

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

The State,)
)
v.)
)
Patrick Strozier,)
)
)
Defendant.)
_____)

IN THE COURT OF GENERAL SESSIONS
FOR THE SEVENTH JUDICIAL CIRCUIT

**ORDER GRANTING STATE'S MOTION
TO DIMISS DEFENDANT'S REQUEST
FOR RESENTENCING**

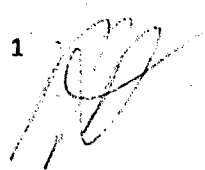
Indictment No.: 1984-GS-42-239

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SC Court of Appeals

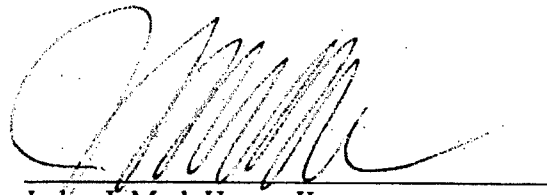
The Court heard the Motion by the State to dismiss the Defendant's Motion for Resentencing under Aiken v. Byers on April 20, 2017. The State was represented by Solicitor Barry Barnette. The Defendant was represented by Chief Public Defender Clay Allen. Pam Green was the Court Reporter. The State filed a Return to Defendant's Motion for Resentencing on January 11, 2017 requesting the Defendant's request for Resentencing be dismissed on several grounds. At the hearing, the State entered Defendant's Certificate of Live Birth (Birth Certificate) from the Georgia Department of Public Health as State's Exhibit #1. The State argued that the Defendant's Certificate of Live Birth listed November 11, 1964 as his date of birth. The incident date of the convicted crimes of Kidnapping and Criminal Sexual Conduct in the First (1st) Degree was November 8, 1983. The Defendant was actually eighteen (18) years old at the time of that the crimes were committed by him (18 years 11 months 362 days). The State presented the argument listed in item #3 of its Return showing that the Defendant did not qualify for resentencing under Aiken v. Byers, 410 S.C. 534, 765 S.E.2d 572 (2014) or Miller v. Alabama, 132 S.Ct. 2455 (2012) because he was not a juvenile under the age of eighteen (18) years old at the time of the offense. The Defendant did not present any evidence or testimony to contest this information at the hearing on this issue.

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M. HOPE BLACKLEY
CLERK OF COURT
SPARTANBURG COUNTY

Based on the State's argument, the Court granted the State's Motion to Dismiss the Defendant's request for Resentencing because the Defendant was not a juvenile under the age of eighteen (18) years old at the time of the incident. The State did not state the other grounds listed on its Return to Defendant's Motion for Sentencing and the Court did not consider them based on the age of the Defendant at the time of the crime.

IT IS SO ORDERED!



Judge J. Mark Hayes, II
Chief Administrative Judge
Seventh Judicial Circuit

April 25, 2017
Spartanburg, South Carolina

2017 APR 25 11:00 AM
M. HOPE BLACKLEY
CLERK OF COURT
SPARTANBURG COUNTY