

NOTICE OF INTENT TO APPEAL
THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
FROM AIKEN COUNTY
THE HONORABLE DOYET A. EARLY, III
July 17, 2018

Indictment # 2018-GS-02-01183
2018-GS-02-01854
2018-GS-02-01600

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SC Court of Appeals

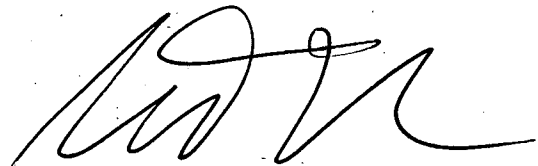
THE STATE OF SOUTH CAROLINA -- Respondent

VS.

Michael Wayne Pope - Appellant

NOTICE OF INTENT TO APPEAL

Michael Wayne Pope pled guilty and was convicted of Harassment 2nd Degree, Domestic Violence 2nd Degree & Arson 3rd Degree on July 13, 2018 before the Honorable Robert E. Hood in Aiken, South Carolina. He appeals his conviction and sentence.



Nicholas McCarley
Attorney for Defendant

Other Counsel of record is:

Katelyn Cleveland
Assistant Solicitor
Second Judicial Circuit
P.O. Drawer 3368
Aiken, SC 29802

STATE OF SOUTH CAROLINA)
)
)
vs.)
)
Michael Wayne Pope)
)
)
Defendant.)
_____)

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Indictment #: 2018-GS-02-01183
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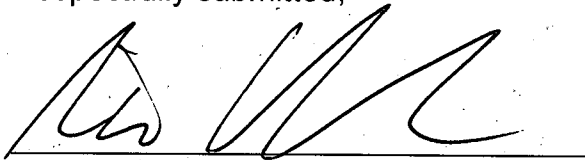
RULE 203(d)(1)(B)(iv) EXPLANATION

Pursuant to Rule 203(d)(1)(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.

The undersigned attorney consulted with the client and after consultation the client requested that an appeal be filed.

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 (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,



Nicholas McCarley
Aiken County Public Defender
Post Office Drawer 2247
Aiken, SC 29802
(803) 642-1732

Aiken, South Carolina
July 17, 2018

NOTICE OF INTENT TO APPEAL

State of South Carolina

Vs:

Michael Wayne Pope - Appellant

2018-GS-02-01183

2018-GS-02-01600

2018-GS-02-01854

CERTIFICATE OF SERVICE

I, Loretta Walker, do hereby certify that I have this day served the original of Appellate's Notice to Appeal upon the South Carolina Court of Appeals, and copies of Appellate's Notice of Intent to Appeal to the Clerk of Court of Aiken County, and to J. Strom Thurmond, Solicitor, Second Judicial Circuit, by placing same in the United States Mail properly addressed and with correct postage affixed thereto:

South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

South Carolina Commission
Of Appellate Defense
P. O. Box 11589
Columbia, SC 29211

Clerk of Court
Aiken County Judicial Circuit
Post Office Box 583
Aiken, SC 29802

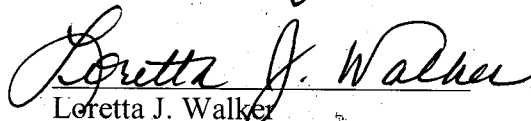
The State of South Carolina Office of the Solicitor
Second Judicial Circuit
Post Office Box 3368
Aiken, SC 29802

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SC Court of Appeals

Dated this 18th day of July, 2018



Loretta J. Walker
Secretary to Appellant's Attorney
Post Office Drawer 2247
Aiken, SC 29802
803-642-1732

Public Defender for the Second Judicial Circuit

410 Barnwell Avenue N.W.
Post Office Drawer 2247
Aiken, South Carolina 29802
(803) 642-1732 Office
(803) 642-1739 Fax

July 17, 2018

South Carolina Commission
On Indigent Defense
Attention: Rhonda Fox
P. O. Box 11589
Columbia, SC 29211

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RE: NOTICE OF INTENT TO APPEAL
MICHAEL WAYNE POPE
2018-GS-02-01183, 2018-GS-02-01854, 2018-GS-02-01600

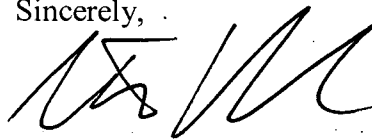
Dear Mrs. Fox:

Please find enclosed copies of Notice of Intent to Appeal, Indictments 2018-GS-02-01183, 2018-GS-02-01854, 2018 GS-02-01600, Arrest Warrant(s) 2017 A02 102 01032, 2017 A02 102 00381, 2018 A02 111 00028, defendant's affidavit of indigency, defendant's sentence sheets and the Rule 203(B) explanation.

Michael Wayne Pope, pled guilty and was convicted of Harassment 2nd Degree, Domestic Violence 2nd Degree & Arson 3rd Degree and was sentenced on July 13, 2018 before the Honorable Robert E. Hood. Ms. Brenda Sigwald served as the Court Reporter. Her address is P. O. Box 206, Jackson, South Carolina 29831

I am available to discuss this case if you so desire.

Sincerely,



Nicholas McCarley
Deputy Public Defender

NM;lw
Enclosure

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SC Court of Appeals

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Columbia, SC 29211*

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