

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

Frank R. Addy Jr., Circuit Court Judge

Case No. 2015-GS-32-01-869

The State,

Respondent,

v.

Jason Matthew Peteja,


Appellant.

RECEIVED
DEC 29 2015
SC Court of Appeals

NOTICE OF APPEAL

Jason Matthew Peteja appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Frank R. Addy Jr. on December 14, 2015.

December 21, 2015



Jason Scott Chehoski
407 West Main Street
Lexington, South Carolina 29072
(803) 785-8873
Attorney for Appellant

Other Counsel of Record:
Micah P. Caskey
Assistant Solicitor
205 East Main Street
Lexington, South Carolina 29072
(803) 785-8352
Attorney for Respondent

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
THE STATE)
)
vs.)
)
)
JASON MATTHEW PETEJA,)
Defendant.)
_____)

IN THE COURT OF GENERAL SESSIONS
ELEVENTH JUDICIAL CIRCUIT

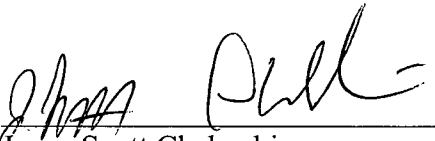
INDICTMENT NUMBERS:
2015-GS-32-01-869

RULE 203(B) MEMORANDUM

Pursuant to Rule 203(d)(1)(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,



Jason Scott Chehoski
Attorney for the Defendant
407 W. Main St.
Lexington, SC 29072
(803) 785-8873

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

HONORABLE FRANK R. ADDY JR., Circuit Court Judge

Case No.: 2015-GS-32-01-869

The State,.....Respondent.

V.

Jason Matthew Peteja,.....Appellant.


PROOF OF SERVICE

RECEIVED

DEC 29 2015

SC Court of Appeals

I certify that I have served the Notice of Appeal and the Rule 203 (B) explanation on Micah P. Caskey, by depositing a copy of it in the United States Mail, postage prepaid, on December 21, 2015, addressed to Micah P. Caskey, Assistant Solicitor, Lexington County Courthouse, 205 East Main Street, Lexington, SC 29072.



Jason S. Chehoski
Lexington County Public Defender
407 W. Main Street
Lexington, SC 29072

OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD
Lexington Public Defender
407 W. Main St.
Lexington, SC 29072
Telephone (803) 957-8873
Fax (803) 957-1443

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

ROBERT M. MADSEN
Circuit Public Defender

W. GREG SEIGLER
Tri-County Public Defender
Post Office Box 1852
McCormick, SC 29835
Telephone (864) 852-9555
Fax (864) 852-9554

December 21, 2015

Jason Matthew Peteja, #00366446
Kirkland Reception and Evaluation Center
4344 Broad River Rd.
Columbia SC 29210

RECEIVED
DEC 29 2015
SC Court of Appeals

Dear Mr. Peteja:


Enclosed is a document for the appeal you asked me to file. It is titled Rule 203 Explanation. Court rules require an attorney to inform the court whether or not they believe an appeal has merit when the appeal is from a guilty plea. I do have a good faith basis to believe that your appeal has merit. The purpose of this letter is to advise you that you have twenty (20) days from the date of this letter to inform the South Carolina Court of Appeals in writing of any arguable basis on which to assert that there are issues preserved for appeal in your case. You can write the court at this address:

South Carolina Court of Appeals

P.O. Box 11629

Columbia SC 29211

With kind regards, I am,


Jason S. Chehoski

enclosure

Cc: Jenny Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia SC 29211

OFFICE OF THE PUBLIC DEFENDER

Eleventh Judicial Circuit

Lexington, Saluda, Edgefield,
and McCormick Counties

ROBERT M. MADSEN
Circuit Public Defender

BENNETT C. CASTO
Tri-County Public Defender
Post Office Box 1852
McCormick, SC 29835
Telephone (864) 852-9555
Fax (864) 852-9554

ELIZABETH FULLWOOD
Lexington Public Defender
407 W. Main St.
Lexington, SC 29072
Telephone (803) 785-8873
Fax (803) 785-1443

December 21, 2015

The Honorable Jenny Kitchings
Clerk of Court for Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RECEIVED

DEC 29 2015

SC Court of Appeals

Re: The State vs. Jason Matthew Peteja – Appeal

Dear Ms. Kitchings:

Please find enclosed an original and one (1) copy of a Notice to Appeal and a Rule 203 (B) explanation in the above matter for filing in your office. Please file the original and return the date/time stamped copy to me in the envelope provided.

I am, by copy of this letter, serving a copy of this these documents on Micah P. Caskey, and Robert M. Dudek, together with my Certificate of Service.

Thank you for your assistance in this matter. With kind regards, I am

Sincerely,



Jason S. Chehoski

Enclosures

CC: Micah P. Caskey
Assistant Solicitor
Lexington County Courthouse
205 East Main Street
Lexington, SC 29072



Master FIRST-CLASS MAIL
12/23/2015
US POSTAGE \$001.64

ZIP 29072
01-12-2015

Eleventh Circuit Public Defenders Office
407 West Main Street
Lexington, South Carolina 29072

RECEIVED
DEC 29 2015
SC Court of Appeals

The Honorable Jenny Kitchings
Clerk of Court for Court of Appeals
1015 Sumter Street
Columbia, SC 29201