



# The Supreme Court of South Carolina

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July 22, 2016

David Kellum Allen, Esquire  
The Allen Law Firm, P.A.  
PO Box 3241  
West Columbia SC 29171

Re: Joshua Lamar Forrest v. State  
Appellate Case No. 2016-001450

Dear Counsel:

This Court has received your explanation under Rule 243(c), SCACR. In the explanation, you assert that petitioner was denied his right to a direct appeal from the underlying guilty plea.

In an appeal from a guilty plea, petitioner would have to “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.” Rule 203(d)(1)(B)(iv), SCACR (explanation required when an appeal is taken from a guilty plea, *Alford* plea, or plea of nolo contendere).

Therefore, I ask that you please provide the explanation required for an appeal from a guilty plea. This explanation should be provided within ten (10) days of the date of this letter.<sup>1</sup>

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

CLERK

cc: Patrick Lowell Schmeckpeper, Esquire

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<sup>1</sup> In the event you determine that you do not have a good faith explanation to provide, I would recommend that you follow a procedure similar to that provided for in *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006), for the explanation required by Rule 243(c), SCACR. This will give the petitioner an opportunity to provide a *pro se* explanation for allowing an appeal from the guilty plea.