

STATE OF SOUTH CAROLINA )  
)  
)  
vs. )  
)  
)  
GERALD HOWELL, )  
)  
Defendant. )  
\_\_\_\_\_ )

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

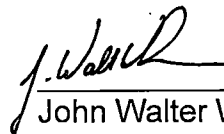
Indictment No(s): 2016-GS-32-00548

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SC Court of Appeals

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are 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, 706 (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,



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John Walter Whitmire  
Assistant Public Defender  
202 East Main Street  
Lexington, South Carolina  
(803) 785-8873

Lexington, South Carolina  
January 31, 2018