

STATE OF SOUTH CAROLINA

) Indictment Nos.: 2023-GS-46-01889

IN THE COURT OF APPEALS

) FILED-RECEIVED

State of South Carolina

) 2023 APR 26 PM 1:22

-vs-

) DAVID HAMILTON

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Karall Tamitchell Dixon

) S.C.C.P. & GS

MAY 02 2023

) YORK COUNTY, SC

Defendant.

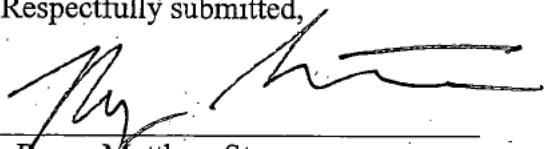
SC Court of Appeals

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the issue to be raised on appeal is whether the trial court abused its discretion when it imposed the time served no contest and received credit for 30 days time served upon the Appellant after he pled guilty to Possession of narc. in Schedule (b), (c), LSD & Schedule II-2<sup>nd</sup> offense damage on indictment Nos. 2023-GS-46-01889.

The undersigned does not have a good faith basis to believe that this issue is properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. *See Frazer v. South Carolina*, 430 F.3d 696, 705 (4<sup>th</sup> Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,



Roger Matthew Stevens  
P.O. Box 691  
York, South Carolina 29745  
(803) 628-3031  
Attorney for Karall Tamitchell Dixon  
York, South Carolina

April 25, 2023

**Sixteenth Circuit  
Public Defender  
Office**

Moss Justice Center  
1675-1E York Highway  
P.O. Box 691  
York, S.C. 29745



**Bryson J. Barrowclough**  
Sixteenth Circuit Defender

Melissa A. Inzerillo  
Phillip L. Smith  
Deputy Public Defender

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Toni L. Johnson  
Sr. Assistant Magistrate Division

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DAVID HAMILTON  
C.C.C.P. & GS  
YORK COUNTY, SC

Assistant Public Defenders  
Mark T. McKinnon  
Fred Davis  
Chris Bonds  
Ryan Newkirk  
Melissa Rogers  
David T. Bratton  
Devon Nielson  
Deondra Sexton  
Roger Matthew Stevens  
Ugonna Udogwu  
Shawana Burris

April 26, 2023

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MAY 02 2023

SC Court of Appeals

Karall Tamitchell Dixon  
200 York St. Apt. 106  
Chester, SC 29706

Re: 2023-GS-46-01889

Dear Mr. Dixon:

Enclosed please find certified copies of the Notice of Appeal, Rule 203 (B) Explanation and Certified Certificate of Service regarding your recent plea. Please note that you must inform the South Carolina Court of Appeals in writing within **twenty (20) days** of the date of this letter, of any arguable basis that there are issues preserved for appeal.

You must send your arguments for your appeal to the following address:

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

Sincerely,

Roger Matthew Stevens  
Sixteenth Judicial Circuit

RMS/ln

Enclosures

Cc: South Carolina Court of Appeals



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16<sup>th</sup> JUDICIAL CIRCUIT  
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1675-1E York Highway  
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The Honorable Jenny Abbott Kitchens  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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