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Mar 17 2023

SC Court of Appeals



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

March 17, 2023

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: The State v. Demetrus Lawon McClary
Appellate Case No. 2022-000688

Dear Ms. Kitchings:

Please allow this letter to serve as a response to the Court's Order in this case dated March 14, 2023. On February 6, 2023, Appellate Defense ordered the transcript from the court reporter, Julie Kevish. Another copy of that letter is attached for the Court's convenience. On March 9, 2023, Ms. Kevish emailed Appellate Defense with an estimate of the costs. Appellate Defense responded the same day that prior approval of the cost was unnecessary. On March 16, 2023, Appellate Defense asked Ms. Kevish if she had an estimated date of delivery. She responded that she expected to complete it by Easter and Appellate Defense responded with a request that she expedite completion of the transcript. Ms. Kevish agreed and stated she expects to complete the transcript next week. Our email correspondence with Ms. Kevish is attached.

Consistent with past practice, counsel will notify the Court upon receipt of the transcripts and ask that the Court take the case out of abeyance. Counsel certainly does not intend to ask for any further extensions. If this is not acceptable to the Court, please let me know at your earliest convenience so that I can comply with the Court's directives.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Alexander", with a long horizontal flourish extending to the right.

David Alexander
Appellate Defender

c. William M. Blicht, Jr., Esq.
Robert M. Dudek, Esq.



SCCID

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

February 06, 2023

Julie Kevish
Court Reporter
P.O. Box 30223
Myrtle Beach, SC 29588

Dear Ms. Kevish:

Please provide us with the following transcript:

The State v. Demetrus Lawon McClary

Case #: 2018-GS-26-04177, -04178,
2-04179, -4180

Appellate Case No. 2022-000688

County: Horry

Date of Trial: February 22-24, 2022

Presiding Judge: Frank R. Addy

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)

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

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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 2018-GS-26-04177, 2018-GS-26-04178, 2018-GS-26-04179, 2018-GS-26-4180	Case Caption (i.e. State v. John Doe or Smith v. Smith) The State v. Demetrus Lawon McClary		
Date(s) of Proceeding February 22-24, 2022	Circuit X Family	County Horry	
Presiding Judge Frank R. Addy	Expedited Yes No X		
Court Reporter(s) Julie Kevish	Opposing Counsel		

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

Date: 02/06/2023

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 _____

Alexander, David

From: White, Della
Sent: Friday, March 17, 2023 11:13 AM
To: Alexander, David
Subject: Re: The State v. Demetrus McClary

Please see below.

From: Kevish, Julie <jkevis@sccourts.org>
Sent: Friday, March 17, 2023 11:12 AM
To: White, Della <dwhite@sccid.sc.gov>
Subject: Re: [External] Re: The State v. Demetrus McClary

No problem! It's almost done. I should have it to you by next week. Thanks for the update!

Julie

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: White, Della <dwhite@sccid.sc.gov>
Sent: Friday, March 17, 2023 11:09:41 AM
To: Kevish, Julie <jkevis@sccourts.org>
Subject: RE: [External] Re: The State v. Demetrus McClary

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Can we please expedite this? Please let me know if I need to do anything additional. I appreciate your time.

Thank you.

From: Kevish, Julie <jkevis@sccourts.org>
Sent: Thursday, March 16, 2023 2:24 PM
To: White, Della <dwhite@sccid.sc.gov>
Subject: Re: [External] Re: The State v. Demetrus McClary

This is the one I'm working on now so I'd like to get it out before Easter but hopefully in the next couple of weeks. Would that be OK for you or do you need it sooner than that?

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: White, Della <dwhite@sccid.sc.gov>
Sent: Thursday, March 16, 2023 2:20:36 PM

To: Kevish, Julie <jkevis@sccourts.org>
Subject: RE: [External] Re: The State v. Demetrus McClary

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Hi Julie,

I just wanted to follow-up on your email. We do want both transcripts mentioned below. Do you have an estimate date of delivery? I appreciate your time.

Della

From: White, Della
Sent: Wednesday, March 15, 2023 8:27 AM
To: Alexander, David <dalexander@sccid.sc.gov>
Subject: FW: [External] Re: The State v. Demetrus McClary

From: Kevish, Julie <jkevis@sccourts.org>
Sent: Thursday, March 9, 2023 11:42 AM
To: White, Della <dwhite@sccid.sc.gov>
Subject: Re: [External] Re: The State v. Demetrus McClary

Thanks!

Sent from my Verizon, Samsung Galaxy smartphone
[Get Outlook for Android](#)

From: White, Della <dwhite@sccid.sc.gov>
Sent: Thursday, March 9, 2023 11:40:36 AM
To: Kevish, Julie <jkevis@sccourts.org>
Subject: RE: [External] Re: The State v. Demetrus McClary

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AD doesn't require and estimate like the PD offices has been asked to do. Thanks for checking!

From: Kevish, Julie <jkevis@sccourts.org>
Sent: Thursday, March 9, 2023 10:37 AM
To: White, Della <dwhite@sccid.sc.gov>
Subject: Re: [External] Re: The State v. Demetrus McClary

Good morning, Della,

I wanted to double check with you on this transcript request. It looks like the 2-23-22 hearing that was heard in front of Judge Addy was an evidentiary hearing in the a.m. and then an afternoon Jackson V. Denno

Hearing. The morning has already been transcribed when it was requested by Solicitor previously. So on my estimate I didn't include the Jackson V. Hearing cost. Do you want me to do a new estimate for you with both hearings? So the estimates would be the \$125.00 for the a.m. hearing and \$807.50 for the Jackson v. Denno hearing.

Thanks,

Julie

From: White, Della <dwhite@sccid.sc.gov>
Sent: Monday, February 13, 2023 8:22:28 AM
To: Kevish, Julie <jkevish@sccourts.org>
Subject: RE: [External] Re: The State v. Demetrus McClary

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Yes, thank you.

From: Kevish, Julie <jkevish@sccourts.org>
Sent: Sunday, February 12, 2023 11:11 PM
To: White, Della <dwhite@sccid.sc.gov>
Subject: [External] Re: The State v. Demetrus McClary

Good morning Della,

Yes, it looks like I was the court reporter on those days. The estimated transcript is 125 pages. Are you requesting the hearing that was held on February 23, 2022?

Thanks!

Julie

From: White, Della <dwhite@sccid.sc.gov>
Sent: Monday, February 6, 2023 11:47 AM
To: Kevish, Julie <jkevish@sccourts.org>
Subject: The State v. Demetrus McClary

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good morning,

Can you tell me if you were the court reporter for pretrial evidentiary motions heard for the above client during the week of February 22-24, 2022 in Horry County before Judge Addy?

Thank you so much for your time.

Della White
South Carolina Commission on Indigent Defense
1330 Lady Street
Columbia, South Carolina 29201

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