



RECEIVED

APR 21 2017

SC Court of Appeals

ALAN WILSON  
ATTORNEY GENERAL

April 21, 2017

**VIA Hand Delivery**

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

Re: The State v. Jason Pogue  
Appellate Case No. 2017-000890

Dear Ms. Kitchings:

The State received the Court's letter dated April 17, 2017, requiring the State to submit a written explanation pursuant to Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules. The State submits the appeal is proper because the State is not challenging the underlying guilty plea as contemplated by the Rule. The State is challenging the propriety of the sentence imposed by the circuit court. The State objected to the sentence, so the issue is properly preserved for review on appeal.

Do not hesitate to contact me if you need any additional information from this office.

Sincerely,

R. Kyle Senn  
Assistant Attorney General

cc: Robert M. Dudek, Esquire  
Dorothy A. Manigault, Esquire  
Victim Services