

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of General Sessions

SC Court of Appeals

Patrick Cleburne Fant III, Circuit Court Judge

Indictment no.: 2025-GS-23-09635

The State of South Carolina,

Respondent,

v.

Randy William Alexander,

Appellant.

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

Appellant Randy William Alexander seeks to appeal the Lower Court's denial of credit for time served the amount of 244 (two hundred forty-four) days. On May 14, 2026, Appellant pled guilty to one count of Trafficking in methamphetamines, 10-28 grams, 2<sup>nd</sup> offense, in Greenville County. In addition to the State's plea offer to recommend a sentence of seven (7) years, indictment number 2026-GS-23-00739 for Possession of methamphetamines was dismissed by the State. During Defendant's plea hearing, Defense counsel requested that the Lower Court order credit for time served in the aforementioned amount based on Appellant's time served at the Greenville County Detention Center from November 22, 2024, through June 12, 2025, and April 4, 2026 through May 14, 2026. The State opposed Appellant receiving credit for time served pursuant to S.C. Code Ann. § 24-13-40(3) (2023) due to Appellant's being on bond for indictment number 2026-GS-23-00739 when arrested for indictment number 2025-GS-23-09635. Defense counsel argued that S.C. Code § 24-13-40(3) is unconstitutional. The

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statute violates the Equal Protection Clause in that it disproportionately affects individuals designated below the federal poverty level. U.S. Const. amend. XIV, § 1, and S.C. Const. art. I, § 3. Additionally, § 24-13-40(3) violates Due Process as the statute fundamentally and arbitrarily deprives liberty and is not narrowly-tailored to accomplish the governmental interest of deterrence. U.S. Const. amend. V and XIV, and S.C. Const. art. I, § 3. Appellant received a sentence of six (6) years and no credit for time served.

May 26, 2026.  
Greenville, South Carolina.

Respectfully submitted,



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