

STATE OF SOUTH CAROLINA)
)
 COUNTY OF FAIRFIELD)
)
 THE STATE,)
)
 VS.)
)
 Marvin Kadarro Workman,)
)
 Defendant.)
 _____)

IN THE SOUTH CAROLINA
 COURT OF APPEALS

STATEMENT OF APPELLANT'S COUNSEL
 REGARDING REQUEST FOR APPEAL
 OF GUILTY/ NO CONTEST PLEA

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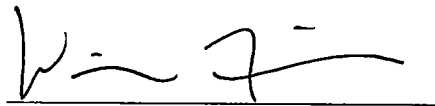
Appellant's Statement of Facts

On May 12, 2015 the defendant, Marvin Kadarro Workman and a codefendant were arrested by the Fairfield County Sheriff's Department on various charges including Possession of a Firearm by a Person Convicted of a Violent Felony and Failure to Stop for a Blue Light. A subsequent investigation of items found in the defendants' vehicle from that arrest resulted in the defendants being charges with burglaries. Upon review of the case, the Deputy Solicitor determined that the State would have a difficult time in securing a conviction on the burglary charges against Mr. Workman and offered a to modify the burglary charges to a single count of Receiving Stolen Goods (Third or Subsequent Property Offense). Upon further negotiations between the State and Mr. Workman, Mr. Workman agreed to enter a plea to charges stemming from the May 12, 2015 arrest and did so on September 2, 2015.

Issues on Appeal

On September 2, 2015, Mr. Marvin Workman entered a plea to the charges of Receiving Stolen Goods (Third or Subsequent Property Offense), Failure to Stop for a Blue Light (First Offense), and Possession of a Firearm by a Person Convicted of a Violent Felony with a recommended sentence of six years' incarceration in the South Carolina Department of Corrections, all sentences to run concurrent, and any remaining charges to be dismissed pursuant to this plea. Initially, Mr. Workman offered guilty pleas to the charges, but upon at some point during the plea stated that he was entering no contest pleas. This change in pleas was apparently accepted by the judge.

Upon entering the plea, Judge Gibbons stated to Mr. Workman that if the court were to find that it was not inclined to follow the recommended sentence then Mr. Workman would be allowed to withdraw his plea. While passing sentence, Judge Gibbons stated he was not going to follow the recommended sentence. The judge then sentenced Mr. Workman to ten years in prison with all sentences to be served concurrently in the South Carolina Department of Corrections. The defendant's attorney asked Judge Gibbons to allow Mr. Workman to withdraw his plea pursuant to the prior statement of the judge indicating he would allow Mr. Workman to withdraw the plea if the court were not inclined to follow the recommended sentence. Judge Gibbons denied the defendant's request to withdraw his plea. Pursuant to Rule 203(b)(2) and(d) SCACR, defendant's counsel is filing this appeal.



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