



# The Supreme Court of South Carolina

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March 27, 2015

Mr. Kenyon D. Gaither  
#15113-171  
F.C.I. Bennettsville  
P O Box 52020  
Bennettsville SC 29512

Re: Kenyon D. Gaither v. State  
Appellate Case No. 2015-000540

Dear Gaither:

In your explanation under Rule 243(c) of the South Carolina Appellate Court Rules (SCACR), you assert that you are entitled to a belated appeal from your guilty plea under *White v. State*, 263 S.C. 110, 208 S.E.2d 35 (1974).

Therefore, I ask that you please provide the explanation required for an appeal from a guilty plea. This explanation should show "that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal." Rule 203(d)(1)(B), SCACR (explanation required when an appeal is taken from a guilty plea, *Alford* plea, or plea of *nolo contendere*).

This explanation should be provided within fifteen (15) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

CLERK

cc: Daniel Francis Gourley, II, Esquire