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SEP 25 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2012-GS-18-169 through 2012-GS-18-177

Benjamin Antwan Green, #352810..... Appellant,

v.

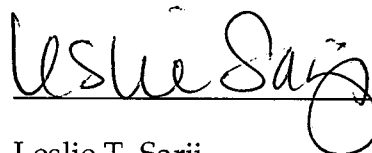
State of South CarolinaRespondent.

BASIS FOR APPEAL PURSUANT TO RULE 203(D)(B)(iv)

Benjamin Antwan Green appeals the Order of the Honorable Diane S. Goodstein, filed October 16, 2012, sentencing Appellant after he entered a guilty plea. Appellant bases his appeal, in part, on *Boykin v. Alabama*, 395 U.S. 238 (1969) (holding the record must establish that a guilty plea was knowing and voluntary).

Undersigned counsel is unable to articulate a factual basis for Appellant's appeal, as the trial court in case number 2014-CP-18-1957 denied undersigned counsel's request for funding in order to secure payment for the transcript, despite this matter being an appointed case and Appellant being imprisoned and indigent.

September 22, 2020



Leslie T. Sarji
Sarji Law Firm, LLC
PO Box 20248
Charleston, South Carolina. 29413
(843)722-5354

Other Counsel of Record:
Benjamin Limbaugh, Esquire
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Rembert C. Dennis Building
1000 Assembly Street
Columbia, South Carolina 29201

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State of South CarolinaRespondent.

CERTIFICATE OF SERVICE

Undersigned counsel certifies that on the 22nd day of September, 2020, I caused the Notice of Appeal and Basis for Appeal in this matter to be served upon counsel for the respondent by e-mail and by U.S. mail, postage pre-paid, to the following address:

BLimbaugh@scag.gov
Benjamin Limbaugh, Esquire
Assistant Attorney General
S.C. Attorney General's Office
Rembert C. Dennis Building
1000 Assembly Street
Columbia, South Carolina 29201

Leslie Sarji

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SARJI
LAW FIRM

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SC Court of Appeals

September 22, 2020

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina. 29211

Re: *Benjamin Antwan Green, #352810 v. State of South Carolina*

Dear Ms. Kitchings:

Enclosed for filing is the Notice of Appeal in the above referenced case, along with the Basis for Appeal pursuant to Rule 203(D)(B)(iv) of the South Carolina Rules of Appellate Court, a Certificate of Service, the Order dismissing the State's Motion to Dismiss and granting Appellant's request to file a direct appeal, and a copy of Mr. Green's sentencing sheets, which are the basis for this appeal. I would greatly appreciate it if you would return a filed copy to me in the pre-addressed, postage paid envelope I have provided.

I was appointed pursuant to a Rule 608 contract to represent Mr. Green as relates to his PCR. He is currently in prison and I understand that the filing fee is waived in this circumstance.

Please let me know if you require any additional information.

With kind regards, I remain

Very truly yours,

s/ Leslie T. Sarji

Leslie T. Sarji

cc: Benjamin Antwan Green
Loretta Simmons
Benjamin Limbaugh, Esquire (via e-mail and U.S. Mail)T



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THE HONORABLE JENNY ABBOTT KITCHINGS
SOUTH CAROLINA COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211-1629

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