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Public Defender for the Second Judicial Circuit

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

RECEIVED

De Grant Gibbons, Circuit Public Defender

OCT 13 2015

SC Court of Appeals

October 7, 2015

Mr. Gerald Cheeks
442 Big Oak Drive
North Augusta, South Carolina 29860

Re: The State of South Carolina vs. Gerald Cheeks
Appellate Case No. 2015-002052

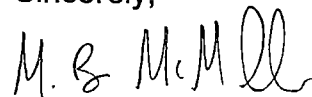
Dear Mr. Cheeks:

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,



M. Bradley McMillian
Assistant Public Defender

MBM:tc
ENCLOSURE

Telephone: (803) 642-1732

Fax: (803) 642-1739

STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

INDICTMENT #: 2015 GS 02 00611

vs.

GERALD CHEEKS

DEFENDANT

RECEIVED

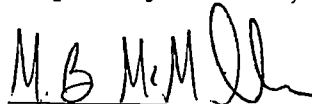
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RULE 203(B) EXPLANATION

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. The Defendant then did make contact with an attorney in the Public Defender's Office telling him that he wanted an appeal filed on his case. 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 *Frazier 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,



M. Bradley McMillian
Assistant Public Defender
Post Office Drawer 2247
Aiken, South Carolina 29802
803-642-1732

September 24, 2015

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

October 7, 2015

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OCT 13 2015

SC Court of Appeals

South Court of Appeals
Attn: Jenny Abbot Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

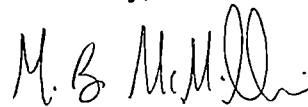
Re: The State of South Carolina vs. Gerald T. Cheeks
Appellate Case No. 2015-002052

Dear Ms. Kitchings:

Enclosed please find the letter that was mailed to Mr. Gerald Cheeks on October 7, 2015 along with the explanation for his appeal.

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

Sincerely,



M. Bradley McMillian
Assistant Public Defender

MBM:tc
ENCLOSURE