

STATE OF SOUTH CAROLINA

) Indictment No.: 2017-GS-46-03576,
2017-GS-46-03577,
2017-GS-46-03043

IN THE COURT OF APPEALS

State of South Carolina

- vs -

Christopher Cortell Clyburn.,

Defendant.

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SC Court of Appeals

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

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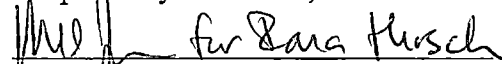
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RULE 203(B) EXPLANATION

Pursuant to Rule 203(B) (iv), the issue to be raised on appeal is whether the trial court abused its discretion when the appellant plead to (2) counts of Criminal Sexual Conduct with minor-victim under 16 years of age – 2nd Degree and received a sentence of 12 years; concurrent; credit for time served 74 days; and (1) count of Sexual Exploitation of a Minor- 3rd Degree and received a sentence of 10 years; concurrent; credit for time served 74 days, (Indictment Nos. 2017-GS-46-03576, 2017-GS-46-03043, 2017-GS-46-03043).

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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York, South Carolina
December 19, 2017