

RECEIVED

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )  
 )  
State of South Carolina, )  
 )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
Rodney Michael Alexander, )  
 )  
 )  
Defendant. )

COURT OF GENERAL SESSIONS JAN 20 2016

SC Court of Appeals

2013-GS-23-7631, 7632 and 7633

MOTION FOR RECONSIDERATION

FILED-CLERK OF COURT  
GREENVILLE CO. S.C.  
PAUL B. WICKENS  
2015 OCT 15 AM 11:39

The Defendant, by and through the undersigned attorney, hereby moves the Court for reconsideration of the sentence he received on October 9, 2015 on the above indictments for Criminal Sexual Conduct, Second Degree (two counts) and Lewd Act. The Defendant was sentenced by the Court to concurrent twenty year sentences on each of the indictments for Criminal Sexual Conduct, Second Degree. The Defendant received a five year consecutive sentence on the indictment for Lewd Act.


The Defendant is fifty-eight years old and in poor health. He suffers from diabetes, high blood pressure, sleep apnea and has had numerous surgeries on his knees and shoulders. Due to his age and health problems, it is likely he will not live to serve the entirety of his twenty-five year sentence.

The Defendant has a minimal prior criminal history which includes no prior violent crimes. His prior record is limited to non-violent convictions for fraudulent check and breach of trust. The Defendant's NCIC report reflects no prior arrests or convictions for any crimes involving a sex offense or any crimes involving the abuse or neglect of a child.

2013-7631

Due to the Defendant's age, health problems and lack of any significant prior criminal history, counsel for Defendant respectfully requests that the sentence imposed on October 9, 2015 be reconsidered.

Respectfully submitted,

  
\_\_\_\_\_  
Alex R. Stalvey (S.C. Bar# 71739)  
Greenville County Public Defender's Office  
305 E. North Street  
Greenville, S.C. 29603  
(864) 467-8522

October 15, 2015

*Motion is denied.*

*R. Keith Kelly*  
*4 November 2015*

2015 NOV 10 AM 10:42  
FILED CLERK OF COURT  
PAUL B. WICKENS/MSR  
GREENVILLE CO. SC

## Alex Stalvey

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**From:** Kelly, R. Keith Law Clerk (Torcia D. Davis) <kkellylc@sccourts.org>  
**Sent:** Thursday, January 14, 2016 9:01 AM  
**To:** Alex Stalvey  
**Subject:** RE: Alexander Motion to Reconsider

Good Morning,

Judge Kelly has considered your motion and the court finds that the sentence is appropriate. The Motion to Reconsider is hereby denied.

**Toria D. Davis**  
**Law Clerk to the Honorable R. Keith Kelly**

The Circuit Court of South Carolina  
Seventh Judicial Circuit  
125 E. Floyd Baker Boulevard  
Gaffney, SC 29340  
Phone: (864) 487-2581  
Fax: (864) 487-2772  
[kkellylc@sccourts.org](mailto:kkellylc@sccourts.org)

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**From:** Alex Stalvey [<mailto:AStalvey@bannisterwyatt.com>]  
**Sent:** Thursday, January 07, 2016 7:56 AM  
**To:** Kelly, R. Keith Law Clerk (Torcia D. Davis)  
**Subject:** Alexander Motion to Reconsider

Toria:

I just wanted follow up on our motion to reconsider in the St. vs. Rodney Alexander trial. Client has contacted me a couple of times and I told her I would check in with Judge Kelly. No rush, just checking in.

Thanks,  
Alex

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