

OFFICE OF THE PUBLIC DEFENDER

Eleventh Judicial Circuit
Lexington, Saluda, Edgefield,
and McCormick Counties

ELIZABETH FULLWOOD
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Fax (864) 852-9554

30 October 2014

Richard Wagner Catlett
SCDC# 343495
Kirkland Correctional Institution
4344 Broad River Road
Columbia, South Carolina 29210

RE: State v. Richard W. Catlett

Dear Mr. Catlett,

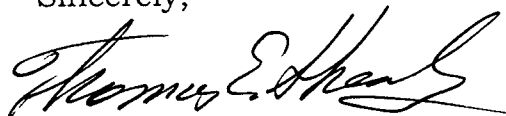
I received a letter from the Court of Appeals, instructing me to send you a copy of my explanation for your appeal. My explanation was that you requested that I appeal it. I also advised you that you had twenty days to file your reason for appealing and I gave you the address to mail your response.

I am enclosing copies of my original explanation, cover letter to you, and the Court of Appeals letter to me. You have twenty (20) days from the date of this letter to file your explanation. The address to file your explanation is :

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

I am forwarding a copy of this letter to the South Carolina Court of Appeals.

Sincerely,



Thomas E. Shealy

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NOV 03 2014

Enclosures
CC: South Carolina Court of Appeals

SC Court of Appeals



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

October 27, 2014

Mr. Thomas E. Shealy, Esquire
1535 Adella Street
Columbia SC 29210

Re: The State v. Richard W. Catlett
Appellate Case No. 2014-002271

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, or this appeal may be dismissed.

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NOV 03 2014

SC Court of Appeals

Very truly yours,

Jenny ~~Abbott~~ Kitchings 

CLERK

cc: Alan McCrory Wilson, Esquire
Salley W. Elliott, Esquire
Shannon Ashli Davis, Esquire
Robert Michael Dudek, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
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October 27, 2014

Mr. Thomas E. Shealy, Esquire
1535 Adella Street
Columbia SC 29210

Re: The State v. Richard W. Catlett
Appellate Case No. 2014-002271

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SC Court of Appeals

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2014-04-15-02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

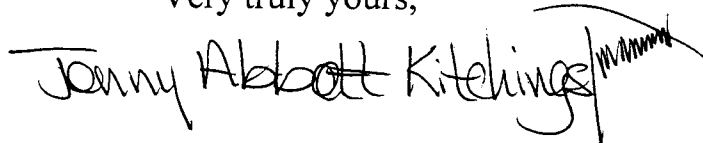
The State, Respondent,

v.

Richard Wagner Catlett, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "Jonny Abbott Kitchings". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

CLERK

cc: Alan McCrory Wilson, Esquire
Salley W. Elliott, Esquire
Shannon Ashli Davis, Esquire
Robert Michael Dudek, Esquire

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October 14, 2014

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SC Court of Appeals

Richard Wagner Catlett (SCDC ID: 343495)
Kirkland Correctional Institution
4344 Broad River Road
Columbia, South Carolina 29210

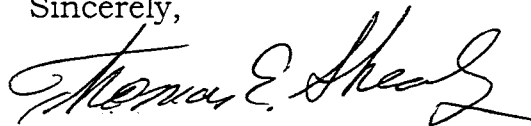
Dear Mr Catlett:

I am required to provide you with a copy of my filing under Rule 203(B) indicating that I am not aware of an arguable basis for your appeal. Please note, you have twenty (20) days from the transmittal of the enclosed in which to provide the Court of Appeals an arguable basis for your appeal. The Court's address is:

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

With my warm personal regards, I remain,

Sincerely,



Thomas E. Shealy

Enclosures
cc: Court of Appeals

STATE OF SOUTH CAROLINA)
)
)
vs.)
)
Richard Wagner Catlett,)
)
Defendant.)
_____)

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

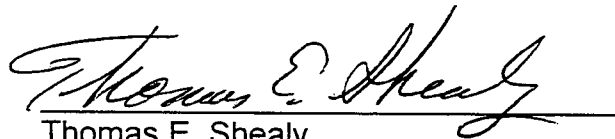
Indictment #: 2014-GS-32-1525
Warrant #: 2014A3210200513

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SC Court of Appeals

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), 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,



Thomas E. Shealy
Assistant Public Defender
407 ½ West Main Street
Lexington, South Carolina
(803) 785-8873

Lexington, South Carolina
October 14, 2014

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SC Court of Appeals

Carolina Court of Appeals
x 11629
ia, S.C. 29211

