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STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

State of South Carolina)

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NOV 15 2018

-v-

SC Court of Appeals

Matthew Jamison,
Defendant.

IN THE COURT OF GENERAL SESSIONS

ORDER

INDICTMENT NO(s): 1998GS4025409,
1998GS4025411, 2000GS4053234,
2000GS4040697

2018 SEP 17 AM 10:43
C.C.P. & G.S.

FILED

This matter came before Judge Casey Manning on September 4, 2018. Present at the hearing were Stephanie Taylor, representing the State; and Tommy Thomas representing the Defendant. The Defendant presented a motion for credit towards sentence.

In 2009, Defendant was granted a PCR and his 2001 conviction for Voluntary Manslaughter, which he was sentenced to 20 years, was vacated. When he was released from SCDC on an appeal bond, Defendant began serving and ultimately completed a 5 year probation term that was part of his sentence for an unrelated 2000 PWID Cocaine conviction. In 2014, Defendant's Voluntary Manslaughter conviction was reinstated and he was sent back to SCDC to serve the remainder of his sentence.

In his motion, Defendant requested that the Court credit the 5 years he spent on probation as part of his PWID Cocaine sentence to the 20 year sentence for the Voluntary Manslaughter conviction. The State opposed Defendant's motion citing case law that states time served credit only applies to pre-trial detention in actual physical confinement and other limited circumstances; not time a defendant is out in the community on probation.

The Court determined Defendant is not entitled to any time served credit for the 5 years he spent on probation and Defendant's motion is denied.

IT IS SO ORDERED.

Sept 17, 2018

Date

Casey Manning

Judge Casey Manning