



# The South Carolina Court of Appeals

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December 06, 2016

Hon. Martin Rast Banks, Esquire  
716 F.R. Huff Dr.  
St. Matthews SC 29135


Re: The State v. Timothy Phillips  
Appellate Case No. 2016-002444

Dear Counsel:

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or this appeal may be dismissed:

- Since this is an appeal from a guilty plea, nolo contendere plea, or plea pursuant to Alford, Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules requires "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."

Very truly yours,

Jonny Abbott Kitchings 

CLERK

cc: Robert Michael Dudek, Esquire  
Theodore Nichols Lupton, Esquire  
John Benjamin Aplin, Esquire  
Alan McCrory Wilson, Esquire