

Raymond Chestnut, I^r 5-171

U.S.P. Lewisburg

P.O. Box 1000

Lewisburg, PA 17337

March 27, 2014

RECEIVED

MAR 31 2014

S.C. Court of Appeals

Jenny Kitchings, clerk

P.O. Box 11629

Columbia, SC. 29211

SC Court of Appeals

Re: request for a belated direct appeal in
light of White v. State, 263 S.C. 110, 208 S.E. 2d 35 (1974)

Dear Court of Appeals,

I am requesting a belated appeal from my convictions entered in 2004 and 2005, specifically, August 3, 2004 for Indictment case No. 2004-GS-26-2651, 2652; and June 6, 2005 for Indictment case No. 2004-GS-26-4448; all from the Court of ~~General~~ Sessions, Fifteenth (15TH) Judicial Circuit, Horry County, in Conway, S.C.

I am requesting a belated appeal because I was never advised of my right to appeal by trial counsel or the judge. However, my guilty plea

were not knowingly or intelligently made, due to the fact, I wasn't aware of the element of the charges, did not understand the nature of the charges, wasn't advise of my right to a jury trial, and did not intelligently waive presentment to the grand jury. Therefore, my fifth (5th), sixth (6th), and Fourteenth (14th) amendment rights were violated; And I did not waive my right to appeal.

WHEREFORE, in light of White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974), when a defendant did not waive his right to appeal knowingly and intelligent, the limitation period is tolled, and the defendant is entitled to a direct appeal. Furthermore, I move this court for a belated appeal under the above circumstances.

Additionally, I move this court for appointment of counsel in this cause.

Respectfully Submitted,



Raymond Chestnut

P.S.

Please note, I do not possess the sentencing sheets; The Horry County Clerk (Ms. Melaine Huggins-Ward) should have them. Contact her in the event the sentencing sheets are needed. Thank you.

She should be able to fax the sentencing sheets to you.

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SC Court of Appeals

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USP Lewisburg
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Lewisburg, PA 17837

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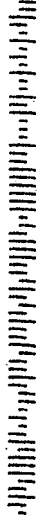
SC Court of Appeals

South Carolina Court of Appeals
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Legal mail.

