

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

Honorable Jocelyn Newman, Circuit Court Judge

Case Nos. 2009-GS-40-09253; 2009-GS-40-09740 / W-40-20-0666

The State,.....Respondent,

v.

Yashawnus Patterson,.....Appellant.

**NOTICE OF APPEAL**

Yashawnus Patterson appeals his community supervision revocation in this case. The sentence was imposed by the Honorable Jocelyn Newman to the following on May 29, 2020, revoking community supervision for one (1) year. A Motion to Reconsider was filed on June 2, 2020. The Order Denying Motion to Reconsider was filed on June 23, 2020.

W-40-20-0666 Community Supervision Violation – Revoked one (1) year

July 6, 2020



Christopher P. Whitehead  
Richland County Public Defender's Office  
Post Office Box 192  
Columbia, South Carolina 29201  
(803) 765-2592  
Attorney for Appellant

Other Counsel of Record:  
Probation Agent Evers  
Richland County Probation, Parole and Pardon  
1221 Gregg Street  
Columbia, South Carolina 29201  
Respondent

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JUL 06 2020  
SC Court of Appeals

2020 JUL 20 PM 12:38  
RICHLAND COUNTY

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

Honorable Jocelyn Newman, Circuit Court Judge

Case Nos. 2009-GS-40-09253; 2009-GS-40-09740 / W-40-20-0666

The State,.....Respondent,

v.

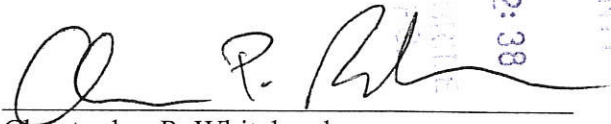
Yashawnus Patterson,.....Appellant.

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**STATEMENT OF BASIS FOR APPEAL FROM  
COMMUNITY SUPERVISION REVOCATION PURSUANT TO RULE 203(d)(1)(B)**

Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), the Defendant was dissatisfied with his sentence and insisted on appealing. I am of the opinion that if the client insists on appealing, I am constrained to file an appeal. Weathers v. State, 319 S.C. 59, 459 SE 2d 838 (1995).

July 6, 2020



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The State,.....Respondent,

v.

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**PROOF OF SERVICE**

I hereby certify that a true copy of the Notice of Intent to Appeal & the Statement of Basis for Appeal from Probation Revocation Pursuant to Rule 203(d)(1)(B) in the above-referenced case has been served upon opposing counsel by mailing same this date to his/her office at the South Carolina Department of Probation, Pardon and Parole, 1221 Gregg Street, Columbia, South Carolina 29201.

July 6, 2020



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2020 JUL 20 PM 12:38  
RICHLAND COUNTY  
FILED

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

State of South Carolina

v.

Yashawnus Patterson,

Defendant.

IN THE COURT OF GENERAL SESSIONS

FOR THE FIFTH JUDICIAL CIRCUIT

Warrant No. W40200066

ORDER DENYING  
MOTION TO RECONSIDER

RECEIVED

JUL 06 2020

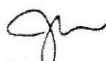
Court of Appeals

2020 JUN 23 11 51 AM

This matter comes before the Court upon Motion to Reconsider, dated June 2, 2020. In his motion, Defendant asks that this court reconsider its decision to revoke his community supervision and incarcerate him following a hearing on May 29, 2020. In his motion, Defendant offers no reason why he believes that the Court's decision was erroneous.

Having fully considered Defendant's request, the Court finds that the sentence imposed is neither improper nor excessive under the circumstances. The Court's decision was based on a number of factors after a lengthy hearing. *See, e.g., Brooks v. State of South Carolina*, 325 S.C. 269, 271-72, 481 S.E.2d 712, 713 (1997) (citations omitted) (finding that a trial judge is allowed broad discretion in sentencing and that sentence is not excessive if it is within statutory limits and isn't based on prejudice). During the hearing, both Defendant and his counsel were given a full and fair opportunity to present facts, arguments, and evidence. Defendant admitted violating the terms of community supervision on at least two occasions – by using cocaine to celebrate the Super Bowl and by sending and receiving certain sexually explicit photographs.<sup>1</sup> The Court also found (even without an admission from Defendant) that Defendant violated other terms of community

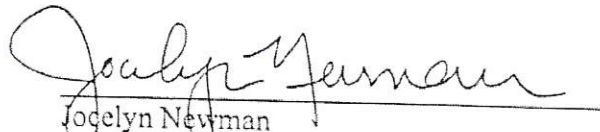
<sup>1</sup> Defendant is not permitted to "purchase, possess, or use any sexually stimulating or sexually explicit material..." as a result of his conviction for criminal sexual conduct with a minor in the second degree.



supervision, including failing to provide urine samples as requested and failing to stay away from certain locations as mandated by his supervising agent.

IT IS, THEREFORE, ORDERED that Defendant's Motion to Reconsider is DENIED.

AND IT IS SO ORDERED.

  
Jocelyn Newman  
Presiding Judge

June 23, 2020  
Columbia, South Carolina.

I 703129  
IN THE COURT OF GENERAL SESSIONS  
No. 09 -GS- 40 - 09253  
Count

STATE OF SOUTH CAROLINA  
COUNTY OF Richland

STATE  
-vs-  
Yashawnus Patterson

Defendant  
01094663  
SID #  
08/23/1980  
SCDC# or DOB

Community Supervision  
REVOCATION ORDER

RECEIVED  
JUL 06 2020  
SC Court of Appeals

This matter was brought before me on the 29th day of May, 2020, pursuant to a warrant (W-40-20-0066) and citation (C-40-20-0114) charging

the Defendant with violating the Defendant's Community Supervision Program and asking the Court to revoke the Defendant's community supervision. I find:

1. The terms of the Community Supervision Program are fair and reasonable;
2. The Defendant has not complied with all terms of the Community Supervision Program;
3. The Defendant has willfully violated terms of the Community Supervision Program;
4. The Defendant should not be continued in the Community Supervision Program under its current terms or under other terms and conditions;

2020 JUN -5 AM 9:12  
RICHLAND COUNTY  
FILED  
2020 JUL 20 PM 12:39  
JEANETTE W. McBRIDE  
Clerk of Court  
RICHLAND COUNTY

IT IS ORDERED that the Defendant be in the custody of the South Carolina Department of Corrections for a term of \_\_\_\_\_ days \_\_\_\_\_ months 1 year (total may not exceed one (1) year).

- Revoke one year.
- Allow time served to satisfy intensive supervision fees, GPS fees and drug test fee. No administrative monitoring.
- Return collected evidence (cell phone) to family (mother).
- Mandatory mental health treatment when released from SCDC.
- No discretionary GPS.
- Credit time served 101 days.

This 2nd day of June, 2020

*Joulyne Yarnall*  
Presiding Judge

Columbia S. C. Fifth Judicial Circuit

This is to certify that I have received this order.

Offender's Signature YASHAWNUS PATTERSON

Witnessed by Joulyne Yarnall

Signed this 29 day of May, 2020 at Columbia, SC

IN THE COURT OF GENERAL SESSIONS  
No. 09 -GS- 40 - 09740  
Count

STATE OF SOUTH CAROLINA  
COUNTY OF **Richland**

Community Supervision  
REVOCATION ORDER

RECEIVED  
JUL 06 2020  
SC Court of Appeals

STATE  
-vs-  
Yashawnus Patterson

Defendant  
01094663  
SID #  
08/23/1980  
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JEANETTE W. MACBRIDE  
C.S.P.  
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- No discretionary GPS.
- Credit time served 101 days.

This 2nd day of June, 2020

*Judge Yerman*  
Presiding Judge

Columbia S. C. Fifth Judicial Circuit

This is to certify that I have received this order.

Offender's Signature YASHAWNUS PATTERSON

Witnessed by Judge Gattaford

Signed this 29 day of May, 2020 at Columbia

SC  
JUANNE