

STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

vs.

Indictments #: 2014-GS-02-00996

Matthew James Boucher,

Defendant.

**RULE 203(d)(1)(B)(iv) EXPLANATION**

Pursuant to Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules, the undersigned asserts that

1. I am the Chief Public Defender for Aiken County.
2. On July 17, 2014, my client entered a guilty plea to Breaking and Entering into a Motor Vehicle. After sentencing, the Defendant was upset about the sentence and asked that I file any motions or appeals possible.
3. A motion to reconsider the sentence was denied by the judge. After the motion was denied, the Defendant refused to communicate with me about anything including this appeal.
4. I do not have a good faith basis to believe that any issues are properly before the Court of Appeals.
5. Nevertheless, I made effort to consult with the Appellant about his right to appeal. Due to his refusal to speak with me, I filed the instant appeal based on his earlier requests to me because the Sixth Amendment requires counsel to follow the Appellant's request. *See Frazer v. South Carolina*, 430 F.3d 696, 706 (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,

A handwritten signature in cursive script that reads "Wallis Alves". The signature is written in black ink and is positioned above a horizontal line.

Wallis Alves  
Post Office Drawer 2247  
Aiken, SC 29802  
(803) 642-1732

Aiken, South Carolina  
July 24, 2014