

**RECEIVED**

OCT 08 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of General Sessions

Diane S. Goodstein, Circuit Court Judge

Case No. 2017-GS-08-01958

The State,

Respondent,

v.

Michael Patrick Strait, Jr.

Appellant.

NOTICE OF APPEAL

Michael Patrick Strait, Jr., was sentenced by the Honorable Diane S. Goodstein on September 23, 2021. Mr. Strait is dissatisfied with his sentence and asked his attorney to submit an appeal. This attorney is of the opinion that if a client requests an appeal, that the attorney is bound to file the appeal. In compliance with Appellate Practice Rule 263 and Appellate Practice Rule 203 (d) (1) B (iv), the Defendant's attorney asserts that this appeal is being filed at the request of the Defendant.

September 24, 2021

*David P. Schwacke*

David P. Schwacke  
Chief Berkeley County Public Defender  
219 N. Hwy. 52, Suite E  
Moncks Corner, S. C. 29461  
(843) 899-2777  
Attorney for Appellant

Other Counsel of Record:  
Cozette D. McNeil  
Assistant Solicitor  
300-B California Ave.  
Moncks Corner, South Carolina 29461  
(843)719-4529  
Attorney for Respondent

In the State of South Carolina

RECEIVED

Court of General Sessions

OCT 08 2021

Berkeley County

SC Court of Appeals

State of South Carolina )

)  
Notice of Appeal

- versus - )

)  
Appellate Case No. 2021-001104

Michael Patrick Strait Jr. )

Pursuant to South Carolina Appellate Court

Practice Rule 263, and appellate Practice Rule

203 (d) (1) B (IV), The defendant hereby submits

this Pro SE Notice of Appeal to a sentence

imposed on September 23, 2021 by the

Honorable Diane Goodstein in the Court of

General Sessions for the violation of S.C.

Code Ann. § 16-03-0010, Murder. Defendant

Received a 40 year sentence

October 2, 2021  
Charleston, SC

Respectfully Submitted  
Michael P. Strait  
Michael Patrick Strait Jr.

Certificate of Service

I, Michael Patrick Strait Jr.; Do certify that  
the Enjoining Notice of Appeal was served  
pursuant to S.C. Rules of Appellate  
Procedure and addressed to

Jenny Abbott Kitchings  
Clerk

P.O. Box 11629  
Columbia SC, 29211

In the State of South Carolina  
Court of General Sessions  
Berkeley County

**RECEIVED**

OCT 08 2021

SC Court of Appeals

State of South Carolina

)  
)  
Appellate Case No. 2021-001104

- versus -

)  
)  
Defendants Pro SE Supplemental

)  
Brief in Support of defendants

~~Michael Patrick Studd Jr~~

)  
Notice of Appeal

The defendant now appears before this

Honorable Court to submit this supplemental

brief in support of defendants Notice

of Appeal.

On September 23, 2021, the defendant

received a sentence of 40 years from

the Honorable Pione Goodstein, the defendant

subsequently submitted a Notice of Appeal

on September 24, 2021. This Brief

sets forth the defendant's grounds that  
he seeks to pursue in regard to  
his appeal.

### Grounds for Appeal

The defendant asserts that the record  
proceedings clearly established that he  
is entitled to relief based upon the  
Plea agreement defendant established before  
the court hearing on September 23, 2021

#### A.) Ground one:

On September 15, 2021 the defendant  
was given a right to a plea arrangement  
of § 16-03-0010, Murder. The agreement was

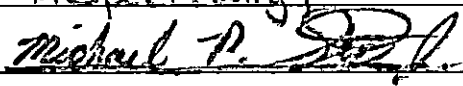
for a mandatory minimum of 30 years  
to a max of 40 years. During  
the Court Session on September 23, 2021  
the prosecutor Cozette D. McNeil, assistant  
Solicitor of the Ninth Judicial Circuit  
explained to the Honorable Diane Goodstein  
that they seek 40 years and did not  
note to the Court that the plea agreement  
was set for mandatory minimum of 30 years  
to a max of 40 years.

### Requested Relief:

Defendants Guilty plea should be taken  
into effect the full broad spectrum

of the Sentencing guideline that all parties agree to prior to court on September 23, 2021. By way of this brief in support of defendants Notice of appeal the defendant request for relief. By receiving the benefit of his full original plea offer of mandatory minimum of 30 years to maximum of 40 years and request to be resentenced accordingly.

September 24, 2021  
Charleston SC

Respectfully,  
  
Michael Patrick Straff Jr.

Supporting Attachments

- 1) Proof of Service of Appeal
- 2) Sentencing memorandum

Berkeley County Public Defender  
219 Highway 52  
Moncks Corner, SC 29461

**RECEIVED**

OCT 08 2021

SC Court of Appeals

South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

CHARLESTON SC 294



UNITED STATES POSTAGE  
PITNEY BOWES  
\$000.53<sup>0</sup>  
02.1P  
0000665375 OCT 01 2021  
MAILED FROM ZIP CODE 29461

HILL-FINKLEA  
DETENTION CENTER  
OUTGOING UNCENSORED

29211-162929

