

STATE OF SOUTH CAROLINA )

Indictment No.: 2014-GS-46-1879

IN THE COURT OF APPEALS )

CERTIFIED TRUE COPY

State of South Carolina )

2014 AUG 09 PM 3:26

-vs- )

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

Anthony Lamar Ogden, )

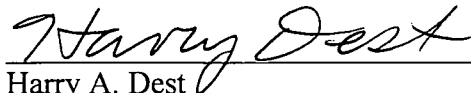
Defendant. )  
\_\_\_\_\_ )

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the issue to be raised on appeal is whether the trial court abused its discretion when it imposed the fifteen year sentence upon the Appellant after he pled guilty to Felony Driving Under the Influence, Death Results.

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 (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,



Harry A. Dest  
P.O. Box 691  
York, South Carolina 29745  
(803) 628-3031  
Attorney for Anthony Lamar Ogden

York, South Carolina

August 19, 2014

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SC Court of Appeals

**Sixteenth Circuit  
Public Defender  
Office**

Moss Justice Center  
1675-1E York Highway  
P.O. Box 691  
York, S.C. 29745



**Harry A. Dest**  
Sixteenth Circuit Defender

August 19, 2014

Anthony Lamar Ogden, SCDC# 00361018  
Kirkland R&E  
4344 Broad River Road  
Columbia, South Carolina 29210

Dear Mr. Ogden:

Enclosed please find certified copies of the Notice of Appeal, Rule 203(B) Explanation and Certificate of Service regarding your recent guilty plea. Please note that you must inform the South Carolina Court of Appeals in writing, within **twenty (20) days** of the date of this letter, of any arguable basis that there are issues preserved for appeal.

You must send your arguments for your appeal to the following address:

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

Sincerely,

Harry A. Dest  
Circuit Public Defender  
Sixteenth Judicial Circuit

HAD/jmd

Enclosure

cc: South Carolina Court of Appeals  
file

**RECEIVED**

AUG 22 2014

**SC Court of Appeals**

Bryson J. Barrowclough  
Deputy Public Defender

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