

STATE OF SOUTH CAROLINA

COUNTY OF BAMBERG

STATE OF SOUTH CAROLINA, BAMBERG, SC

v.

CHRISTOPHER BYARS,

Defendant.

FILED  
2017 AUG -4 AM 10:03

JAMES D. HERS  
CLERK OF COURT

IN THE GENERAL SESSIONS COURT

SECOND JUDICIAL CIRCUIT

**ORDER DENYING MOTION TO  
RECONSIDER SENTENCE**

2016-GS-05-00100

**RECEIVED**

NOV 30 2017

SC Court of Appeals

This matter came before the Court on the Defendant's motion to reconsider the sentence imposed by this Court on the above referenced indictment. The Defendant pled guilty to one count of Assault and Battery of a High and Aggravated Nature on August 1, 2016. In exchange for the plea, the State dismissed two additional charges stemming from this same incident. Additionally, the State agreed to allow the Defendant to plead guilty to the charge of ABHAN where the original charge was attempted murder, capping the Defendant's exposure at twenty (20) years. The Defendant was represented at the plea by Michael Chesser of the Aiken County Bar. Following the plea, this court sentenced the Defendant to confinement in the South Carolina Department of Corrections for a term of twenty (20) years. Mr. Chesser and the Defendant subsequently filed separate, timely motions to reconsider the sentence imposed.

Based upon the recitation of the facts from the Solicitor at the guilty plea, the Defendant and the victim, Ms. Latosha Jamison had been in a long-term, albeit tumultuous, romantic relationship. On the night of July 31, 2015, Byars and Jamison were involved in a verbal altercation that ended when Byars retrieved a shotgun from the porch of Jamison's home. Byars then came back into the living room where he shot Jamison in the abdomen before fleeing the scene. Byars was arrested at a motel in Orangeburg County the following evening.

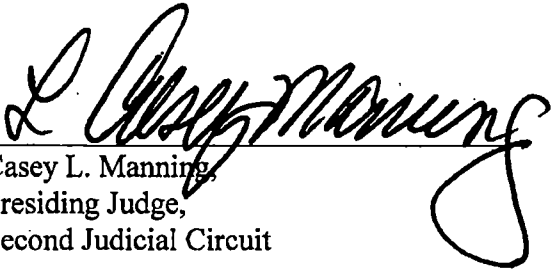
After considering the information provided in the motions to reconsider, I find it is not necessary to have a formal hearing on the motions. The Defendant has not provided sufficient justification for this Court to amend its previously issued sentence. Counsel for the Defendant previously brought the Defendant's lack of significant prior criminal history, family ties, and mental health history to the attention of the Court at the initial sentencing hearing. This Court does not find these matters which were previously considered at the time of sentencing justify any change in the

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sentence imposed. Considering the circumstances of the offense, the actions of this Defendant threatened the lives of the victim and the minor children that were in the residence at the time of the shooting. Ms. Jamison suffered substantial financial and emotional hardship as a result of being shot by the Defendant. At the time of the plea, just over a year after the incident, she continued to suffer pain and anxiety from the incident. This Court's sentence, while substantial, was justified because the Defendant was allowed to plead to an offense which capped his exposure at twenty years.

Based on the foregoing, the Defendant's Motion to Reconsider the sentence previously imposed by this Court is hereby DENIED.

IT IS SO ORDERED.

  
Casey L. Manning,  
Presiding Judge,  
Second Judicial Circuit

July 24, 2017  
Columbia, South Carolina



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

November 21, 2017

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Mr. Michael W. Chesser, Esquire  
PO Box 1018  
Aiken SC 29802-1018

Re: The State v. Christopher A. Byars  
Appellate Case No. 2017-001722

Dear Counsel:

Within ten days of the date of this letter, you must provide a copy of the order denying the motion to reconsider or this appeal will be dismissed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Christopher Antoine Byars, 369173  
Robert Michael Dudek, Esquire  
John Benjamin Aplin, Esquire  
Alan McCrory Wilson, Esquire

Michael Chesser  
Attorney at Law  
PO Box 1018  
Aiken, South Carolina 29802-1018  
[chesserlaw@gmail.com](mailto:chesserlaw@gmail.com)

Telephone: (803) 646-1166  
Telefax: (888) 908-5503

November 28, 2017

South Carolina Court of Appeals  
Attn: Appeal from Gen'l Sessions  
PO BOX 11629  
COLUMBIA, SC 29211

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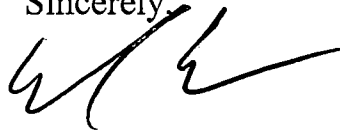
Re: State v. Christopher Antoine Byars  
2017-001722

Dear Sir or Madam:

Enclosed please find a copy of the Order denying the motion to reconsider, as requested in your correspondence dated November 21, 2017.

Please contact me if you need anything further.

Sincerely,



Michael Chesser  
SC Bar # 1212

**MICHAEL CHESSER**

**Attorney at Law**

Post Office Box 1018

Aiken, South Carolina 29802-1018

AUGUSTA, GA 309

28 NOV 2017



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