

THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Daniel D. Hall, Circuit Court Judge

Case No.: 2016-GS-46-01276

The State of South Carolina, Respondent
v.

John Vincent Coddington, Appellant

RECEIVED
SEP 12 2016
SC Court of Appeals

NOTICE OF APPEAL

John Vincent Coddington appeals his conviction and the sentence imposed by the Honorable Daniel D. Hall. On August 31, 2016, the Appellant pled guilty to Murder and received a sentence of forty-five (45) years.

Harry A. Dest

Harry A. Dest
Circuit Public Defender
Sixteenth Judicial Circuit
P.O. Box 691
York, SC 29745
(803) 628-3031
Attorney for Appellant

This 7th day of September 2016.
York, South Carolina

Other Counsel of record:
Willy Thompson, Deputy Solicitor
Sixteenth Judicial Circuit
1675-1A York Highway
York, SC 29745
(803) 628-3020

FILED - RECEIVED
2016 SEP - 7 PM 3:31
DAVID HAMILTON
C.C.P. & G.S.
YORK COUNTY, SC

STATE OF SOUTH CAROLINA)
)
IN THE COURT OF APPEALS)
)
State of South Carolina)
)
-vs-)
)
John Vincent Coddington,)
)
Defendant.)
)
_____)

Indictment No.: 2016-GS-46-01276

RECEIVED
SEP 12 2016
SC Court of Appeals

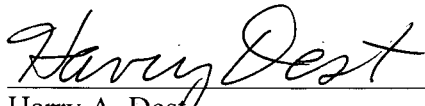
FILED - RECEIVED
2016 SEP - 7 PM 3:33
DAVID HAMILTON
C.C.C.P. & G.S.
YORK COUNTY, SC

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 forty-five year sentence upon the Appellant after he pled guilty to Murder.

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 (4th 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,



Harry A. Dest
P.O. Box 691
York, South Carolina 29745
(803) 628-3031
Attorney for John Vincent Coddington

York, South Carolina

September 7, 2016

THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Daniel D. Hall, Circuit Court Judge

Case Nos.: 2016-GS-46-01276

The State of South Carolina, Respondent
v.

John Vincent Coddington, Appellant

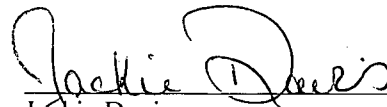
RECEIVED

SEP 12 2016

SC Court of Appeals

Certificate of Service

This is to certify that a copy of the Notice of Appeal in the case of The State vs. John Vincent Coddington was served upon Deputy Solicitor Willy Thompson on September 7, 2016, by hand-delivering a copy to the Solicitor's Office, second floor of the Moss Justice Center, 1675 York Highway, York, South Carolina, by the undersigned.



Jackie Davis

Legal Secretary for Harry A. Dest
Attorney for the Defendant

FILED - RECEIVED
2016 SEP - 7 PM 3:31
DAVID HAMILTON
C.C.P. & G.S.
YORK COUNTY, SC

**Sixteenth Circuit
Public Defender
Office**

Moss Justice Center
1675-1E York Highway
P.O. Box 691
York, S.C. 29745



Harry A. Dest
Sixteenth Circuit Defender

Bryson J. Barrowclough
Deputy Public Defender

Stacey D. Coleman
Juvenile Division

Philip L. Smith
Melissa A. Inzerillo
Sr. Assistant Public Defenders

Assistant Public Defenders
Mark T. McKinnon
Mindy H. Lipinski
Jessica M. Russo
Walter G. Dusky
Thomas L. Bowen
Monier M. Abusaft

Magistrate Court Division
Toni L. Johnson
Zachary M. Merritt
Charles H. Rudnick

Union County Public Defenders
Erik D. Delaney
Jennifer N. Williams

September 7, 2016

RECEIVED

SEP 12 2016

SC Court of Appeals

John Vincent Coddington, SCDC# 00369558)
Kirkland R&E
4344 Broad River Road
Columbia, South Carolina 29201

Dear Mr. Coddington:

Enclosed please find certified copies of the Notice of Appeal, Rule 203(B) Explanation and Certificate of Service regarding your recent guilty plea. Please note that you must inform the South Carolina Court of Appeals in writing, within **twenty (20) days** of the date of this letter, of any arguable basis that there are issues preserved for appeal.

You must send your arguments for your appeal to the following address:

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

Sincerely,

Harry A. Dest
Circuit Public Defender
Sixteenth Judicial Circuit

HAD/jmd

Enclosure

cc: South Carolina Court of Appeals

**Sixteenth Circuit
Public Defender
Office**

**Moss Justice Center
1675-1E York Highway
P.O. Box 691
York, S.C. 29745**



**Harry A. Dest
Sixteenth Circuit Defender**

**Bryson J. Barrowclough
Deputy Public Defender**

**Stacey D. Coleman
Juvenile Division**

**Philip L. Smith
Melissa A. Inzerillo
Sr. Assistant Public Defenders**

**Assistant Public Defenders
Mark T. McKinnon
Mindy H. Lipinski
Jessica M. Russo
Walter G. Dusky
Thomas L. Bowen
Monier M. Abusaft**

**Magistrate Court Division
Toni L. Johnson
Zachary M. Merritt
Charles H. Rudnick**

**Union County Public Defenders
Erik D. Delaney
Jennifer N. Williams**

September 7, 2016

RECEIVED

SEP 12 2016

SC Court of Appeals

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

Re: John Vincent Coddington (Indictment No.: 2016-GS-46-01276)

Dear Ms. Kitchings:

Enclosed please find the Notice of Appeal, Rule 203(B) Explanation, and Certified Certificate of Service in the above captioned matter. On August 31, 2016, the Appellant pled guilty to Murder and received a sentence of forty-five (45) years. Copies of these documents were sent under separate cover letter to the defendant. A copy of said letter is included in this packet.

Sincerely,

Harry A. Dest
Circuit Public Defender
Sixteenth Judicial Circuit

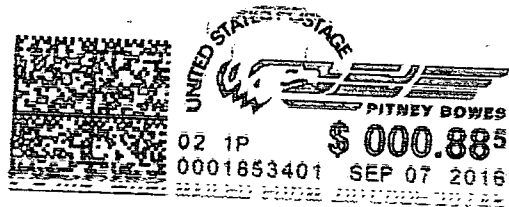
HAD/jmd

Enclosures



16th JUDICIAL CIRCUIT
PUBLIC DEFENDER OFFICE
Moss Justice Center
P.O. Box 691
1675-1E York Highway
York, South Carolina 29745

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



RECEIVED

SFP 12 2016

SC Court of Appeals