

OFFICE OF THE PUBLIC DEFENDER

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February 11, 2013

Mr. David Onley #00277671
Kirkland Reception and Evaluation Center
4344 Broad River Road
Columbia, SC 29210

RE: State v. Onley appeal

Dear Mr. Onley,

I hope this letter finds you well. I have examined the merit of your requested appeal, and despite the research I conducted, I could find no grounds on which to base your appeal. Please find enclosed a copy of the letter I provided to the Court of Appeals.

The law is very clear that although you have the right to file notice of appeal after a guilty plea, there must be an alleged mistake of fact or law that would have caused you to request a jury trial and not plea. Otherwise, the law presumes the guilty plea is proper and will be upheld.

If you feel there was an arguable basis that there are issues preserved for appeal of the guilty plea, you **must** contact the Court of Appeals within twenty (20) days from the date of this letter.

Send your information to:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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FEB 13 2013
SC COURT OF APPEALS

I wish you good luck if you decide to proceed with your appeal.

Sincerely,



Matthew Buchanan
Assistant Public Defender

Encl.

cc: Court of Appeals Deputy Clerk V. Claire Allen



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

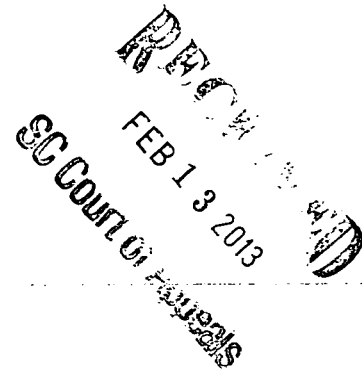
V. CLAIRE ALLEN
DEPUTY CLERK

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February 05, 2013

Mr. Matthew C. Buchanan
407 1/2 W. Main St.
Lexington SC 29072

Re: State v. David Onley
Appellate Case No. 2012-213656



Dear Counsel:

This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Please send your letter to your client within ten (10) days, with a copy to this Court.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Robert Michael Dudek
Salley W. Elliott