



The South Carolina Court of Appeals

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February 26, 2013

Mr. D. Ashley Pennington
101 Meeting St., 5Th Flr
Charleston SC 29401-2214

Re: The State v. Payne, Robert Harvey
Appellate Case No. 2013-000376

Dear Counsel:

This Court has received your notice of appeal. Since this is an appeal from a guilty plea, nolo contendere plea, or plea pursuant to *Alford*, Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules requires you to provide "a written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal." **Failure to make a sufficient showing may result in dismissal of this appeal.**

The explanation should be served and filed within ten (10) days of the date of this letter.

Please be advised the time limits for ordering the transcript are held in abeyance.

Very truly yours,


CLERK

cc: Robert Michael Dudek
Julie Gardner Cardillo
Salley W. Elliott