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S.C. SUPREME COURT

THE SUPREME COURT OF SOUTH CAROLINA

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EVERGLADES C.I.

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STAFF INITIALS

COREY JERMAINE TROUPE SR.,

Appellant,

L.T. CASE NO.: 2026-000725

CASE NO.: 2020-GS-46-4516

v.

SIXTEENTH CIRCUIT SOLICITOR

STATE OF SOUTH CAROLINA, ET AL.

Appellee.

**On Appeal from the Sixteenth Circuit State of South
Carolina the Order Entered Denying Appellant's Motion for
Jail Time Credit, Dated: July 10, 2026**

APPELLANT'S INITIAL BRIEF

**Corey Jermaine Troupe Sr.
Everglades C.I.
1599 S.W. 187th Ave.
Miami, FL 33194**

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24-13-40 Boggs v. South Carolina

Rivas v. Harrelson, 1999 U.S. DIST. LEXIS 14176 (11th Cir. 1999)2

Waiver, knowingly voluntarily on the record to be
valid to prevent a constitutional right to Due Process
credit time served.

PRELIMINARY STATEMENT

I'll be serving 108 months (9 years) on a 48 month sentence including parole. I've been incarcerated 77 months to this day. Solicitor John C. Anthony is being unprofessional in his prosecutorial tactics by prosecuting me maliciously by neglecting to adhere to my right to exercise the 14th Amendment of the United States Constitutional Due Process Clause. I'm entitled to this Constitutional mandate as a U.S. citizen. Throughout my time in custody from April 29, 2020 up until this present day I've maintained my innocence for a crime I did not commit and was ultimately dismissed. It was a gross miscarriage of justice and an egregious error on behalf of Solicitor Anthony to deny my 14th Amendment Constitutional Right.

I pray this Honorable Court graciously consider granting me credit for all "Time Already Served". 1,741 Days.

ARGUMENT

THIS APPEAL FOLLOWS THE ORDER ENTERED ON JULY 10, 2026 BY THE SIXTEENTH CIRCUIT THE HONORABLE EUGENE GRIFFITH JR. DENYING APPELLANT'S MOTION FOR JAIL TIME CREDIT.

THE APPELLANT RESPECTFULLY OPPOSES SAID RULING AS SUCH FINDINGS ARE IN CONFLICT WITH THE LONG-STANDING CONSTITUTIONAL PRINCIPLES THAT MAKES IT RATHER CLEAR THAT "WHEN A DEFENDANT IS IN CUSTODY, THIS 'TIME SERVED ALREADY' IS APPLIED IN CONNECTION WITH ANY FURTHER SENTENCE IMPOSED UNDER THE SAME CAUSE OF ACTION." *U.S. V. CHALKER*, 915 F 2D 1234 (1990), *U.S. V. BESTON*, 936 f. 2D 361 (1991).

In this case, the Appellee is under the impression that Appellant waived "Time Already Served" under the same cause of action by way of a plea agreement. Notwithstanding this stance, Appellee must adhere to the legal fact that a defendant is either in custody on a given case or he's not, and all "Time Already served" must be given as the law requires as well as what the Appellant is entitled to. Furthermore, Appellant neither "Knowingly or Intelligently" waived his credit for time already served which the record clearly shows.

Under our constitutional mandate of Due Process, the Appellant has a right guaranteed under the Fourteenth Amendment of the United States Constitution to be afforded the full panoply of a judicial process that touches on the Defendant's liberty interest. This right cannot be waived because it entails a condition prerequisite to the cause of action. (I.E. "Time

Already Served”), and logically can’t compel a Defendant to serve two sentences or time twice under the same cause of action.

Rivas v. Harrelson, 1999 U.S. DIST. LEXIS 14176 (11th Cir. 1999):

“Waiver, knowingly voluntarily on the record to be valid to prevent a constitutional right to Due Process credit time served.”

The Appellant respectfully acknowledges the Appelles’s position regarding waiver. However, represented by counsel, such waiver as a matter of law had to be knowingly or intelligently being made by Appellant would deprive Appellant of his constitutional right to Due process guaranteed under the Fourteenth Amendment of the United States Constitution.

The Appellant is merely seeking an action due to him by constitutional mandate. Which is to be afforded “Time Already Served” in connection with any sentence imposed under the same cause of action, without stringing this issue beyond what’s necessary. It is prayed that the “Time Already Served” by Appellant in the amount of 1,741 days be given in due course.

The failure to provide the Defendant his “Time Already Served” in State custody and compel him to serve additional time that would exceed the sentence originally imposed would in essence be serving an expired sentence, technically Double Jeopardy.

CONCLUSION

The Appellant is entitled to the time already served in this cause where it would not serve justice to withhold this time. Therefore, with due consideration, Appellant request that this Honorable Court reverse and remand this case back to the Sixteenth Circuit where Appellant would be awarded all time already served.

Respectfully Submitted,

/s/ *Corey Jermaine Troupe Sr.*

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pro se

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