



THE
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Daniel E. Shearhouse
Clerk of Court
South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211

Re: Justin Harshaw v. State, Appellate Case # 2013-001867

October 29, 2013

Clerk of Court:

Pursuant to prior communications regarding the *pro se* filing of the notice of appeal for the above-referenced case, please find the enclosed documents submitted pursuant to Rules 243(c) and 203(d)(1)(B), SCACR. Additionally, by copy of this letter, I am also informing Mr. Harshaw that if a legal basis exists to continue the appellate process he must inform this Court and/or the Office of Appellate Defense directly.

If you have any questions, feel free to contact my office.

Respectfully,

Mark Schnee
Attorney at Law

Cc: Assistant Attorney General Megan Harrigan
Office of Appellate Defense
Justin Harshaw, inmate #00296250

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OCT 31 2013

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

James R. Barber, III, Circuit Court Judge

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OCT 31 2013

S.C. SUPREME COURT

Case No. 2009-CP-40-04442

Justin Harshaw, #00296250, Petitioner,

v.

State of South Carolina, Respondent.

STATEMENT OF BASIS FOR APPEAL FROM GUILTY PLEA AND UNTIMELY PCR
APPLICATION PURSUANT TO RULES 243(c) AND 203(d)(1)(B), SCACR

Pursuant to Rules 243(c) and 203(d)(1)(B), SCACR, the Petitioner was dissatisfied with the original plea and dismissal of claims for his PCR. Counsel is unaware of any legal issues preserved for review from the original guilty plea and is unaware of any legal basis to file the PCR Application untimely. I am of the opinion, however, that if the client insists on appealing, I am constrained to follow that instruction. *Weathers v. State*, 319 S.C. 59, 459 S.E.2d 838 (1995)

October 29, 2013



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Other Counsel of Record:

Assistant Attorney General Megan Harrigan

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Columbia, SC 29211

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

James R. Barber, III, Circuit Court Judge

Case No. 2009-CP-40-04442

Justin Harshaw, #00296250,Petitioner,

v.

State of South Carolina, Respondent.

PROOF OF SERVICE

I hereby certify that a true copy of the Statement of Basis for Appeal Pursuant to Rules 243(c) and 203(d)(1)(B), SCACR in the above-referenced case has been served upon opposing counsel by delivering same this date to her office at the Office of the Attorney General, P.O. Box 11549, Columbia, South Carolina, 29211.

October 29, 2013



Mark Schnee
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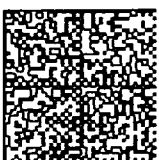
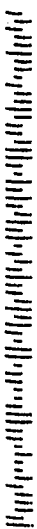
Other Counsel of Record:

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