

STATE OF SOUTH CAROLINA)
COUNTY OF BARNWELL)
State of South Carolina,)
v.)
Bill Derese Breland (aka Breeland))
Defendant.)

IN THE COURT OF GENERAL SESSIONS
FOR THE SECOND JUDICIAL CIRCUIT

Indictment No. (s): 2014GS060017

**MOTION TO RECONSIDER
SENTENCE**

CLERK OF DISTRICT COURT
BARNWELL COUNTY, S.C.

2014 MAY 29 AM 10:35

The Defendant in the above-captioned matter respectfully moves the Court to reconsider and reduce the sentence it imposed on the Defendant on May 27, 2014.

As grounds for the reconsideration and reduction, the Defendant urges that the interests of justice will be served by the granting of this request. Specifically, Defendant disclosed the name of the party to which he sold the victim's property during the plea. If, after vigorous investigation by police, the victim's property is recovered, the defense would move for a reconsideration hearing, both in open court and *in camera* at such date and time as the Court deems appropriate to set such a hearing.

Respectfully submitted,



Laura A. McCann
Attorney for Defendant

Barnwell, South Carolina
May 29, 2014

DENIED
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5/29/14

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STATE OF SOUTH CAROLINA
COUNTY OF BAMBERG

STATE OF SOUTH CAROLINA
IN COURT OF APPEALS

INDICTMENT #: 2014-GS-0600107

vs.
Bill Derese Breland (aka Breeland)

DEFENDANT

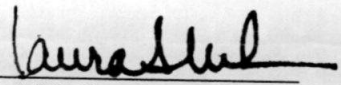
2014 JUN 11 PM 4:20
RHONDA D. McELVEEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

FILED FOR RECORD

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the motion to reconsider was denied (copy attached). Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See Frazier v. South Carolina, 430 F.3d 696, 706 (4th Cir.2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting Anders v. California, 386 U.S. 738, 744 (1967)).

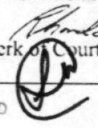
Respectfully submitted,



Laura A. McCann
Office of the Public Defender
2nd Judicial Circuit
Post Office Box 257
Barnwell, South Carolina 29812
(803) 541-1129

Barnwell, South Carolina
June 06, 2014

STATE OF SOUTH CAROLINA
COUNTY OF BARNWELL
I, Rhonda D. McElveen, Clerk of Court for Barnwell County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office.

Rhonda D. McElveen
Clerk of Court, Barnwell County, SC
By:  Date: 6/11/14

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Barnwell
STATE VS.
Bill Derese Breland
AKA: Bill Breland
Race: Black Sex: M Age: 31
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2014GS0600107
A/W#: 2014A0620100009
Date of Offense: 1/6/2014
S.C. Code §: 16-03-0029(A)
CDR Code #: 3410

SENTENCE SHEET
NMT 30yrs.

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Attempted Murder

CONVICTED OF or PLEADS

in violation of § 16-03-0029(A) of the S.C. Code of Laws, bearing CDR Code # 3410
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Ringler, Susanna Marie SC Bar# 74983 Defendant Bill Derese Breland Attorney for Defendant SC Bar# 15069

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 20 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

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

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections. 130 days
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP STATE OF SOUTH CAROLINA COUNTY OF BARNWELL
Public Service Employment

Obtain GED South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original
Attend Voc. Rehab. or Job Corps which have been filed in my office.
May serve W/E beginning
Substance Abuse Counseling by Date: 6-6-14

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, DUI Surcharge, Public Def/Prob, etc.

Random Drug/Alcohol testing:
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
paid to Public Defender Fund
Other: Defendant shall comply with mental health treatment and shall be restrained from contacting the victim.
Pay \$40 public defender Application fee.
Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk Sharon H. Ritchie
Court Reporter: Cheri Young
SCCA/217 (03/2011)

Presiding Judge Judge Code: 2153 Sentence Date: 5/27/14