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# OFFICE OF THE PUBLIC DEFENDER

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

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

**ROBERT M. MADSEN**  
Circuit Public Defender

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

7 January 2016

Robert Dwayne Walling  
SCDC# 00366539  
Kirkland Correctional Institution  
4344 Broad River Road  
Columbia, S.C. 29210

RECEIVED  
JAN 08 2016  
SC Court of Appeals

RE: Appeal; State v. Walling

Dear Mr. Walling,

I have been instructed by the South Carolina Court of Appeals to re-notify you of my Rule 203 (B) explanation of the appeal. I sent them copies of my first notification. Nevertheless, I received these instructions, a copy of which is enclosed. I will be sending a copy to the Court. I believe this will extend your time to respond to twenty (20) days from today. The rest of this letter is pretty much a mirror of my previous letter.

I have filed an appeal in accordance with your instructions. However, I do not know of any legal basis for an appeal. Nevertheless, you are entitled to tell the appeals court what basis you believe exists. I am enclosing a copy of *North Carolina Vs Alford* for your study.

I am of the opinion it does make acceptance of an "Alford" plea discretionary with the judge. Therefore, I do not have any good faith basis for the appeal. Therefore, the purpose of this letter is to give you a chance to contact the Court of Appeals directly with your basis for the appeal. It can be more than one basis.

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 (enclosed). However, you are entitled to inform the Court of Appeals of any arguable basis for the appeal you may have. Please note, you have twenty (20) days from the date of this transmittal letter in

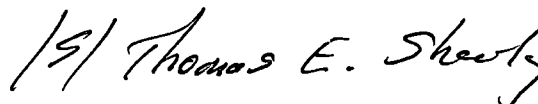
which to provide the Court of Appeals an arguable basis for your appeal.  
The Court's address is:

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

I am also enclosing a copy of the appeal packet.

With my warm personal regards, I remain

Sincerely

A handwritten signature in cursive script that reads "T. E. Shealy".

Thomas E. Shealy

Enclosures

cc: South Carolina Court of Appeals