

STATE OF SOUTH CAROLINA)
)
IN THE COURT OF APPEALS)
)
State of South Carolina)
)
- vs-)
)
Veneton Sefaris Smith.,)
)
Defendant.)
_____)

Indictment No.: 2017-GS-46-04912,
2017-GS-46-04913

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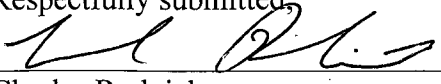
DAVID HAMILTON
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YORK COUNTY, SC

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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 a sentence of time served and 1 year suspended on 1 year probation; upon the Appellant after he plead guilty to 1 count of Possession of 28g or less of Marijuana or 10g or Less of Hash- 1st (time served) and Unlawful Carry of Pistol (1 year suspended on 1 year probation) (Indictment Nos. 2017-GS-46-03963, 2017-GS-46-03964, 2017-GS-46-03965).

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)).

Respectfully submitted,

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December 19, 2017