

STATE OF SOUTH CAROLINA

vs.

PHILLIP LEONARD LEGETE,

Defendant.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Indictments #: 2014-GS-02-00444
2012-GS-02-01516

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(2) of the South Carolina Rules of Appellate Practice, the undersigned asserts that he does not have a good faith basis to believe that any issues are 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, 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 on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,



Andrew Smith
2nd Circuit Assistant Public Defender
Post Office Drawer 2247
Aiken, SC 29802
(803) 642-1732

Aiken, South Carolina
June 24, 2014

RECEIVED

JUL 18 2014

SC Court of Appeals

Public Defender for the Second Judicial Circuit

410 Barnwell Avenue N.W.
Post Office Drawer 2247
Aiken, South Carolina 29802

De Grant Gibbons, Circuit Public Defender

July 15, 2014

Mr. Phillip Legette, 00302254
Kirkland Correctional Inst.
4344 Broad River Road
Columbia, South Carolina 29210

RECEIVED

JUL 18 2014

SC Court of Appeals

Re: The State of South Carolina vs. Phillip Legette
Appellate Case No. 2014-001417

Dear Mr. Legette:

Please find enclosed my explanation for your appeal. You have twenty (20) days from the date of this letter to inform the Court of Appeals in writing of any arguable basis that there are issues preserved for appeal. The address to which you should direct your correspondence is:

South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

You must use the appellate case number on all correspondence with the court relating to this matter.

Sincerely,



Andrew Smith
Assistant Public Defender

AS:tc
ENCLOSURE

Public Defender for the Second Judicial Circuit

410 Barnwell Avenue N.W.
Post Office Drawer 2247
Aiken, South Carolina 29802

De Grant Gibbons, Circuit Public Defender

July 15, 2014

The South Carolina Court of Appeals
ATTN: Jenny Abbott Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

Re: The State v. Phillip Legette
Appellate Case No. 2014-001417

Dear Ms. Kitchings:

Enclosed please find the letter to my client, Phillip Legette, regarding the twenty (20) day time frame regarding his appeal.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,



Andrew Smith
Assistant Public Defender

AS:tpc

ENCLOSURE

RECEIVED

JUL 18 2014

SC Court of Appeals

Second Judicial Circuit
Public Defender

P.O. Box 2247
Aiken, South Carolina 29802

31

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



7006 3450 0001 5412 1458

The South Carolina Court of Appeals
ATTN: Jenny Abbott Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

neopost FIRST CLASS MAIL

07/15/2014

US POSTAGE

\$06.48⁰⁰



ZIP 29801
041L11219893

RECEIVED

JUL 18 2014

SC Court of Appeals

2921131629 8012

