

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Stephanie Mc Donald, Circuit Court Judge

Case No.: 2013-000387
2011-GS-08-0690 & 2011-GS-08-0691

Christopher Greene III #264680 Appellant,
v.
State of South Carolina, Respondent.

GUILTY PLEA EXPLANATION

The Appellant, CHRISTOPHER GREENE, III, #264680, hereinafter "the Appellant" alleges in his pleadings and respectfully submits the following issues to support his argument for his appeal.

(1) Appellant is informed and believes that there was a lack of understanding on the Court's behalf as to why he rejected the Solicitor's original negotiated plea agreement.

(2) Upon information and belief, the Appellant was not given the opportunity to clearly present his reasoning for entering the guilty plea.

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(3) By the Honorable Stephanie Mc Donald's own admission, there was no clarity with the Court of the outcome of Appellant's prior sentence. See Transcript page _____, line _____.

(4) By admission of Attorney Ms. Debra Kay Littlejohn, there were issues in Appellant's discovery that were unclear as to the disposition of Appellant's prior sentence.

(5) Attorney Debra Kay Littlejohn notified me while I was on bond that the Solicitor offered a deal for five (5) years. At my next visit with my Attorney, she called the Solicitor and confirmed that the offer was still open. At Roll Call the offer was still open. When I appeared in court with that expectation, the offer was modified against me with many stipulations. These included the way in which the sentence was to be calculated and served pertaining to the 65 percent law and the 85 percent law. It was unclear as to the exact amount time that I would eventually be serving and I told Ms. Littlejohn to go with an open plea as suggested, and leave it to the Judge's decision. I thought that I was accommodating and facilitating the smooth transition of the plea, but instead, the Attorney Ms. Littlejohn allowed me to harm myself by doing that.

(6) Additionally, Appellant is unclear as to how his current sentence was calculated. Appellant was presented with an open plea agreement, 0-10 years. Appellant was sentenced to the maximum of ten (10) years, suspended to eight (8) years.

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Department of Corrections, to be followed with three (3) years of probation. Based on applicable calculations, the sentence in actuality is a total of eleven (11) years, and not as in the plea agreement of 0-10 years.


WHEREFORE, the Appellant, CHRISTOPHER GREENE, III, #264680, prays for an appeal of his current sentence and for such other and further relief as the Court finds and deems to be just and proper in the interest of justice.

CONCLUSION

For the reasons stated, this Court should grant Appellant his requested appeal from the judgment of the circuit court.

Respectfully Submitted,

DATED: 25 April 2013

s/ 
CHRISTOPHER GREENE, III, #264680,
TURBEVILLE CORRECTIONAL INSTITUTION,
POST OFFICE BOX 252,
TURBEVILLE, SOUTH CAROLINA 29162.

SWORN to and SUBSCRIBED before
me this _____ day of _____, 2013.

NOTARY PUBLIC for SOUTH CAROLINA
My Commission Expires: _____

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THE CLERK OF COURT,
SOUTH CAROLINA COURT of APPEALS,
POST OFFICE BOX 11629,
COLUMBIA, S.C. 29211.


RE: CHRISTOPHER GREENE, III, #264680, Appellant,
V. STATE OF SOUTH CAROLINA, Respondent, Case No. 2013-000387.

Dear Madam Clerk:

Enclosed for filing is the GUILTY PLEA EXPLANATION requested by your letter dated March 06, 2013, providing arguable basis of issues preserved for appeal.

Sincerely,

DATED: 25 April 2013

S/ 
CHRISTOPHER GREENE III, #264680, Pro
TURBEVILLE CORRECTIONAL INSTITUTION,
POST OFFICE BOX 252,
TURBEVILLE, S.C. 29162.

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Christopher Greene III #264680 Appellant,

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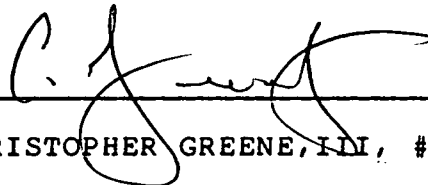
State of South Carolina, Respondent.

PROOF OF SERVICE

I certify that I have filed a GUILTY PLEA EXPLANATION with the CLERK OF THE SOUTH CAROLINA COURT OF APPEALS, addressed to Post Office Box 11629, Columbia, S.C. 29211, postage prepaid, by depositing same in the U.S. Mail at the TURBEVILLE CORRECTIONAL INSTITUTION MAILROOM with sufficient postage affixed thereto for first class delivery.

DATED: 25 April 2013

S/



CHRISTOPHER GREENE, III, #264680, Pro Se
TURBEVILLE CORRECTIONAL INSTITUTION,
POST OFFICE BOX 252,

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