

Enclosure

NOTICE OF INTENT TO APPEAL  
THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS  
FROM AIKEN COUNTY

May 14, 2020

Indictment #: 2019GS0201906, 2020GS0200729,  
2020GS0200728, 2020GS0200727

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SC Court of Appeals

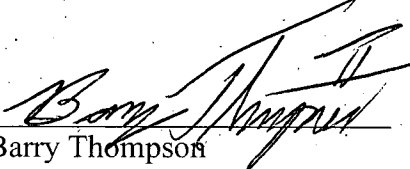
THE STATE OF SOUTH CAROLINA -- Respondent

VS.

David Barney Inabinet -- Appellant

NOTICE OF INTENT TO APPEAL

David Barney Inabinet pled guilty and was sentenced on May 6, 2020 to shoplifting enhancement times two, Possession of less than gram of methamphetamine 2<sup>nd</sup> offense, and Grand Larceny. Defendant was sentenced before the Judge Clifton Newman. He appeals his sentence.

  
Barry Thompson  
Attorney for Defendant

Other Counsel of record is:  
Jacqueline M Charbonneau  
Assistant Solicitor  
Post Office Box 3368  
Aiken, South Carolina 29802

NOTICE OF INTENT TO APPEAL

State of South Carolina

Vs:

DAVID B INABINET

2019GS0201906,

2020GS0200729,

2020GS0200728,

2020GS0200727

CERTIFICATE OF SERVICE

I, Rebecca, do hereby certify that I have this day served the original of Appellant's Notice to Appeal upon the South Carolina Court of Appeals, and copies of appellant's Notice of Intent to Appeal to the Clerk of Court of Aiken County and to Jacqueline M. Charbonneau, Assistant 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, South Carolina 29802

Jacqueline M. Charbonneau

Assistant Solicitor

Post Office Drawer 3368

Aiken, South Carolina 29802

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MAY 19 2020  
SC Court of Appeals

Dated this 14<sup>th</sup> day of May, 2020 <sup>18</sup>

  
Rebecca Halupa

Secretary to Appellant's Attorney

Post Office Drawer 2247

Aiken, SC 29802

803-642-1732

STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

INDICTMENT #:

2019GS0201906, 2020GS0200729,  
2020GS0200728, 2020GS0200727

vs.

DAVID B INABINET

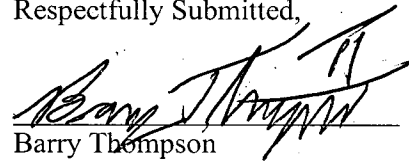
DEFENDANT

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(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 or file a motion to reconsider the sentence.

The Defendant then did contact an attorney in the Public Defender's Office telling him that he wanted an appeal filed on his case. 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 *Frazier v. South Carolina*, 430 F.3d 696, 706 (4<sup>th</sup> 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,



Barry Thompson  
Assistant Public Defender  
Post Office Drawer 2247  
Aiken, South Carolina 29802  
803-642-1732

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MAY 19 2020  
SC Court of Appeals

**OFFICE OF THE SECOND JUDICIAL CIRCUIT PUBLIC DEFENDER**  
211 York Street, NE  
Post Office Box 2247  
Aiken, South Carolina 29802

May 14, 2020

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

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SC Court of Appeals

RE: NOTICE OF INTENT TO APPEAL  
DAVID B INABINET  
2019GS0201906,  
2020GS0200729,  
2020GS0200728,  
2020GS0200727


Dear Mrs. Fox:

Please find enclosed Notice of Intent to Appeal, Indictments, 2019GS0201906, 2020GS0200729, 2020GS0200728, 2020GS0200727, Arrest Warrants, Sentence Sheets, Defendant's affidavit of indigency and the Rule 203 (B) Explanation.

David Barney Inabinet pled guilty and was sentenced on May 6, 2020 to Shoplifting enhancement times two, Possession of less than gram of methamphetamine 2<sup>nd</sup> offense, Grand Larceny. Defendant was sentenced before Judge Clifton Newman. Steven Leblanc served as the Court Reporter.

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

Sincerely,

  
Barry Thompson  
Assistant Public Defender

BT: rh

Second Judicial Circuit  
Public Defender  
P.O. Drawer 2247  
Aiken, SC 29802



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