

**OFFICE OF THE PUBLIC DEFENDER**

**13<sup>th</sup> JUDICIAL CIRCUIT  
Greenville County Courthouse  
305 East North Street (Rm 123)  
GREENVILLE, SOUTH CAROLINA 29601**

John I. Mauldin  
Public Defender

TEL (864) 467-8522  
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June 5, 2017

Hon. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate St.  
Columbia, SC 29211

**RECEIVED**

JUN 08 2017

**SC Court of Appeals**

**Re: State v. Wayne Tillman Posey, Jr**  
Appellate Case No.: 2017-001030

Dear Ms. Kitchings::

I am in receipt of your letter dated June 2, 2017, concerning the deficiencies in the notice of appeal filed in the above-captioned case.

As to the grounds for the appeal, I believe Mr. Posey would contend his sentence was unreasonable. However, the issue was not raised or ruled upon in Circuit Court. I am aware of no factual reasons or legal authority for raising the issue for the first time on appeal. I have filed the notice of appeal because I believe it is my ethical duty to do so when requested by my client, irrespective of the merits of the case. *See Frazer v. South Carolina*, 430 F.3d 696, 706 (4th Cir. 2005).

I would respectfully request that Mr. Posey be given an opportunity to respond and supplement his pleadings.

Very truly yours,

GREENVILLE COUNTY PUBLIC DEFENDER

By: \_\_\_\_\_

  
John C. Shipman, Esq.  
Attorney for Defendant

305 E. North Street, Suite 123  
Greenville, SC 29601  
(864) 467-8522

cc: Wayne Tillman Posey, Jr.  
SCDC Inmate No.: 372258



**13th Circuit Public Defender**

Greenville County Courthouse  
305 E. North Street, Suite 123  
Greenville, SC 29601

*JOS*

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DR. DUNN (29211)

