

STATE OF SOUTH CAROLINA)
)
IN THE COURT OF APPEALS)
State of South Carolina)
)
-vs-)
)
Jeremy Andrew Scruggs,)
)
)
Defendant.)
)
_____)

Indictment No.: 2019-GS-46-01064

FILED-RECEIVED
2019 JUL 16 PM 3:17
CF
DAVID HAMILTON
C.C.P. & GS
YORK COUNTY, SC

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 twelve months suspended on thirteen months on probation sentence with nine days credit for time served upon the Appellant after he pled guilty to Hit and Run, Attended Vehicle, Duties of Driver Involved in Accident, Property Damage on Indictment No. 2019-GS-46-01064..

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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July 18, 2019

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SC Court of Appeals