



ALAN WILSON
ATTORNEY GENERAL

RECEIVED
DEC 29 2017
SC Court of Appeals

December 28, 2017

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

RE: State v. Damien Lamont Cantey
Appellate Case No: 2017-002340

Dear Ms. Kitchings:

Please accept this letter on behalf of the State in lieu of a formal return to Appellant's Motion to Restore the above appeal. In submitting the notice of appeal trial counsel noted he could not find any issues which could be reviewed on appeal, but filed the notice at the request of his client. In an order filed December 18, 2017, this Court dismissed the appeal because Appellant had failed to provide a sufficient guilty plea explanation, as required by Rule 203(d)(1)(B)(iv) of the Appellate Court Rules. Appellant has now submitted the instant Motion to Restore explaining the failure to comply was due to inadvertence; however, it offers no further showing that there is an issue which can be reviewed on appeal. Also, Appellant Cantey himself was given an opportunity to inform this Court of an arguable basis that there are any issues preserved for appeal and he failed to do so. For these reasons, the State objects to the motion to restore and respectfully requests that it be denied.

Sincerely,

J. Benjamin Aplin
Senior Assistant Deputy Attorney General
S.C. Bar No: 8729

JBA/ab

cc: Cezar E. McKnight, Esquire
Victim Advocacy Division



POST OFFICE BOX 11549
COLUMBIA, SOUTH CAROLINA 29211-1549

RECEIVED
DEC 29 2017
SC Court of Appeals

2108 6291811262

neopost[®]
12/28/2017
US POSTAGE



FIRST-CLASS MAIL

\$00.46⁰

ZIP 29201
041L11237104

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