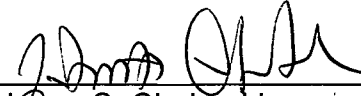


STATE OF SOUTH CAROLINA)	STATE OF SOUTH CAROLINA
)	IN THE COURT OF APPEALS
)	
vs.)	Indictment No(s):2019-GS-32-00267
)	
ANTONIO EUGENE HOWELL.)	
)	
Defendant.)	
_____)	

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. 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, 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,



 Jason S. Chehoski
 Assistant Public Defender
 202 East Main Street
 Lexington, South Carolina
 (803) 785-8873

Lexington, South Carolina
 December 10, 2019

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 DEC 16 2019
 SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF Lexington
STATE VS. Antonio Eugene Howell

AKA:
Race: Black Sex: M Age: 38
DOB: 7-17-1983 SS#: 50-50-371
Address: 213 S. ...
City, State, Zip: Hopkins, SC 29061-3888
DL#: 115386 SID#: SC00848429

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

In disposition of the said indictment comes now the Defendant who was TO: Assault and Battery of a High and Aggravated Nature

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS3200267
A/W#: 2018A3221100792
Date of Offense: 10/16/2018
S.C. Code § : 16-03-0029
CDR Code #: 3410

SENTENCE SHEET

[] CONVICTED OF or [X] PLEADS

in violation of § 16-03-0600(B)(1) of the S.C. Code of Laws, bearing CDR Code # 3411
[] NON-VIOLENT [X] VIOLENT [X] SERIOUS [] MOST SERIOUS [] Mandatory GPS [] §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: [] As Indicted, [X] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: [X] Without Negotiations or Recommendation, [] Negotiated Sentence, [] Recommendation by the State.

ATTEST: [Signature] Solicitor SC Bar# 64191
[Signature] Defendant
[Signature] Attorney for Defendant SC Bar# 9300

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center,
for a determinate term of 15 days/months/years or [] under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

[] CONCURRENT or [] CONSECUTIVE to sentence on:
[] The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the SCDOC.

[] The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

[] RESTITUTION: [] Deferred [] Def. Waives Hearing [] Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
[] Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso (Public Def/Probation) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$.

TOTAL \$125

Clerk of Court/ Deputy Clerk Lisa Comee
Court Reporter Johnson
SCCA/217 (04/2018)

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SC Court of Appeals

PTUP days/hours Public Service Employment
Obtain GED []
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling []
Random Drug/Alcohol testing []
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other: Lex. Co. C.C.C.P., G.S. & F.C.

TRUE COPY

[] Appointed PD or appointed other counsel, § Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge [Signature]
Judge Code: 2159
Sentence Date: 12-3-19

WITNESSES

West Columbia Police Department

Thomas W Griffin

Law Enforcement Case #: 1829415

FILED
CLERK OF COURT
LEXINGTON COUNTY
SOUTH CAROLINA
KWU

ARREST WARRANT NUMBER

2018A3221100792

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: 11/19/19

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2019GS3200267 AMENDED

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

NOVEMBER TERM 2019

**THE STATE
vs.**

Antonio Eugene Howell

CDR #: 3410

Indictment for

Attempted Murder

§ 16-03-0029

S.R. Hubbard III, SOLICITOR


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DEC 16 2019
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

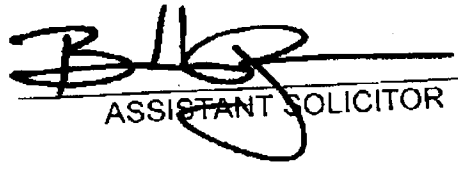
INDICTMENT FOR
Attempted Murder
§ 16-03-0029

At a Court of General Sessions, convened on November 2019, the Grand Jurors of Lexington County present upon their oath:

That **Antonio Eugene Howell** in Lexington County, South Carolina, on or about October 16, 2018, did, willfully and unlawfully with the intent to kill, attempt to kill another person with malice aforethought, either express or implied, to wit: did shoot at Gustav Kalmar with a handgun multiple times, in violation of Section 16-03-0029 of the South Carolina Code of Laws of (1976), as amended.

A TRUE COPY

Lex. Co. C.C.C.P., G.S. & F.C.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


ASSISTANT SOLICITOR