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S.C. SUPREME COURT

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COC JAY GRESHAM GVL SC

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

Hon. Vernon F. Dunbar, Circuit Court Judge

Case Nos.: 2025GS2301114; 2026GS2301490; 2026GS2306321; 2026GS2306322

The State, Respondent.

v.

Markise Antwan Sullivan, Appellant.

NOTICE OF APPEAL

Markise Antwan Sullivan appeals his conviction and sentence in this case. On August 25, 2026, Honorable Vernon F. Dunbar sentenced Defendant to the maximum possible sentence on each of his offenses, to be served consecutively, but he did not award Defendant credit for the time he spent in pretrial detention for those offenses.

Defendant would show that his guilty plea was defective and that his sentence was unreasonable because the sentencing court's application of S.C. Code Ann. § 24-13-40(3) (2026) unconstitutionally deprived him of credit for time served to which he was entitled and caused his sentence to be greater than the maximum possible punishment for the offenses to which he pleaded guilty.

Defendant objected to the denial of credit for time served in pretrial detention at his guilty plea hearing, and the trial court declined to award Defendant credit for the time he spent in pretrial detention. Defendant timely filed a post-trial motion to reconsider his sentence on September 4, 2026. In his motion, Defendant argued that S.C. Code Ann. § 24-13-40(3) (2026) deprived him of his rights under the Due Process and Equal Protection Clauses of the Fifth and Fourteenth Amendments of the United States Constitution and Article I, § 3 of the South Carolina Constitution; the Double Jeopardy Clause of the Fifth Amendment, applicable to the States through the Fourteenth Amendment, and Article I, § 12 of the South Carolina Constitution; and the right to be free from cruel or unusual punishment under Eighth Amendment of the United States Constitution and Article I, § 15 of the South Carolina Constitution. Defendant's motion to

reconsider was denied without a hearing in an Order filed on September 28, 2026. Defendant received written notice of the entry of this Order on October 28, 2026.

Date: October 28, 2026

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