

SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER

CLAY T. ALLEN

CIRCUIT PUBLIC DEFENDER

**CHEROKEE COUNTY OFFICE
DON A. THOMPSON, CHIEF PUBLIC DEFENDER**

**118 WILLIS PLAZA
P.O. Box 8008
GAFFNEY, SC 29341**



TELEPHONE (864) 487-6201

FAX (864) 487-6200

3/29/2016

RECEIVED

APR 01 2016

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

RE: State v. Gary Dewayne Childers
Appellate Case No. 2015-002561

Madame Clerk,

I received your letter dated March 22, 2016 and have reviewed the same regarding Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules.

I filed the current notice of appeal with the Court of Appeals in an attempt to assist my client, who after entry of his guilty plea before Judge Kelly on November 12, 2015, took it upon himself to file a handwritten notice of appeal with the Cherokee County Clerk of Court. I received a copy of Mr. Childers' notice from the Cherokee County Clerk of Court on November 24, 2015 after returning from a C.L.E. seminar in Nevada. At that time, it did not appear that Mr. Childers had perfected the filing of his appeal, which lead to my filing with the Court. In my initial letter which accompanied the Notice of Appeal, I indicated that I was not aware of any issue which was preserved or that could be raised on appeal; however, the client filed a notice of his intent to appeal as instructed by Judge Kelly during the plea hearing on November 24, 2015.

Because I am not aware of any issue which is appropriate for appellate review in his case, by seperate correspondence, a copy of which is included for your review, I am writing my client instructing him to notify the Court of any issue he believes was preserved for or may be raised and reviewed on appeal.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Berry".

Michael A. Berry
Assistant Public Defender

SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER

CLAY T. ALLEN
CIRCUIT PUBLIC DEFENDER

CHEROKEE COUNTY OFFICE
DON A. THOMPSON, CHIEF PUBLIC DEFENDER

118 WILLIS PLAZA
P.O. Box 8008
GAFFNEY, SC 29341



TELEPHONE (864) 487-6201

FAX (864) 487-6200

3/29/2016

Mr. Gary Dewayne Childers, #00366079)
Lee Correctional Institution
990 Wisacky Highway
Bishopville, SC 29010

RE: State v. Gary Dewayne Childers
Appellate Case No. 2015-002561

RECEIVED
APR 01 2016
SC Court of Appeals

Mr. Childers,

As you well know, I received a copy of your Notice of Intent to Appeal the guilty plea and sentence imposed by the Honorable R. Keith Kelly on November 12, 2015.

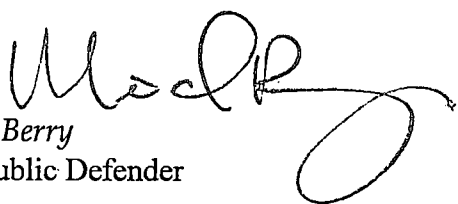
Pursuant to Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules, you must provide a "written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal."

If you believe that there was some issue which was preserved or may be raised and reviewed on appeal, please notify the South Carolina Court of Appeals, using the above captioned appellate case number, at the following address within 10 days:

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

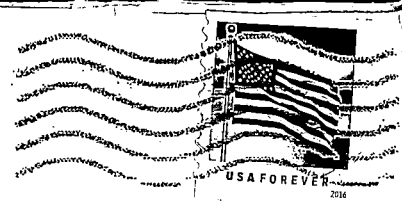

Michael A. Berry
Assistant Public Defender

SEVENTH CIRCUIT PUBLIC DEFENDER

CHEROKEE COUNTY OFFICE
118 WILLIS PLAZA
P.O. Box 8008
GAFFNEY, SOUTH CAROLINA 29341

GREENVILLE SC 296

30 MAR 2016 PM 4 L



The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

RECEIVED

APR 01 2016

SC Court of Appeals

29211 1162929

