

STATE OF SOUTH CAROLINA

) Indictment Nos.: 2021-GS-46-03472;
) 2019-GS-46-06807; 2019-GS-46-06808;
) and 2021-GS-46-02549

FILED-RECEIVED
cf

IN THE COURT OF APPEALS
State of South Carolina

2021 JUN 25 AM 11: 10

-vs-

DAVID HAMILTON

Christopher Lloyd Davidson,

C.C.P. & GS
RECEIVED COUNTY, SC

Defendant.

JUN 28 2021

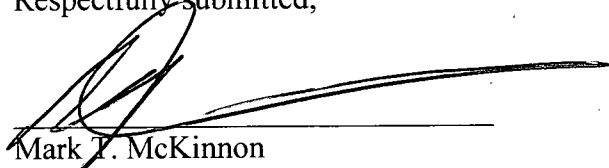
SC Court of Appeals

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 sentence upon the Appellant pled guilty to two counts of Assault & Battery 1st Degree (Indictment Nos. 2019-GS-46-06807 and 2019-GS-06808) for a sentence of ten (10) years; Resisting Arrest (Indictment No. 2021-GS-46-02549) for a sentence of time served; and Resisting Arrest with a Deadly Weapon (Indictment No. 2021-GS-46-03472) for a sentence of five (5) years. The Appellant received credit for time served and all sentences are to run concurrent.

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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June 25, 2021