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IN THE COURT OF GENERAL SESSIONS  
CHESTER COUNTY

SEP 10 2018

CASE NOS.: 90-GS-12-119 through 122  
90-GS-12-125, -126

**90 Court of Appeals**

STATE OF SOUTH CAROLINA )  
COUNTY OF CHESTER )

STATE OF SOUTH CAROLINA )

VS. )

THEODORE HARRISON, JR., )

Defendant. )

ORDER DENYING MOTION  
FOR RECONSIDERATION

The above captioned case is an *Aiken v. Byers* resentencing case. This matter came before the Court on the Defendant's Motion to Reconsider this Court's prior Order resentencing the Defendant as to his admitted role in the 1988 armed robberies, kidnappings and killings of 18 year old Scotty Stephenson and 21 year old Renee Rollings. This Court reinstated the sentences originally issued in 1990, but eliminated the imposition of a mandatory life sentence without the possibility parole. Because the 1990 sentences were issued after the Defendant had already received his 30 year sentence for the armed abduction and carjacking of two individuals from Richland County, the 1990 sentences were LWOP sentences because of the statutory provision prohibiting the parole authorities from granting parole in such situations. Consistent with the 1990 Court, this Court issued consecutive sentences to the Richland County sentences and sentences consecutive for each of the present offenses. While the present sentences are not statutorily LWOP sentences, the practical effect is that the Defendant will not qualify for patrol due to his life expectancy and the length of these sentences. As a result, he will spend remainder of his natural life in prison for the numerous heinous crimes he committed in Richland County and Chester County.

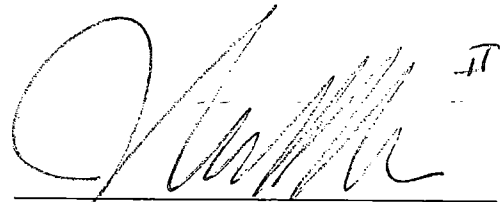
In his Motion to Reconsider, the Defendant argues this Court has erred in its application of the *Miller* and *Byers* decisions.



This Court has once again reviewed the evidence, its prior Order and the present motion, along with the State's response. In accordance with the South Carolina Rules of Criminal Procedure Rule 29(a), this Court exercises its discretion to waive oral argument as this Court does not believe oral arguments will aid this Court in reaching its decision.

This Court reaffirms in full its prior Order and the sentences announced in the prior Order. Therefore, the present motion is denied.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'J. Mark Hayes, II', written over a horizontal line. The signature is cursive and includes a small 'II' at the end.

The Honorable J. Mark Hayes, II  
Presiding Judge  
Sixth Judicial Circuit

September 5, 2018  
Chester, South Carolina