

STATE OF SOUTH CAROLINA )  
 )  
 IN THE COURT OF APPEALS )  
 )  
 State of South Carolina )  
 )  
 -vs- )  
 )  
 Heather Sue Ratliff, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Indictment Nos.: 2020-GS-46-05056;  
 2020-GS-46-04514; 2020-GS-46-01556  
 and 2020-GS-46-01557

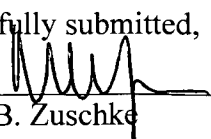
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 SC Court of Appeals

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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 sentence upon the Honorable William A. McKinnon on September 8, 2021, the Appellant pled guilty to Burglary (Non-Violent) Second Degree (Indictment No. 2020-GS-46-05056) and received a sentence of six (6) years upon service of three hundred and fifty three (353) days suspended on three (3) years probation; pled guilty to Breaking into Motor Vehicle or tanks, pumps where fuel, lubricants stored (Indictment No. 2020-GS-46-04514) and received a sentence of five (5) years upon service of three hundred fifty three (353) days and three (3) years probation. Also the Appellant pled guilty to Two counts of Possession of Other Controlled Substance in Scheduled I to V 1<sup>st</sup> offense (Indictment Nos. 2020-GS-46-01556 and 2020-GS-46-01557) and received a sentence of six (6) months on both charges. The Appellant also received credit for time served (353 days) and the 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 (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,  
  
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York, South Carolina  
 September 14, 2021