

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

Indictment No.: 2016-GS-46-01276

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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 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 Dest

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 Attorney for John Vincent Coddington

York, South Carolina

September 7, 2016

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 2016 SEP -7 PM 3:18
 YORK COUNTY, SC

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September 7, 2016

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SC Court of Appeals

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

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FAX COVER SHEET

FAX (803) 628-3054

SC Court of Appeals

To: Jenny Abbott Kitchings

From: Harry Nest

Re: John Coddington Case No. 2016-001869

Date: September 16, 2016

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