STATE OF SOUTH CAROLINA) Indictment Nos.: 2020-GS-46-03387, 2021-GS-46-01738
)
)
IN THE COURT OF APPEALS)
State of South Carolina)
)
-vs-)
)
Brant Matthew Nolan,)
)
Defendant.)
)

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

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 12 months concurrent, with (10 days credit for time served sentence upon the Appellant after he pled guilty to Drugs/MDP, Narcotic drugs in Sch. 1 (b) & (c), LSD, and Sched. II 1st offense No. 2020-GS-46-00387 and Drugs/Manuf., poss. Of Sch. IV drugs, except flunitrazepam, with intent to distribute 1st offense No. 2021-GS-46-01738.

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,

Jonathan Chris Bonds
P.O. Box 691
York, South Carolina 29745
(803) 628-3031
Attorney for Brant Matthew Nolan

York, South Carolina

September 1, 2021