

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF DORCHESTER) THE FIRST JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA) **Warrant/Indictment Nos.:**
Plaintiff,) 4102p0375906
) Domestic / Domestic Violence, 2nd
) Degree

v.)

MICHAEL JOSEPH BUTLER,)
Defendant.)

RULE 203(B) EXPLANATION

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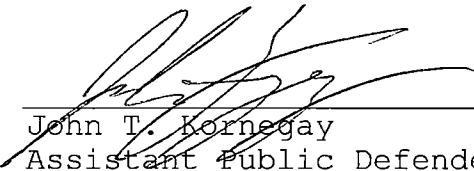
SC Court of Appeals

Pursuant to Rule 203(B)(iv), the issues to be raised on Appeal may include whether the Trial Court abused its discretion when it imposed a sentence of 3 years suspended to 5 years probation, with 4 months assign a highway program, substance abuse counseling, random drug and alcohol testing, and completion of CADA program and parenting classes upon the Appellant after he plead guilty.

The undersigned does not have a good faith basis to believe that such an abuse occurred 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*, 430F.3d 696, 706 (4th Cir. 2005) ("A Defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate in behalf of his client, '") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,

By: _____


John T. Kornegay
Assistant Public Defender
107 West 6th North Street
Summerville, SC 29483
Attorney for Defendant
(843) 821-9800

Summerville, South Carolina
This 27th day of January, 2017

Office of the Public Defender

First Judicial Circuit

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716 Huff Drive
St. Matthews, SC 29135
(803) 874-2100
FAX (803) 874-2400

Please respond to the Summerville Office

January 27, 2017


Mr. Michael Joseph Butler
1610 Foster Circle
Hanahan, SC 29410

RE: The State v. Michael Joseph Butler
Appellate Case No. 2017-000123

Dear Mr. Butler:

Please find enclosed a copy of correspondence in reference to the above matter

Very truly yours,



John T. Kornegay
Assistant Public Defender

JTK/tm

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January 27, 2017

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

RE: The State v. Michael Joseph Butler
Appellate Case No. 2017-000123

Dear Clerk:

Enclosed please find the original Rule 203(b) Explanation in the above referenced matter.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John T. Kornegay'.

John T. Kornegay
Assistant Public Defender

JTK/tm

Enclosures
cc: Client

Office of the Public Defender

FIRST JUDICIAL CIRCUIT

107 WEST 6TH NORTH STREET, SUITE 100
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