

STATE OF SOUTH CAROLINA )

Indictment Nos.: 2024-GS-46-02690, 02691,

2024-GS-46-02692, 02693

IN THE COURT OF APPEALS )

State of South Carolina )

-vs- )

Aymex Lee Jenkins, Jr., )

Defendant. )

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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 fourteen (14) day weekend time, time served and 18 month probationary sentences upon the Appellant after he pleaded guilty to Driving Under the Influence 2<sup>nd</sup> offense, Operating a Vehicle Without an Ignition Interlocking Device, Failure to Stop for a Blue Light and Resisting Arrest.

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,



William K. Barbieri

P.O. Box 691

York, South Carolina 29745

(803) 628-3031

Attorney for Aymex Lee Jenkins

York, South Carolina

January 16, 2025

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ANGIE JOHNSON  
S.C.D.A. & GS  
YORK COUNTY, SC

**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

Assistant Public Defenders  
Mark T. McKinnon  
Ugonna Udogwu  
Melissa Rogers  
Fred Davis  
Devon Nielson  
Ryan Newkirk  
Will Barbieri  
Jason LaBlanc

January 16, 2025

Aymex Lee Jenkins, Jr.  
2290 Redstone Dr.  
York, SC 29745

Re: Traffic/Operation of a Vehicle without Ignition Interlock Device 1<sup>st</sup> (2024-GS-46-02692); DUI/Driving under the Influence .16 or more, 2<sup>nd</sup> (2024-GS-4602691); Failure to Stop for Blue Light, no injury or death 1<sup>st</sup> (2024-GS-46-02690); Resisting Arrest; Oppose or resist law enforcement officer serving process or making arrest (2024-GS-46-02693)

Dear Mr. Jenkins:

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,

Mr. William Barbieri  
Assistant Public Defender  
Sixteenth Judicial Circuit

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ANGIE M. RYANT  
C.C.P. # 985  
YORK COUNTY, SC

WB/ln

Enclosures

Cc: South Carolina Court of Appeals

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16<sup>th</sup> JUDICIAL CIRCUIT  
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SC Court of Appeals

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

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