

STATE OF SOUTH CAROLINA )

Indictment No.: 2016-GS-46-01479

IN THE COURT OF APPEALS )

2016-GS-46-01480

FILED - RECEIVED

2016-GS-46-01481

2016-GS-46-01482

State of South Carolina

2016 JUN 15 PM 2:59

-vs-

DAVID HAMILTON  
C.C.P. & G.S.  
YORK COUNTY, SC

Roy Lee Boozer,

Defendant.

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JUN 20 2016

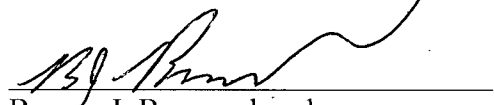
SC Court of Appeals

**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 Three Year sentence upon the Appellant after he pled guilty to two counts of Distribution of Crack 2<sup>nd</sup> offense and two counts of Distribution of Crack Within Proximity to a Park.

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 (4<sup>th</sup> 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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June 15, 2016