

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of General Sessions

RECEIVED

Courtney Clyburn Pope, Circuit Court Judge

Dec 27 2023

Indictment No. 2023GS0600133

SC Court of Appeals

State of S.C.....Respondent,

v.

Edward Queen.....Appellant.

NOTICE OF APPEAL

Edward Queen appeals his conviction and sentence imposed in this case. The sentence was imposed by the Honorable Courtney Clyburn Pope on December 6, 2023. This appeal is taken from the Appellant's conviction on December 4, 2023.

McCANTS & McCANTS

s/ Clarke W. McCants, IV
Clarke W. McCants, IV
Post Office Box 2881
Aiken, South Carolina 29802
(803) 649-6200 Ext. 3
Clarkemccants4@gmail.com
S.C. Bar No. 103228
Attorney for Appellant

Dated: December 14, 2023

Other Counsel of Record:
Tyler Sanderlin, Esquire
Assistant Solicitor
Second Judicial Circuit
141 Main Street, 2nd Floor
Barnwell, South Carolina 29812

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PROOF OF SERVICE

I certify I have served the Notice of Appeal on counsel for the Respondent, Tyler Sanderlin, Esquire, on December 14, 2023, by electronic mail via the email address on record with AIS, at tsanderlin@aikencountysc.gov.

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s/ Clarke W. McCants, IV
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Post Office Box 2881
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S.C. Bar No. 103228
Attorney for Appellant

Dated: December 14, 2023

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SC Court of Appeals

State of South Carolina)
County of Barnwell)

State of South Carolina,)

Indictment No. 2023GS0600133

RULE 203(d)(1)(B) EXPLANATION

v.)

Edward Queen,)

Defendant.)
_____)

TO: THE HONORABLE JENNY ABBOTT KITCHINGS, CLERK OF COURT, SOUTH CAROLINA COURT OF APPEALS:

Pursuant to Rule 203(d)(1)(B), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence. The undersigned did file a motion to reconsider the sentence, which was partially granted on December 6, 2023. The Defendant then did make contact with the undersigned telling him that he wanted an appeal filed on his case. 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 Frazier v. South Carolina, 430 F.3d 696 (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)).

Very respectfully submitted,

McCANTS & McCANTS



Clarke W. McCants, IV
Post Office Box 2881
Aiken, South Carolina 29802
803-649-6200

Clarkemccants4@gmail.com
S.C. Bar No. 103228
Counsel for the Defendant

Dated: December 22, 2023

MCCANTS & MCCANTS

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Clarke W. McCants, III, P.C.
Amy Patterson Shumpert
Clarke W. McCants, IV

Post Office Box 2881
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clarkemccants4@gmail.com

December 22, 2023

VIA EMAIL TO: ctappfilings@sccourts.org

The Honorable Jenny A. Kitchings
Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

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Dec 27 2023

SC Court of Appeals

RE: The State v. Edward Queen
Indictment No. 2023GS0600133
Appellate Case No. TBD


Dear Ms. Kitchings:

Enclosed for filing, please find the Appellant's Notice of Appeal and Proof of Service of the same. I have also enclosed my Rule 203(d)(1)(B), SCACR, certification that I do not believe there are valid appellate issues presented before the Court.

By copy of this correspondence to Counsel for the Respondent and Mr. Edward Queen, I am notifying each of them that I have filed these documents.

Should you have any questions, please do not hesitate to let me know.

With best regards, I remain,

Truly yours,

Clarke W. McCants, IV

Enclosures

cc: Tyler Sanderlin, Esquire
Edward Queen