

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL FROM GREENVILLE COUNTY
GENERAL SESSIONS COURT
HONORABLE MATTHEW R. HAWLEY, JR.

Docket No.: 2013GS2310770

FREDERICK LAMONTA DYQUISE IRBY
Appellant,
v.

STATE OF SOUTH CAROLINA

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SC Court of Appeals

MOTION FOR APPOINTMENT OF APPELLATE COUNSEL

COMES NOW, the Appellant, Frederick Lamonta Dyquise Irby, and requests this Honorable Court to appoint an appellate counsel so that he can appeal the sentence imposed by the Honorable Matthew R. Hawley, Jr., General Sessions Court Judge on March 14, 2016 in docket number 2013GS2310770.

Issues to be Presented on Appeal are: 1. Was the guilty plea knowingly and voluntarily given; since, Appellant did not understand the elements of the offense, the maximum sentence he faced, nor was he asked about being coerced? 2. Was the sentence reasonable since Appellant did not participate in the armed robbery/robbery but was present?

Counsel should be appointed, because Appellant is untrained in the law and cannot prepare the brief that will be required. Additionally, a defendant, situated as Appellant, must be afforded an attorney for his first direct appeal if he desires that an appeal be filed.

Frederick Irby

Frederick Lamonta Dyquise Irby # 00367377
4344 Broad River Road
Columbia, SC 29210

PROOF OF SERVICE

I, **Frederick Lamonta Dyquise Irby**, do swear or declare that on this date, MARCH 28 2016, as required by Rule 203 (d) (1) (B) (i) of South Carolina Rule of Criminal Procedure, I have served the enclosed Notice of Intent to Appeal and Motion for Appointment of Appellate Counsel on each party to the above proceeding or that party's counsel; and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and first class postage prepaid.

The names and addresses of those served are as follows:

Clerk, Greenville County General Sessions
305 E. North Street
Greenville, SC 29601

Solicitor, William C. McMaster, III
305 E. North Street, Suite 325
Greenville, SC 29601

C. Carly Steele
16 Whitsett Street
Greenville, SC 29601-3137

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141 Frederick Irby


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