

CALHOUN COUNTY PUBLIC DEFENDER
MARTIN R. BANKS

716 F.R. HUFF DRIVE
ST. MATTHEWS, SC 29135

Tel. (803) 874-2100

January 11, 2017

Kirkland Correctional Institution
Timothy Phillips # 00260439
4344 Broad River Rd.
Columbia, SC 29210

RECEIVED
JAN 12 2017
SC Court of Appeals

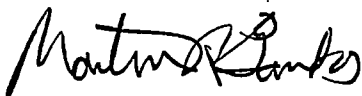
RE: Appeal

Dear Mr. Phillips:

Please find enclosed a copy of a letter that I received from the Court of Appeals. They are asking for you to explain your reasons for the appeal. You have very little time left to respond. I also sent you this other letter that is attached and dated December 8, 2016, but you have not responded to that letter either.

Please expedite this. Failing to respond will result in an automatic dismissal of your appeal.

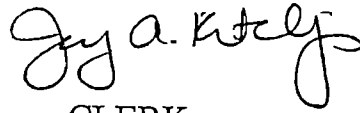
Sincerely,



Martin R. Banks
MRB/bjh

C:\BarbSharedDocs\Public Defender\Phillips.let2.wpd

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. A. Kelly".

CLERK

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

CALHOUN COUNTY PUBLIC DEFENDER

MARTIN R. BANKS

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December 8, 2016

Kirkland Correctional Institution
Timothy Phillips # 00260439
4344 Broad River Rd.
Columbia, SC 29210

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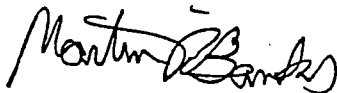
RE: Appeal

Dear Mr. Phillips:

Please find enclosed a copy of the Notice of Appeal that I filed on your behalf and a letter that we received from the Court of Appeals in response. My Notice of Appeal contains the best "written explanation showing that there is an issue which can be reviewed on appeal" containing all that I could think of that could possibly be grounds for your appeal. None of it is based in law. Without a transcript I can do no more, and there is no time to get one before our 10 days is up (and the Public Defender's Office does not have the funds to order one in the first place).

When we last spoke, you said that you were okay with the result. I believe that now you have changed your mind only because you want less time than you got. That is not a sufficient basis for an appeal of a guilty plea. Therefore, please let me know as soon as possible any additional facts that I can use to respond to this letter from the Court of Appeals.

Sincerely,



Martin R. Banks

MRB/bjh

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The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 04, 2017

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

RECEIVED

JAN 12 2017

SC Court of Appeals

Dear Counsel:

This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

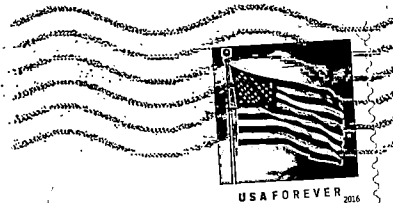
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Please send your letter to your client within ten (10) days, with a copy to this Court, or the appeal will be dismissed.

Martin Banks
Atty. at Law
716 F. R. Huff Drive
St. Matthews, SC 29135

COLUMBIA SC 290

11 JAN 2017 PM 4 L



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

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JAN 12 2017

SC Court of Appeals

29211-162929

