

STATE OF SOUTH CAROLINA)

Indictment Nos.: 2022-GS-46-03396-2022-GS-46-03397

IN THE COURT OF APPEALS)

State of South Carolina)

-vs-)

Gary Louis Hampton)

Defendant.)

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MAY 22 2023

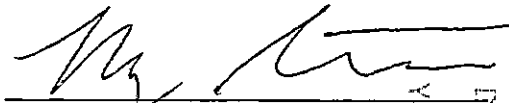
SC Court of Appeals

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 18 months, conc sentence and received credit for 2 days time served upon the Appellant after he pled guilty to Shoplifting/value \$2000 or less (Enhancement per 16-01-0057) x 2 on indictment Nos. 2022-GS-46-03396 – 2022-GS-46-03397.

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 (4th 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,



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May 15, 2023