

STATE OF SOUTH CAROLINA

) Indictment No.: 2017-GS-46-2821

IN THE COURT OF APPEALS

) **RECEIVED**

State of South Carolina

) JUL 24 2017

- vs-

) **SC Court of Appeals**

Jamie Clayton Outen,

)

Defendant.

)

)

)

DAVID HAMILTON  
C.C.C.P. & GS  
YORK COUNTY, SC

2017 JUL 20 PM 4: 07

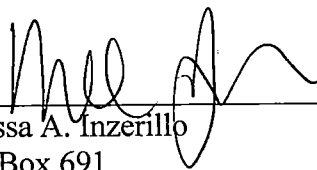
FILED-RECEIVED

**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 a sentence of Two (2) year suspended and sixty (60) days, weekends and five (5) years probation upon the Appellant after he pled guilty to Possession of Heroin 1st.

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 (4<sup>th</sup> 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)).

Respectfully submitted,



Melissa A. Inzerillo  
P.O. Box 691  
York, South Carolina 29745  
(803) 628-3031  
Attorney for Jamie Clayton Outen

York, South Carolina  
July 20, 2017