court of General Sessions, convened on

**MAY 27 2025** the Grand Jurors of Greenville

County present upon their oath:

That ROBERT DANIEL MISTRETTA did in Greenville County, on or about the 16th day of August, 2023, attempt to unlawfully seize, abduct, confine, inveigle, decoy, kidnap, abduct or carry away J.M.H, without the authority of law. This is in violation of §16-03-0910 of the South Carolina Code of Laws (1976) as amended.

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SC Court of Appeals

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



SOLICITOR

BAR # 106092