

STATE OF SOUTH CAROLINA

) Indictment No.: 2018-GS-46-00262,  
2017-GS-46-00754

IN THE COURT OF APPEALS

State of South Carolina

- vs -

Carlton Dennis Saunders,

Defendant.

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FEB 06 2018  
SC Court of Appeals

FILED-RECEIVED  
2018 JAN 30 PM 2:47  
DAVID HAMILTON  
C.C.C.P. & G.S.  
YORK COUNTY

**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 the Revocation of Probation (Indictment Nos. 2017-GS-46-00754), in full (6) years, credit for times served (1 year), and a sentence of time served (Indictment Nos. 2018-GS-46-00262) on January 26, 2018

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,



Jeffrey B. Zuschke  
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(803) 628-3031  
Attorney for Samuel Wilson Sr.

York, South Carolina

December 19, 2017

**Sixteenth Circuit  
Public Defender  
Office**

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December 19, 2017

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

Re: Carlton Dennis Saunders (Indictment Nos.: 2018-GS-46-00262, 2017-GS-46-00754)

Dear Ms. Kitchings:

Enclosed please find the Notice of Appeal, Rule 203 (B) Explanation, and Certified Certificate of Service in the above captioned matter. On January 26, 2018, the Appellant was found guilty to Probation Violations wherein his probation was revoked in full (6 years); credit for time served (1 year) for this charge on Indictment Nos. 2017-GS-46-00754. The appellant plead guilty to 1 count of Violation of Permanent Restraining Order (Indictment Nos. 2018-GS-46-00262) and received a sentence of time served. Copies of these documents were sent under separate cover letter to the defendant.

Sincerely,

Jeffrey B. Zuschke  
Assistant Public Defender  
Sixteenth Judicial Circuit

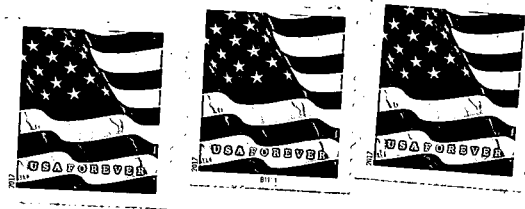
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16<sup>th</sup> JUDICIAL CIRCUIT  
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