

O'Bryan E. Copeland #316500  
Lieber Correctional Institution  
P.O. Box 205 Ridgeville, S.C. 29472

I have been advised by the court that my Lawyer has filed a motion to be relieved from my case file on June 30, 2015. Once again, I would like to remind the court that my Institution has been on lockdown and we are currently still on lockdown in the Cooper Unit.

On October 2, 2009 Laurens County grand jury indicted me, Applicant, O'Bryan E. Copeland on (5) accounts of armed robbery, (1) account of attempted armed robbery, (1) assault with intent to kill, (1) assault and battery of high aggravated nature, (1) grand larceny, (1) account of falsifying a bomb threat, (1) criminal conspiracy and (5) accounts of possession of a weapon during the commission of a violent crime. The lawyer that represented me at the time was Joseph St. Pierre. On November 17, 2010 the court suspended the trial due to conducting of a plea agreement. I pled guilty to four charges and nolo contendere to the remaining of the charges. Judge McIntosh sentenced me to 20 years for assault with intent to kill, 30 years for armed robbery, 5 years for possession of a weapon during the commission of a violent crime, 5 years for criminal conspiracy, 10 years for assault and battery of high and aggravated nature, 20 years for attempted armed robbery, 5 years a piece for the remaining weapons charges, 30 years a piece on the remaining of the armed robbery charges, 10 years for falsifying a bomb threat, 5 years for grand larceny and my entire sentence is concurrent. On November 24, 2010, Appellate Filed a motion for reconsideration of my sentence. On June 9, 2011 Judge McIntosh held a hearing on my motion and denied my motion without any explanation at all. On November 17, 2010 when the court suspended my trial and allowed me to enter a plea, I was under the impression that I was going to get the initial deal that the state had offered me from the beginning. The solicitors' office offered me 12 years but when I told the solicitor that I wanted to go to trial he said okay. When I backed out of trial to exercise my Constitutional Rights, I asked the solicitor could I still take the plea agreement. The state suspended my trial and let me enter a plea agreement I was under the impression that I was pleading to 12 years, not 18 more years. I was exercising my Constitutional Rights and the Judge added 18 years to my 12 year plea agreement. That was totally unfair and a violation of my Constitutional Rights. My co-defendant did not receive half of 12 years or even close to 18 or 30 years that I have received. South Carolina has a law, "the hands of one, is the hands of all" if that is the case my co-defendant should have received the same amount of time that I have received. My co-defendant also took a plea agreement from the state and still did not receive more than 8 years non-violent. I was exercising my Constitutional Rights during the course of the trial and the Judge imposed a sentence of 18 years more than my original agreement. I was under the impression I would get 12 years in the Department of Corrections. I have received a concurrent sentence of 30 years in The Department of Corrections which is totally unjust and unfair for me exercising my Constitutional Rights during the course of trial. The judge abused his discretion in denying my motion for reconsideration without any explanation at all. I am asking the court to put into consideration and approve my motion for reconsideration based on the facts of me exercising my Constitutional Rights and the original plea agreement that the state was going to give me of 12 years in The Department of Corrections. I also would like to enlighten the court that I have a mental health history since the age of 10 years old, I was not aware of the circumstances of 30 years in the Department of Corrections. I was in the agreement of a 12 year sentence in Department of Corrections. I am asking the court

to grant my reconsideration motion because I was only exercising my Constitutional Rights when the state granted my lawyer motion for me to enter a plea bargain. I was unaware of the circumstances that I was facing multiple 30 years, 20 years and 10 year sentences. I was under the impression that the 12 years that the state was offering me was the original plea agreement.

Thank you,

O'Bryan E. Copeland