

COUNTY COUNCIL OF BEAUFORT COUNTY

OFFICE OF THE PUBLIC DEFENDER

Human Services Building 1905 Duke Street (Room 210) P.O. Box 525
Beaufort, South Carolina 29901-0525
Phone: (843) 255-5805 Fax: (843) 255-9494

May 20, 2014

Mr. Tyriek Person, Inmate # 359379
990 Wisacky Highway
Bishopville, SC 29010

RE: Appeal

Dear Tyriek,

I have enclosed a copy of my explanation of appeal in your case. In order to keep the appeal process going, you need to send a letter to the Court of Appeals describing "any arguable basis that there are issues preserved for appeal." Please see the enclosed letter from the Court of Appeals. You need to explain why you are appealing your guilty plea. This letter must be sent within twenty days of this letter to this address:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Please reference your Appellate Case No. 2014-000665.

With kind regards, I am,

Sincerely,



Helen R. Dovell
Assistant Public Defender

cc: V. Claire Allen, Deputy Clerk of Court of Appeals
Robert Michael Dudek, Esq.

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MAY 22 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

IN THE COURT OF GENERAL SESSIONS
OF THE FOURTEENTH JUDICIAL CIRCUIT
INDICTMENT NUMBER: 2013GS0701451

STATE OF SOUTH CAROLINA)
)
VS.)
)
TYRIEK PERSON,)
DEFENDANT.)
_____)

RULE 203(B) EXPLANATION

Pursuant to Rule 203(d) (1)(B)(iv), SCACR, the Defendant appeals his negotiated guilty plea to the charge of Criminal Sexual Conduct with a Minor, First Degree contained in the above indictment and his sentence of the mandatory minimum twenty-five years.

Although the twenty-five year sentence is a drastic and harsh resolution to Defendant's case, state statute sets the mandatory minimum sentence for Criminal Sexual Conduct with a Minor, First Degree. The undersigned does not have a good faith basis for this appeal, 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, 706 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate in behalf of his client.'" (quoting *Anders v. California*, 386 U.S. 738, 744 (1967))).

SIGNATURE ON FOLLOWING PAGE

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SC Court of Appeals

Respectfully submitted,



Helen Dovell

Assistant Public Defender

Beaufort County Public Defender's Office

P.O. Box 525

Beaufort County, SC 29901

843-255-5816 (Direct)

843-255-9494 (Fax)

hdovell@bcgov.net

March 25, 2014



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

May 15, 2014

Mrs. Helen Rose Roper Dövell, Esquire
PO Box 525
Beaufort SC 29901

Re: The State v. Tyriek Person
Appellate Case No. 2014-000665

Dear Counsel:

This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Please send your letter to your client within ten (10) days, with a copy to this Court.

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SC Court of Appeals

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Patrick A. Hall, Esquire
Salley W. Elliott, Esquire
Alan McCrory Wilson, Esquire
Robert Michael Dudek, Esquire



BEAUFORT COUNTY COUNCIL
PUBLIC DEFENDER
1905 DUKE STREET
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BEAUFORT, SC 29901

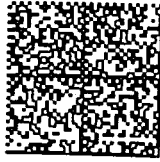
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SC Court of Appeals

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South Carolina Court of Appeals
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