

STATE OF SOUTH CAROLINA

) Indictment Nos.: 2021-GS-46-03296;  
) 2021-GS-46-03295; 2021-GS-46-01803  
) and 2020-GS-46-06680

FILED-RECEIVED

IN THE COURT OF APPEALS  
State of South Carolina

2021 AUG -4 AM 10: 08

-vs-

DAVID HAMILTON  
C.C.C.P. & GS  
YORK COUNTY, SC

Jamie Ryan Sturdivant,

Defendant.

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AUG 09 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 the Appellant pled guilty to Malicious Injury to Animals, Personal Property, Injury Value \$2000 or Less (Indictment No.: 2021-GS-46-03296) and Domestic Violence 2<sup>nd</sup> Degree (Indictment No. 2021-GS-46-03295) and received a sentence of Twelve (12) months. Also the Appellant pled guilty to Domestic Violence 3<sup>rd</sup> Degree (Indictment No. 2021-GS-46-01803) and received a sentence of Time Served. The Appellant receive a revoked in full sentence (3 years) on the Violation of Probation (Indictment No. 2020-GS-46-06680). The Appellant also received credit for time served and the sentences 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 (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,



Denise Gregory  
P.O. Box 691  
York, South Carolina 29745  
(803) 628-3031  
Attorney for Jamie Ryan Sturdivant

York, South Carolina

August 4, 2021