

STATE OF SOUTH CAROLINA)
)
 IN THE COURT OF APPEALS)
)
 State of South Carolina)
)
 -vs-)
)
 Donald A. Sibley, Appellant)
)
 Defendant.)
)
 _____)

Indictment No.: 2016-GS-46-0220
 2016-GS-46-0422
 2016-GS-46-0217
 2016-GS-46-0218

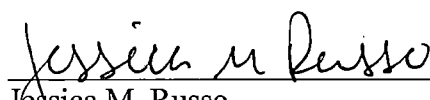
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 SC Court of Appeals

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B) (iv), the issue to be raised on appeal is whether the trial court abused its discretion when it imposed the concurrent Thirteen (13) years sentence upon the Appellant after he pled guilty to Burglary (Violent) 2nd Degree, Two (2) counts; Tools/Capable of Being Used in a Crime, One (1) year concurrent; and Petit Larceny, Third or Subsequent Property Crime, Ten (10) years, concurrent.

The undersigned does not have a good faith basis to believe that this issue is 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, 705 (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,



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March 1, 2016