

STATE OF SOUTH CAROLINA)
COUNTY OF UNION)
IN THE COURT OF APPEALS)

Indictment No(s): 2018-GS-44-0339, 0341

THE STATE)
)
vs-)
CAROLYN B. WILLARD,)
)
Defendant.)
_____)

RULE 203 (B) EXPLANATION

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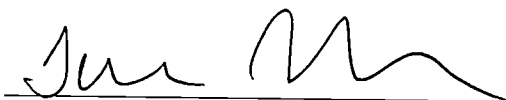
SC Court of Appeals

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 a sentence of three (3) years which was suspended on service of 90 days and 18 months probation with credit for six (6) days time served and In-patient drug treatment, plus court fees and costs for the charge of 1st offense Distribution of a Schedule 11 substance and a concurrent sentence for 1st offense Distribution of Meth.

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,



Jennifer N. Williams,
Public Defender, Union County, SC
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(864) 319-1315
Attorney for Carolyn B. Willard

Union, South Carolina
July 18, 2018

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October 16, 2018

Ms. V. Claire Allen
Deputy Clerk
The SC Court of Appeals
P. O Box 11629
Columbia, SC 29211

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RE: The State v. Carolyn B. Willard
Appellate Case No: 2018-001452

Dear Ms. Allen:

Please find enclosed a Rule 203 (B) Explanation which was enclosed with our original mailing on July 19, 2018. A copy was also mailed to Ms. Willard on July 19, 2018.

The facts stated in the Rule 203 (b) Explanation remain the same and at this time I have nothing further to add by way of explanation.

Sincerely,


JENNY WILLIAMS,
Public Defender

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Union, SC 29379

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