

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Cherokee County

The Honorable R. Keith Kelly, Circuit Judge

Case No. 2021-CP-11-0593

RECEIVED

FEB 15 2023

S.C. SUPREME COURT

APPELLATE CASE NO.

Alonzo C. Jeter, III, ----- APPELLANT,
State of South Carolina, ----- RESPONDENT.

MOTION FOR FUNDING FOR
TRANSCRIPT

Appellant, Alonzo C. Jeter, III, hereby respectfully motions this Court for funding which will afford him opportunity to obtain the transcript of the hearing which was held in the lower court on July 18, 2022. Appellant emphasizes (1) he is an indigent prisoner who is prose, (2) he is in fact employed and working an 8-hour per day shift, 5 days per week - however, he is not allowed to receive pay for his employment due to South Carolina Law and the Thirteenth Amendment of the United States Constitution's slavery allowance clause, (3) it is not possible that Appellant will be able to acquire the fees for satisfying the court reporter without this Court's assistance.

Appellant also emphasizes that the transcript of the hearing contains pertinent testimony, argument, and reasoning of the lower court and parties in this case, and is critical to Appellant being able to direct this Court to those pages of transcript which will clearly reveal the unreasonableness of the Defendant and Court.

Williams v Peyton, 297 F. Supp. 857 (1969) ("Refusal to provide an indigent [prisoner] a free transcript of the record constitutes a denial of fundamental constitutional rights."); Mayer v City of Chicago, 404 US 189, 92 Sct 410 (1971) ("Whether appeal [] is discretionary or as of right does not affect indigent's right to transcript, since indigents must have the same opportunities to invoke the discretion of the court as those who can afford the cost."); Lane v Brown, 372 US 427, 83 Sct 768 (1963) ("Equal protection of the law requires that a state with an appellate system which makes available trial transcripts to those who can afford them must provide as adequate appellate review to indigent defendants."); Griffin v Illinois, 351 US 12, 76 Sct 585 (1956) (The United States Supreme Court holding unconstitutional a requirement that indigents pay a fee to receive a trial transcript that was essential for bringing an appeal.)

~~Supreme Court~~

Without the transcript which would allow Appellant to

Compose a complete record for appellate review, and which would provide the substantial facts and details of the hearing (as the court should be willing to review) - Appellate review of this case would be no more than an empty shell and would not be meaningful as this Court is constrained by its standard of review and will not consider any matter that is not included in the Record.

Fundamental fairness and the interest of equity should counsel that the costs for requiring the transcript should be provided in this case and circumstance.

Mayer v City of Chicago, 404 US 189, 92 Sct 410 (1971) ("[An] indigent [pauper] must be afforded as effective an appeal as the [litigant] who can pay."); Smith v Robbins, 528 US 259, 120 Sct 746 (2000) ("[J]ustice may not be conditioned on the ability to pay.")

Wherefore Appellant prays this Court will provide the sufficient financial assistance to obtain the transcript in this case.

Respectfully submitted, 

Alonzo C. Jeter, III
APPELLANT / pro se

This 10th day of February, 2023.
Manning Correctional Institution
502 Beckman Drive
Columbia, South Carolina 29203

Lora McDaniel
Circuit Court Reporter
P.O. Box 343
Spartanburg, SC 29304
(843) 276-4539

August 15, 2022

Alonzo C. Jeter, III
Manning Correctional Institute
W-5/53B
502 Beckman Drive
Columbia, SC 29203

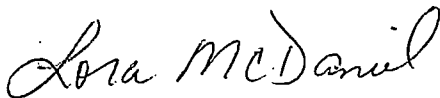
RECEIVED
FEB 15 2023
S.C. SUPREME COURT

Dear Mr. Jeter:

This is in response to your letter sent to me dated 8-10-22. I have returned to you the Transcript Request Form with the bottom half completed by me for your transcript request. I do require payment by check or money order made payable to Lora McDaniel before I begin transcription. The estimated cost is \$85.00 for approximately 20 pages. I cannot give you an exact amount because sometimes I may be off by a page or two.

If you have any questions regarding the above information, please contact me at the above address. Thank you for your attention in this matter.

Sincerely,

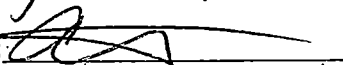


Lora McDaniel, RPR
lmcdaniel@sccourts.org

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](mailto:transcripts@sccourts.org) 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 <i>Alonzo C. Jeter, III</i>		Phone Number _____	Email Address _____
Mailing Address <i>Manning Correctional Inst. 502 Beckman Drive, Columbia 29203</i>		City <i>Columbia</i>	State <i>SC</i>
		Zip Code <i>29203</i>	
Transcript Information			
Docket Number <i>2021-CP-11-0593</i>	Case Caption (i.e. State v. John Doe or Smith v. Smith) <i>Alonzo C. Jeter, III v State</i>		
Date(s) of Proceeding <i>July 18, 2022</i>	Circuit <input checked="" type="checkbox"/>	County <i>Cherokee</i>	
Family <input type="checkbox"/>			
Presiding Judge <i>Hon. R. Keith Kelly</i>		Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Court Reporter(s) <i>Lora McDaniel PO Box 343, Spartanburg SC 29304</i>		Opposing Counsel <i>L. David Leggett, Office of Attorney General PO Box 11549, Columbia SC 29211</i>	

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

Date: *Aug 9, 2022*

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 <i>Lora McDaniel</i>		Date Received <i>8-15-2022</i>	Email Address <i>LMCDANIEL@sccourts.org</i>
Notice of Estimate to Requestor Party Date: <i>8-15-22</i> Number of Pages: <i>20</i>		Estimated Amount <i>\$85.⁰⁰</i>	
Mailing Address for Payment <i>P.O. Box 343</i>		City <i>Spartanburg</i>	State <i>SC</i>
		Zip Code <i>29304</i>	

RECEIVED

FEB 15 2023

S.C. SUPREME COURT