



ALAN WILSON
ATTORNEY GENERAL

September 7, 2023

The Honorable Byron E. Gipson, Solicitor
5th Judicial Circuit
PO Box 192
Columbia, SC 29201

Re: *State v. Jeroid Price* (Appellate Case No. 2023-000629)

Dear Solicitor Gipson:

This letter is to advise you that any motion to seek a sentence reduction in the Jeroid Price case is unauthorized without my personal approval.

In the *State v. Price* decision, the South Carolina Supreme Court emphasized that “the Attorney General’s supervisory authority over the circuit solicitors pursuant to Article V, Section 24” of the South Carolina Constitution is applicable to any reduction in sentence pursuant to S.C. Code Ann. § 17-25-65. In the Court’s view, any argument that § 17-25-65 is not a “criminal prosecution” and thus not implicated in a sentence reduction was rejected by the Price Court. According to the Court, “[W]hile such a proceeding is certainly an unusual part of a criminal proceeding, a section 17-25-65 sentence reduction is no less part of “the prosecution of [a] criminal case []” than the initial sentencing hearing and order.” *State v. Price*, at n. 6.

Section 17-25-65, which the Court interpreted in the *Price* decision, requires that a sentence reduction proceeding must be initiated “[u]pon the State’s motion. . . .” In this instance, Mr. Price was convicted of murder with a “mandatory minimum term of imprisonment for thirty years to life. . . .” The *Price* decision did not reach the State’s argument that a person convicted of murder “is not eligible for any credit that would reduce the sentence below the mandatory minimum of 30 years.” Nevertheless, the State does not consider it in the public interest that Mr. Price receive a reduction in sentence pursuant to § 17-25-65.

Accordingly, as South Carolina’s chief prosecutor, I do not authorize any sentence reduction pursuant to § 17-25-65 unless I personally approve.

Sincerely,

Alan Wilson
Attorney General

cc: Todd Rutherford, Esquire