STATE OF SOUTH CAROLINA)
)
IN THE COURT OF APPEALS
)
State of South Carolina)
)
-vs-)
)
Joseph Lanois)
)
Defendant.)
)

Indictment No.: 2017-GS-46-1737

RECEIVED
APR 27 2017
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 five (5) year probation sentence upon the Appellant after he pled guilty to Domestic Violence-2nd degree and received three (3) years suspended on five (5) years probation.

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)).

FILED-RECEIVED
2017 APR 24 PM 2:30
DAVID HAMILTON
C.C.P.&G.S.
YORK COUNTY, SC

Respectfully submitted,

Raia J. Hirsch
1675-1E York Highway
York, South Carolina 29745
(803) 628-3031
Attorney for Joseph Lanois

York, South Carolina
April 24, 2017