

The Supreme Court of South Carolina

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The State, Respondent,

SEP 25 2015

v.

SC Court of Appeals

Conrad Lamont Slocumb, Petitioner.

Appellate Case No. 2015-001127

Lower Court Case No. 1996-GS-40-11974


ORDER

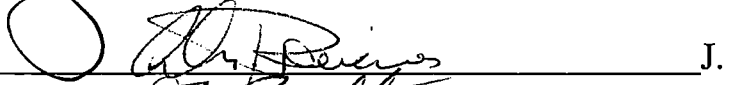
This matter is before the Court by way of a petition for a writ of certiorari to review the Court of Appeals' decision in *State v. Slocumb*, 412 S.C. 88, 770 S.E.2d 436 (Ct. App. 2015). The petition is denied because the Court of Appeals correctly found the circuit court did not have jurisdiction to reconsider petitioner's sentences for criminal sexual conduct, kidnapping, armed robbery, or escape.

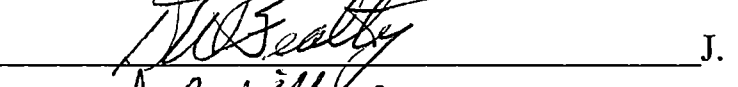
We find the constitutionality of the length of petitioner's aggregate sentence in light of *Graham v. Florida*, 560 U.S. 48, (2010), is instead more appropriately raised to this Court by way of a petition for writ of certiorari in our original jurisdiction. See Rule 245(b), SCACR. We therefore relieve the South Carolina Commission on Indigent Defense (SCCID) Division of Appellate Defense as counsel and appoint Tara Dawn Shurling, Esq., who represented petitioner with regard to these issues before the circuit court, to file a petition for a writ of certiorari on petitioner's behalf. The petition shall address whether the aggregate sentence imposed for non-homicide offenses committed while petitioner was a juvenile constitutes a *de facto* life sentence, and if so, whether or how petitioner's aggregate sentence of 130 years' imprisonment may afford petitioner a meaningful opportunity for release in compliance with *Graham, supra*, and the Eighth Amendment.¹

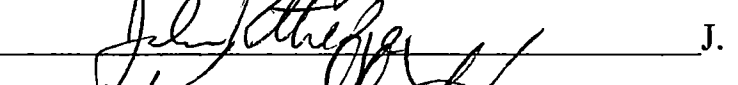
¹ Ms. Shurling may formulate questions presented in the way she sees fit to address this Court's concerns regarding the constitutionality of alleged *de facto* life sentences imposed for offenses committed by a juvenile.

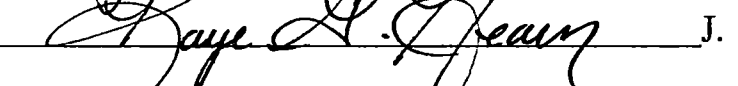
Ms. Shurling shall file the petition within thirty (30) days of this order.²
Thereafter, respondent shall have thirty (30) days to serve and file its return.
Petitioner shall have ten (10) days from service of the return to file a reply.



C.J.


J.


J.


J.


J.

Columbia, South Carolina

September 24, 2015

cc:

Laura Ruth Baer, Esq.

Alan McCrory Wilson, Esq.

Mark Reynolds Farthing, Esq.

Daniel Edward Johnson, Esq.

Tara Dawn Shurling, Esq.

The Honorable Jeanette W. McBride

The Honorable Jenny Abbott Kitchings

² If this filing deadline is unduly burdensome, Ms. Shurling, and likewise respondent, may request an extension pursuant to our standard policy regarding extensions of time. Ms. Shurling shall be compensated and reimbursed by SCCID in compliance with its policies and procedures.