STATE OF SOUTH CAROLINA) Indictment Nos.: 2024-GS-46-03712
)
IN THE COURT OF APPEALS)
State of South Carolina)
)
-vs-)
)
Montravius D. McCullough)
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 court abused its discretion when it imposed the Sentence of 3 years that upon the service of 1 year, balance is suspended with 2 years probation on indictment: 2024-GS-03712.

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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February 13, 2025