



# The Supreme Court of South Carolina

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September 12, 2013

Laura McCall Saunders, Esquire  
PO Box 731  
102 Church Street  
Laurens SC 29360

Re: Lakeem O. Smith v. State  
Appellate Case No. 2013-001921  
Lower Court No. 2012-CP-30-00890

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at [www.sccourts.org/courtreg](http://www.sccourts.org/courtreg). Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at [www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm](http://www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm). Please note that the responsibility for insuring that information is redacted

or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

It appears that the sole issue in this case is petitioner's entitlement to belated direct appeal from his guilty pleas under White v. State. However, to pursue an appeal from a guilty plea, petitioner would have to "provide a written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal." Rule 203(d)(1)(B), SCACR (explanation required when an appeal is taken from a guilty plea, Alford plea, or plea of nolo contendere). Therefore, I ask that you please provide the explanation required for an appeal from a guilty plea. This explanation should be provided within fifteen (15) days of the date of this letter.

If, as an officer of this Court, you determine that you cannot provide a good faith explanation, I would recommend that you send a letter to this Court and your client indicating that you cannot provide a good faith explanation. The letter should advise your client that he may submit a *pro se* guilty plea explanation within twenty (20) days from the date of your letter. *Cf. Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006) (discussing procedure to be followed if counsel cannot provide a good faith explanation under Rule 243(c), SCACR).

Very truly yours,

A handwritten signature in black ink, appearing to be a stylized name, possibly "D. Johnson", written over a horizontal line.

CLERK

cc: James Rutledge Johnson, Esquire