

SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER

CLAY T. ALLEN
CIRCUIT PUBLIC DEFENDER

366 NORTH CHURCH STREET
SUITE 3000
SPARTANBURG, SC 29303



Telephone (864) 596-2561
Fax (864) 596-2284

May 21, 2013

Rachel Lynn Rivers
1830 Old Spartanburg Hwy
Woodruff, SC 29388

Re: State v. Rachel Lynn Rivers
Case No.:

Dear MS. Rivers:

A Notice of Intent to Appeal was filed on your behalf on September 19, 2012. I am required by The Court of Appeals to advise the court of any issues that were raised during the guilty plea and preserved for appellate review. I have advised the court, I knew of no such issues.

Enclosed you will find a copy of the letter received from the South Carolina Court of Appeals. You have twenty (20) days from the date of my letter to inform The South Carolina Court of Appeals in writing explaining why you believe you have arguable basis that are issues preserved for an appeal of your guilty plea. You must send your letter to the following address by June 10, 2013.

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

Failure to send the court your written explanation, by the above deadline, may result in the dismissal of your appeal.

Sincerely,

James Cheek
Assistant Public Defender

RECEIVED

MAY 24 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

Roger L. Couch, Circuit Court Judge

Case No(s): 2011-GS-42-00949, 2012-GS-42-03268

COPY

COPY

The State

Respondent,

v.

Rachel Lynn Rivers.

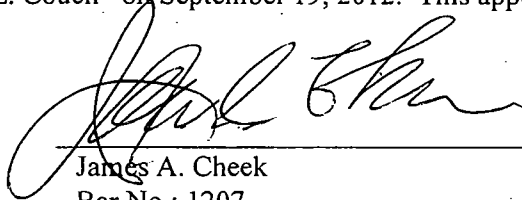
Appellant.

NOTICE OF APPEAL

COPY

Rachel Lynn Rivers appeals his/her conviction and sentence in this case. The sentence was imposed by the Honorable Roger L. Couch on September 19, 2012. This appeal is taken from this conviction and sentence.

September 20, 2012



James A. Cheek

Bar No.: 1207

Seventh Judicial Circuit Public Defender Office

366 N Church Street, Suite 3000

Spartanburg, South Carolina 29303

(864) 596-2561

Attorney for Appellant

Other Counsel of Record:

Scott Spivey, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

RECEIVED

MAY 24 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
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APPEAL FROM THE SPARTANBURG COUNTY
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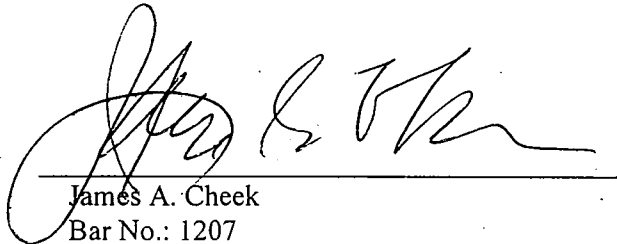
Case No(s): 2011-GS-42-00949, 2012-GS-42-03268

The State Respondent,
v.
Rachel Lynn Rivers Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on September 21, 2012, addressed to its attorney of record, Scott Spivey, Esq., Assistant Solicitor, 180 Magnolia Street, Spartanburg, South Carolina 29306.

September 20, 2012



James A. Check
Bar No.: 1207
Seventh Judicial Circuit Public Defender Office
366 N Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

RECEIVED

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
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Roger L. Couch, Circuit Court Judge

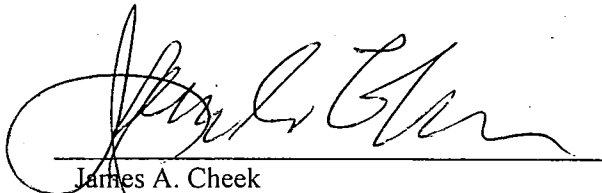
Case No(s): 2011-GS-42-00949, 2012-GS-42-03268

The State Respondent,
v.
Rachel Lynn Rivers ~~Appellant.~~

EXPLANATION OF APPEAL PURSUANT TO RULE 203(D)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Rachel Lynn Rivers files this explanation of his appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable Roger L. Couch on September 19, 2012. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

September 20, 2012



James A. Cheek
Bar No.: 1207
Seventh Judicial Circuit Public Defender Office
366 N Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

Other Counsel of Record:

Scott Spivey, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SPARTANBURG COUNTY
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Roger L. Couch, Circuit Court Judge

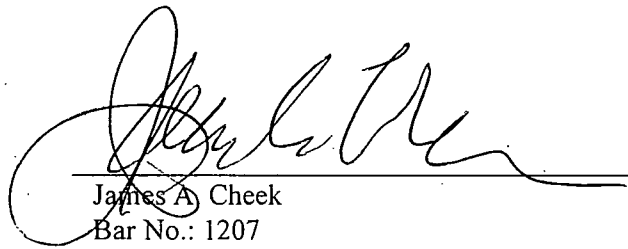
Case No(s): 2011-GS-42-00949, 2012-GS-42-03268

The State Respondent,
v.
Rachel Lynn Rivers Appellant.

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on September 21, 2012 addressed to its attorney of record, Scott Spivey, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

September 20, 2012



James A. Cheek
Bar No.: 1207
Seventh Judicial Circuit Public Defender Office
366 N Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

The South Carolina Court of Appeals

The State, Respondent,

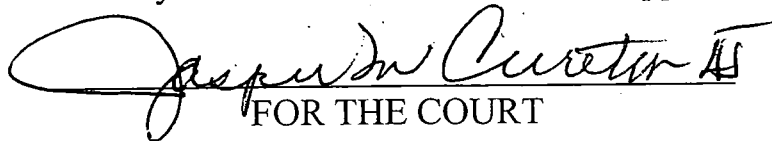
v.

Rachel Lynn Rivers, Appellant.

Appellate Case No. 2012-213065

ORDER

This court has sent Mr. James A. Cheek two letters requesting that Mr. Cheek forward his written explanation pursuant to Rule 203(d)(1)(B)(iv), SCACR, to the Appellant with a copy to this court. Mr. Cheek has not responded to this court's request. Within ten days, Mr. Cheek shall forward the explanation to Appellant and copy this court. Failure to do so may result in the dismissal of this appeal.


FOR THE COURT

Columbia, South Carolina

cc:

James A. Cheek
Robert Michael Dudek
Salley W. Elliott

FILED
5/9/13

RECEIVED

MAY 24 2013

SC Court of Appeals