

THE STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
THE STATE)
v.)
GARY DONALD HAYNES JR.,)
DEFENDANT.)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT
Warrant Nos.: 2016GS2300099,
2017GS2309092-093

Rule 203(d)(1)(b)(iv) Certification

Pursuant to SC Rule 203(D)(1)(b)(iv), Defendant would show that the sentence imposed is unreasonable. With regard to indictment 2016GS2300099, Defendant was sentenced to 10 years in the South Carolina Department of Corrections (SCDC). With regard to indictment 2017GS2309092, Defendant was sentenced to 12 and a half (12.5) years in the SCDC on count one and 5 years in the SCDC on count two. With regard to indictment 2016GS2309093, Defendant was sentenced to 12 and a half (12.5) years in the SCDC. Each of these sentences is to run concurrent with one another and Defendant was given credit for 344 days of time already served in the Greenville County Detention Center. Defendant communicated to his Attorney that he demands an appeal.

Defendant's Attorney is filing this appeal pursuant to his ethical duty to his client, and Defendant's constitutional right to appeal. See Frazer v. South Carolina, 430 F.3d 696, 706 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as "an active advocate in behalf of his client.") (quoting Anders v. California, 386 U.S. 738, 744 (1967)).

Defendant did not inform his attorney of any specific issues to appeal. Defendant only requested an appeal, and when Defense counsel requested clarification, Defendant simply stated that he wanted to appeal. Defense counsel can provide no material issues to appeal.

Respectfully submitted,

GREENVILLE COUNTY PUBLIC DEFENDER

By: 

Charles S. Propst, Esq.
Attorney for Appellant
305 E. North Street, Suite 123
Greenville, SC 29601
(864) 467-8522

RECEIVED
MAR 08 2018
SC Court of Appeals

Greenville, SC
Date: March 6, 2018

Other Counsel of Record:
Walker Miller, Esq.
Assistant Solicitor
13th Circuit Solicitor's Office
305 E. North Street, Suite 325
Greenville, SC
Attorney for Respondent

OFFICE OF THE PUBLIC DEFENDER
13th JUDICIAL CIRCUIT
Greenville County Courthouse
305 East North Street (Rm 123)
GREENVILLE, SOUTH CAROLINA 29601

Christopher Scalzo
Public Defender

TEL (864) 467-8522
FAX (864) 467-8521

March 6, 2018

Via Regular Mail

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

RECEIVED

MAR 08 2018

SC Court of Appeals

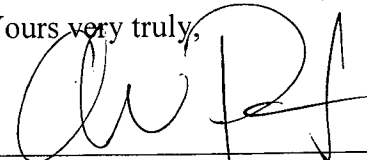
Re: State v. Gary Donald Haynes, Jr.
Case No(s): 2016GS2300099, 2017GS2309092-093

Dear Ms. Kitchings:

Enclosed you will find the original Notice of Appeal in the above matter along with a Rule 203(d)(1)(b)(iv) Certification and a Proof of Service upon the Respondents. The Notice has been filed with the Greenville County Clerk of Court. Also enclosed is a copy of the indictment. These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel in Circuit Court.

Thank you for your attention to this matter.

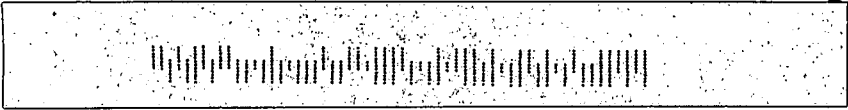
Yours very truly,



Charles S. Propst, Esq.
Greenville County Courthouse
305 E. North Street
Greenville, SC 29601
Attorney for Appellant

Enclosure

cc: Office of the Thirteenth Circuit Solicitor
Office of the Attorney General
Office of Appellate Defense



1000



29211

U.S. POSTAGE
PAID
GREENVILLE, SC
29602
MAR 06 18
AMOUNT
\$1.63
R2304M110659-06

Chad Propst
Greenville County Public Defender
305 E. North Street, Suite 123
Greenville, SC 29601

RECEIVED
MAR 08 2018
SC Court of Appeals

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

LEGAL MAIL
13TH CIRCUIT
PUBLIC DEFENDER