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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of APPEALS

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

Letitia H. Verdin, Circuit Court Judge

Case No. 2016-GS-23-7527

The State,

Respondent,

v.

Jakoye Devon Pinson,

Appellant,

EXPLANATION PURSUANT TO
RULE 203(d)(1)(B)(iv)

On January 18, 2017, Jakoye Devon Pinson was sentenced on the above indictment. He previously pled guilty on August 25, 2016 to Attempted Murder, Assault and Battery First Degree, Discharging a Firearm into a Dwelling, Possession of a Weapon During the Commission of a Violent Crime, Criminal Conspiracy, Attempted Armed Robbery and Burglary Second Degree with sentencing deferred until January. He received a sentence of nine years and the Court specified that all sentences were to run concurrent.

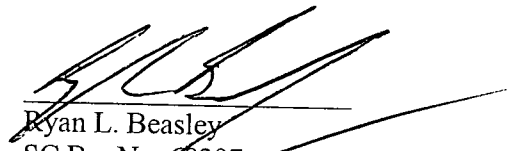
During the sentencing arguments, Officer M.D. Stanton gave a speech regarding gang violence and its repercussions in the Upstate. As there was no evidence in the record that Jakoye Pinson was affiliated with a gang in any way, and no facts were alleged as part of the plea to support a notion that he was

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involved or affiliated with a gang, the Defendant believes these inflammatory remarks unfairly prejudiced his sentence.

This issue has been raised in a post-trial Motion for Reconsideration, however the motion has not been heard or ruled on yet.



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January 27, 2017