

THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

APPEAL FROM UNION COUNTY  
Court of General Sessions

JOHN C. HAYES, CIRCUIT COURT JUDGE

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Case No.: 2013-GS-44-0777

The State of South Carolina, Respondent  
v.

JARVIS ANDREW JETER, Appellant

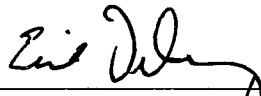
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FILED FOR RECORD  
2013 AUG 23 AM 10 06  
WILLIAM F. GAULT  
CLERK OF COURT  
UNION, SC

NOTICE OF APPEAL

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*EDC*  
Jarvis Andrew Jeter appeals his guilty plea and sentence imposed by the Honorable John C. Hayes on August 14,, 2013. The Appellant pled guilty to Assault and Battery of a High and Aggravated Nature and received a sentence of five (5) years, suspended on time served and five (5) years probation.

  
Erik D. Delaney  
Attorney for Appellant  
Union County Public Defender  
Sixteenth Judicial Circuit  
P.O. Box 1  
Union, SC 29379  
(864) 429-1687

This 23rd day of August, 2013  
Union,, South Carolina

Other Counsel of Record:  
Blaine Fleming, Assistant Solicitor  
Sixteenth Judicial Circuit  
Union County Courthouse  
Union, SC 29379  
(864) 429-1639

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AUG 28 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE SOUTH CAROLINA COURT OF APPEALS

APPEAL FROM UNION COUNTY  
COURT OF GENERAL SESSIONS

JOHN C. HAYES, CIRCUIT COURT JUDGE

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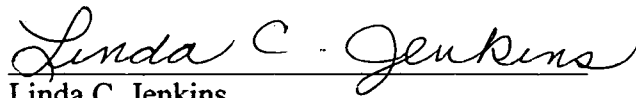
Case No: 2013-GS-44-0777

The State of South Carolina, Respondent  
v.  
JARVIS ANDREW JETER, Appellant

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Certificate of Service

This is to certify that a copy of the Notice of Appeal in the case of The State vs. Jarvis Andrew Jeter, was served upon Assistant Solicitor Blaine Fleming on August 22, 2013 by hand-delivering a copy to the Solicitor's Office, 220 W. Main Street, Union, South Carolina by the undersigned.

  
Linda C. Jenkins  
Legal Secretary for Erik D. Delaney  
Attorney for the Defendant

August 23, 2013

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AUG 28 2013

SC Court of Appeals

FILED FOR RECORD  
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WILLIAM F. GAULT  
CLERK OF COURT  
UNION, SC

STATE OF SOUTH CAROLINA )  
 )  
IN THE COURT OF APPEALS )

Indictment No.: 2013-GS-44-0777

State of South Carolina )  
 )  
- vs- )  
 )  
Jarvis Andrew Jeter , )  
 )  
 )  
Defendant. )  
 )  
\_\_\_\_\_ )

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AUG 28 2013

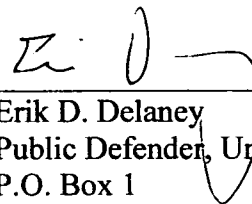
SC Court of Appeals

**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 a sentence of five (5) years, suspended on five (5) years probation with credit for time served (81 days) upon the Appellant after he pled guilty to Assault and Battery of a High and Aggravated Nature.

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,



Erik D. Delaney  
Public Defender, Union County, SC  
P.O. Box 1  
Union, South Carolina 29379  
(864) 429-1687  
Attorney for Jarvis Andrew Jeter

Union, South Carolina  
August 23, 2013

WITNESSES

McGee/UPSD

DOCKET NO. 2013-GS-44-0777

The State of South Carolina

County of Union

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

COURT OF GENERAL SESSIONS

AUGUST 12, TERM 2013

X Jeter  
Defendant

ARREST WARRANT NUMBER

2013AA4420200265

THE STATE

vs.

JARVIS ANDREW JETER

Witness: *W. O. Jeter*  
C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

Person of Grand Jury

Date:

VERDICT

Indictment for

ATTEMPTED MURDER

SC Code: 16-03-0029

CDR Code: 3410

Foreperson of Petit Jury  
Date:



**OFFICE OF THE PUBLIC DEFENDER  
SIXTEENTH JUDICIAL CIRCUIT  
UNION COUNTY OFFICE**

**POST OFFICE BOX 1, UNION, SOUTH CAROLINA 29379  
PHONE: 864-429-1687; FAX: 864-424-1004**

**Harry A. Dest  
Circuit Public Defender**

**Erik Delaney  
Public Defender**

August 23, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

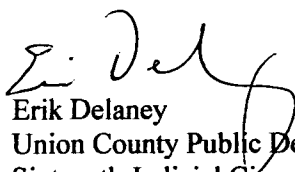
Re : Jarvis Andrew Jeter, Appellant; Indictment/Case # 2013-GS-44-0777

Dear Ms.Kitchings:

Enclosed please find the Notice of Appeal, Rule 203(B) Explanation and Certified Certificate of Service, copy of Indictment and Sentencing Sheet in the above captioned matter. On August 14, 2013, the Appellant pled guilty to Assault and Battery of a High and Aggravated Nature and was sentenced to five years, suspended on five years probation and time served (81 days) by the Honorable John C. Hayes, III.

Copies of these documents were sent under separate cover letter to the defendant, a copy of said letter to Appellant is enclosed.

Sincerely,

  
Erik Delaney  
Union County Public Defender  
Sixteenth Judicial Circuit

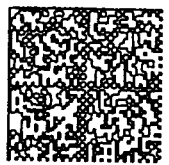
ED/lcj

Enclosures


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AUG 28 2013  
SC Court of Appeals

ERIK D. DELANEY, PUBLIC DEFENDER  
UNION COUNTY PD OFFICE  
P. O. BOX 1  
UNION SC 292379

The Honorable Jenny Abbott Kitchings  
Clerk of the SC Court of Appeals  
P. O. Box 141629  
Columbia, SC 29211



*Jenny Abbott Kitchings*

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