

May 21, 2013

RECEIVED

Daniel E. Shearouse
Clerk, S.C. Supreme Court
P.O. Box 11330
Columbia, S.C. 29211

MAY 28 2013

S.C. SUPREME COURT

Re: Derek S. Carter v. State,
Appellate Case No. 2012-213168

Dear Mr. Shearouse:


By copy of this letter, please be advised of my objections to the contents of the Appendix prepared by Dayne C. Phillips for the above case, which I received on May 20, 2013. Please be further advised the same was sent "Inter-Agency Mail C/O S.C. Dept. of Corrections" on May 9, 2013, although I have specifically requested (letters dated 04/27/13 & 05/08/13) that the office of the S.C.C.I.D. not send any communications to me in this manner; 39 days have been wasted by this practice, time I could have used to prepare my case for this appeal.

Rule 227(f)(1), SCACR, specifically states that the Appendix "shall contain the entire lower court record." Specifically, the Appendix does not contain the following documents of the lower court record:

1. Appendix of Documents, filed 08/22/05 (PCR #2002-CP-04-1791)
2. Appendix of Letters, filed 08/22/05 (PCR #2002-CP-04-1791)
3. Applicant's Memorandum in Support of Application for Post-Conviction Relief, filed 04/10/12 (see App. 325, Lns. 4-12)
4. Motion to Alter or Amend, Rule 59(e), filed 08/24/12
5. Letter to the Honorable R. Lawton McIntosh, dated 09/21/12, submitted by PCR Counsel as addendum to Motion to Alter or Amend, per my request
6. Notice of Appeal, dated 10/10/12

Accordingly, as the Appendix does not contain "the entire lower court record" Rule 227(f)(1), SCACR, it is not a complete and adequate record for my appeal. I object to its use, and request a new Appendix be prepared before my appeal proceeds any further.

Thank you. Sincerely, I am,



Derek S. Carter, #275938
Evans C.I., Unit F3-A 254
610 Highway 9 West
Bennettsville, S.C. 29512

cc: Carmen V. Ganjehsani, Attorney for Petitioner
John W. Whitmire, Attorney for Respondent

Derek S. Carter, # 275938
Evans C.I. Unit F3-A-254 (Cheraw)
610 Hwy 9 West
Bennettsville, S.C. 29512

May, 22 2013.

Re: Derek S. Carter v. State
Appellate Case No. 2012-213168

S.C. Supreme Court
Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, SC 29211

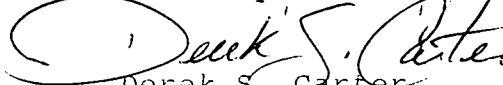
Dear Mr. Shearouse:

I am writing concerning the mailing address of (Jo Rice, Court Reporter) in Anderson County. My PCR Transcript was sent to me in "Inter-Agency Mail C/O S.C. Department of Corrections" on May, 9 2013, and received by me on May, 20 2013. Under S.C. Rules of Court 607 (i), I am requesting the tape and back-up tape in order to verify the accuracy of the transcripts. In light of the Appendix's lack of complete record. Further, Under information and belief, The PCR record is not accurate and correct. I remember the record somewhat different.

I have sent a letter concerning the lack of all documentation necessary to perfect an appeal from the PCR hearing. I want to thank you for your thoughtful consideration in this matter.

With Kind Regards...I Am.

Sincerely, Yours,


Derek S. Carter

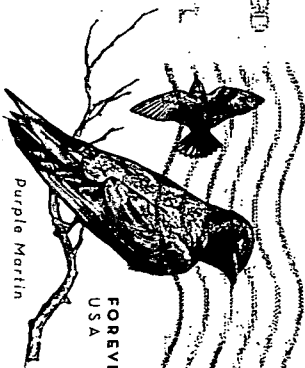
CC: J/R
J/W/W
D/E/S
C/V/G
C/A
File

Derek S. Carter, #275938
Evans C.I., Unit F3-A 254
610 Highway 9 West
Bennettsville, S.C. 29512

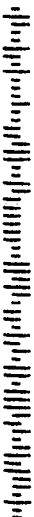
Daniel E. Shearouse
Clerk, S.C. Supreme Court
P.O. Box 11330
Columbia, S.C. 29211

COLUMBIA SC 290

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S.C. DEPARTMENT OF CORRECTIONS