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Jan 03 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Marion County
G.D. Morgan Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ZACHIR D.S. MCCALL,

APPELLANT

APPELLATE CASE NO. 2022-000921

MOTION TO ORDER THE TRANSCRIPT OUTSIDE OF THE FILING DEADLINE

The undersigned counsel requests permission to order the transcript outside of the filing deadline set by Rule 207 of the South Carolina Appellate Court Rules in the above-captioned case. In support in this motion, counsel would respectfully show the Court that:

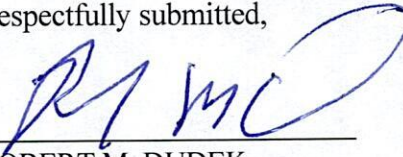
1. The notice of intent to appeal was filed on July 5, 2022, along with a motion to file the notice of intent to appeal out of time by Trial Counsel, Franklin Chandler. An order granting this motion to allow the late filing of the notice of appeal was granted on August 11, 2022. This order was overlooked by our office until we recently received a letter from this Court dated December 20, 2022, notifying counsel that the record showed that the time for ordering the transcript had expired.

2. The transcript in this case has now been requested from court reporter Cynthia Weaver, by Della White, the Administrative Coordinator for this office, on January 3, 2023, as evidenced by the attached Exhibit A to this motion.

3. Based on the foregoing, counsel would respectfully request that this Court issue an order granting this motion and allowing the transcript in this case to be ordered outside of the filing deadline so that this direct appeal can proceed.

WHEREFORE, undersigned counsel respectfully requests that this Court allow the transcript to be ordered outside of the filing deadline.

Respectfully submitted,



ROBERT M. DUDEK
Chief Appellate Defender

This 3th day of January, 2023.

EXHIBIT A



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1345

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

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SC Court of Appeals

January 03, 2023

Cynthia Weaver
1220 Senate Street
Columbia, SC 29201

Dear Ms. Weaver:

Please provide us with the following transcript:

The State v. Zachir Devaugnte Shyhiim McCall
Appellate Case No. 2022-000921
County: Marion
Presiding Judge: G.D. Morgan, Jr.

Case #: 2021-GS-33-00073, 00079, 00083
Date of Trial: July 19-22, 2021


Pursuant to the SC Court Reporter's Manual, please number the lines on the paper from 1-25 and include any and all recorded motions (pretrial and post-trial). Consecutive numbering of pages must be used throughout all volumes regardless of the number of volumes involved. Additionally, please transcribe the **jury selection** and the State and defense counsel's **opening and closing arguments** and include the **jury strike sheet**. Please be sure to include **headers** and a **complete index** including a **listing of exhibits**. **Please, do not include keyword indexing.**

If you are aware of any co-defendants, additional transcripts, or if the Attorney General's Office has already requested a transcript, please let us know.

SCCID **prefers** that all transcripts are sent via **certified mail**. If you choose to send transcripts electronically, you must use the SC Department of Technology's file transfer service at <https://scfiledrop.sc.gov>. New users click the register button to sign up for the service. For assistance with registration or passwords, contact the SC Department of Technology Service Center at 803-896-0001, option 2.

To ensure prompt payment, please sign and complete the enclosed form and include the original criminal case number (indictment number) where the space is provided.

Sincerely,


s/ Della White
Administrative Coordinator

cc: S. C. Court of Appeals
Attorney General's Office
S. C. Court Administration



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

COURT REPORTERS' REQUEST FOR PAYMENT FOR TRANSCRIPT IN CRIMINAL INDIGENCY CASE

TO: SC COMMISSION ON INDIGENT DEFENSE
PO BOX 11589
COLUMBIA, SC 29211-1589

SIGNATURE OF APPROVING OFFICIAL AT APPELLATE DEFENSE:

FORWARD THIS SIGNED AND COMPLETED FORM ALONG WITH THE REQUESTED TRANSCRIPT TO THE SC COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION. THE SC COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION WILL APPROVE THIS REQUEST FOR PAYMENT AND FORWARD THE REQUEST TO THE S.C. COMMISSION ON INDIGENT DEFENSE FOR PAYMENT. ALL QUESTIONS REGARDING PAYMENT SHOULD BE MADE TO THE S.C. COMMISSION ON INDIGENT DEFENSE P.O. BOX 11433, COLUMBIA, SC 29211-1433, PHONE: (803) 734-1343, E-Mail: executive@sccid.sc.gov.

CASE NAME:

CRIMINAL CASE (INDICTMENT) NO.(s):

DATE TRANSCRIPT REQUESTED BY APPELLATE DEFENSE:

DATE TRANSCRIPT PROVIDED TO APPELLATE DEFENSE:

PLEASE NOTE THAT THE DEFENSE OF INDIGENTS FUND WILL REIMBURSE THE REQUESTING PARTY FOR EITHER THE ORIGINAL TRANSCRIPT OR ONE COPY, BUT NOT FOR BOTH. PLEASE DO NOT INCLUDE KEYWORD INDEXING.

RULE 607 (H)(1), SCACR, PROVIDES THAT IN ALL CRIMINAL INDIGENCY CASES, INCLUDING POST-CONVICTION AND SEXUAL VIOLENT PREDATOR PROCEEDINGS, THE FEE FOR THE ORIGINAL TRANSCRIPT IS FOUR DOLLARS AND TWENTY-FIVE CENTS (\$4.25) PER PAGE AND THE FEE FOR A COPY OF THE TRANSCRIPT IS ONE DOLLAR (\$1.00) PER PAGE.

PURSUANT TO THE REQUEST OF THE S.C. COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION, THE TRANSCRIPT IN THE ABOVE MATTER WAS PROVIDED TO THAT OFFICE. REIMBURSEMENT IN THE FOLLOWING AMOUNT IS HEREBY REQUESTED:

ORIGINAL TRANSCRIPT OF _____ PAGES: \$ _____

COPY OF ORIGINAL TRANSCRIPT OF _____ PAGES: \$ _____

OTHER (Please specify): _____ : \$ _____

TOTAL PAYMENT REQUESTED:

\$

PRINTED OR TYPED NAME OF COURT REPORTER:

SIGNATURE OF COURT REPORTER:

ADDRESS:

A SC VENDOR IDENTIFICATION NUMBER, WHICH IS ISSUED BY THE SC COMPTROLLER GENERAL'S OFFICE, AND IS NEITHER A FEDERAL EMPLOYER IDENTIFICATION NUMBER NOR AN INDIVIDUAL SOCIAL SECURITY NUMBER, IS REQUIRED FOR PAYMENT PROCESSING. (SCCID DOES NOT REQUIRE A FEI OR SSN)

IF YOU DO NOT HAVE A SC VENDOR ID NUMBER, APPLY HERE:
<https://webprod.cio.sc.gov/SCVendorWeb/mainNewFrame.do>

PHONE NUMBER:

NOTE: ONCE YOU APPLY FOR A SC VENDOR ID, THE SC COMPTROLLER GENERAL'S OFFICE REQUIRES A 72-HOUR WAITING PERIOD TO VERIFY YOUR ID NUMBER. ADDITIONAL LINKS AND INFORMATION MAY BE FOUND AT:

<http://sccid.sc.gov/register.cfm>

EMAIL ADDRESS:

VENDOR ID NUMBER:

SCCID USE ONLY:

SCCID FILE NUMBER:

DOCUMENT NUMBER:

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SC Court of Appeals

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to **any** party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name Della White		Phone Number 803-734-1330	Email Address dwhite@sccid.sc.gov
Mailing Address 1330 Lady Street, Suite 401		City Columbia	State SC
		Zip Code 29201	
Transcript Information			
Docket Number	Case Caption (i.e. State v. John Doe or Smith v. Smith) The State v. Zachir Devaugnte Shyhiim McCall		
Date(s) of Proceeding July 19-22, 2021	Circuit X Family	County Marion	
Presiding Judge G.D. Morgan, Jr.		Expedited Yes No X	
Court Reporter(s) Cynthia Weaver		Opposing Counsel	

Requestor's Signature: Della White
(Typed name will serve as signature)

Date: 01/03/2023

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____	Date Received _____	Email Address _____	
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

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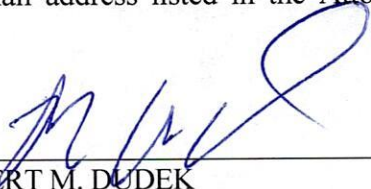
ZACHIR D.S. MCCALL,

APPELLANT

APPELLATE CASE NO. 2022-000921

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Order the Transcript Outside of the Filing Deadlines in the above referenced case has been served upon Melody Janes Brown, Esquire, at her primary email address listed in the Attorney Information System (AIS), this 3th day of January, 2023.



ROBERT M. DUDEK
Chief Appellate Defender

ATTORNEY FOR APPELLANT