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SC Court of Appeals

Admitted to practice
South Carolina
New York
New Jersey

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July 7, 2016

Mr. Marcus Antonio Smith

Kirkland Reception and Classification Center
4344 Broad River Road
Columbia, SC, 29210

Re: State v. Marcus Antonio Smith
Appellate Case No. 2016-001354

Dear Mr. Smith:

Enclosed please find a copy of the Notice of Appeal filed on your behalf along with the Court of Appeals' letter to me. Pursuant to that letter I am required to inform you that you have (20) days from the date of this letter to in tell the Court of Appeals in writing of any arguable basis that there are issues preserved for appeal. The address of the Court of Appeals is as follows:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

I have enclosed a stamped envelope already addressed to the Court for your convenience. Write your return address on the envelope.

When you read the Notice of Appeal you will see the reason I gave for filing the Notice of Appeal. It was done at your request because you were dissatisfied with the sentence you received. You must explain to the court why you believe there is an arguable basis that there are issues preserved for appeal. Explain to the court that two of your codefendants received suspended sentences and probation while you were sentenced to six years. You and your codefendants were sentenced pursuant to the YOA. None of you had prior records. However, you were able to post bond after serving 4 months while your codefendants were not and remained incarcerated.

I also forwarded copies of your Notice of Appeal to the Office of the Appellate Defender. You should include in your reasons for appealing your request that the Appellate Defender be appointed to represent you on appeal. Explain to the Court that you are indigent and that I was appointed to represent you below because you are indigent.

Should you have any questions do not hesitate to contact me. Remember you have only 20 days to comply with the Courts request that you explain why you want to appeal your sentence.

Very truly yours,

John M. Apicella