

APPENDIX 4

**Sentencing Order of the South Carolina Court of General Sessions
(delivered orally and transcribed from proceedings on February 15, 2005)**

STATE OF SOUTH CAROLINA) COURT OF GENERAL SESSIONS
 :
 COUNTY OF CHESTER) CASE NO. 04-GS-12-571, 572

STATE OF SOUTH CAROLINA,) TRANSCRIPT OF RECORD
 Plaintiff,)
) JURY TRIAL
 -versus-)
) February 15, 2005
 CHRISTOPHER F. PITTMAN,)
 Defendant.) Charleston, South Carolina

B E F O R E:
 The Honorable Daniel F. Pieper, Judge; and a jury

A P P E A R A N C E S:
 W. Barney Giese, Solicitor
 John P. Meadors, Deputy Solicitor
 Dolly Justice Garfield, Assistant Solicitor
 For the State

A. Anderson Vickery, Esquire
 Henry J. Mims, Esquire
 Paul F. Waldner, Esquire
 Karen Barth Menzies, Esquire
 For the Defendant

**Robin L. Keil, RMR
 Resident Court Reporter
 First Judicial Circuit
 Post Office Box 3335
 Summerville, SC 29484-3335**

1 And I do recognize the emotional
2 aspects of this case. I do recognize the
3 policies of the juvenile justice system and
4 considerations that should be shared and
5 approached in any particular case and
6 possibly the moral significance of any
7 decision by the Court.

8 But this Court nonetheless must
9 recognize the legislative mandate pertaining
10 to this system and those mandates, they have
11 been upheld by higher courts of this state.
12 This Court sits as a trial court. This Court
13 is obligated to follow the precedent of its
14 superior courts. And having said that,
15 though I do have some discretion in
16 sentencing, not a lot in this matter, the
17 options as I understand, and you can correct
18 me if I'm wrong, Mr. Vickery, are 30 years or
19 life. Is that your understanding?

20 MR. VICKERY: It is our understanding
21 that those are the statutory options open to
22 the Court, Your Honor.

23 THE COURT: All right. Well, I have
24 considered everything that has been presented
25 to me and it is the judgment of this Court

1 that as to each of these counts the defendant
2 receive a sentence of 30 years. Those would
3 be concurrent to one another not consecutive.
4 Good luck to you. Thank you very much.

5 MR. VICKERY: Your Honor, there's one
6 additional matter.

7 THE COURT: Yes, sir.

8 MR. VICKERY: We would ask the Court for
9 a bond pending appeal.

10 THE COURT: All right. Because that
11 sentence implicated is greater than 10 years
12 that bond will have to be set by the
13 appellate court, Mr. Vickery, so until then
14 he'll have to remain in the custody of the
15 State and the deputies will escort him. Do
16 you have any further matters?

17 MR. VICKERY: None, Your Honor.

18 THE COURT: All right. Insofar as any
19 motion about sentencing, I will entertain
20 that at the appropriate time upon being
21 filed.

22 MR. VICKERY: Thank you, Your Honor.

23 THE COURT: All right. Now, if everyone
24 will please remain seated I want to give the
25 jury after watching the sentencing the