

**RECEIVED**

**Mar 28 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Dorchester County

Diane S. Goodstein, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ANTHONY NICHOLAS ARGOE,

APPELLANT

APPELLATE CASE NO. 2023-000223

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**PETITION FOR ORDER  
TO UNSEAL PRE-TRIAL HEARING  
ON THE MOTION  
TO RELIEVE TRIAL COUNSEL**

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Pursuant to Rule 240, SCACR, appellate counsel for the above-named appellant would petition for an order from this Court to unseal a sealed pre-trial hearing transcript on the motion to relieve trial counsel so that it can be considered as a legal issue in the direct appeal in this case. In support of this petition, counsel would submit the following:

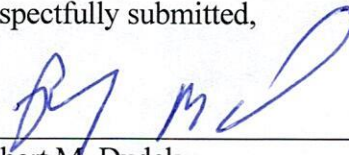
1. Appellant Anthony Nicholas Argoe was convicted of murder and sentenced in Dorchester County on February 9, 2023, to life imprisonment by the Honorable Diane S. Goodstein. A timely Notice of Appeal was served and filed in this case, and the appeal is pending with this Court.

2. On February 28, 2023, a request was submitted to Mr. Steven E. LeBlanc, Circuit Court Reporter, to prepare the transcript for a pre-hearing that took place on February 3, 2023. Our office has received the prepared transcript in an enveloped marked "SEALED: Do not open by order of Judge Diane S. Goodstein".

3. Therefore, an order is needed from this Court ruling the sealed pre-trial hearing is unsealed so that the Appellate Defender assigned to this case to an Appellate Defender who can read the pre-trial transcript, and then make an intelligent decision whether the trial judge's ruling on that motion, if deemed erroneous by appellate counsel, should be included as an issue in appellant's direct appeal to this Court.

4. WHEREFORE, appellate counsel would request an order from this Court to unsealing the sealed pre-trial hearing which will permit the Appellate Defender assigned to this case for the Office of Appellate Defense to use this transcript for the purpose of perfecting the direct appeal in this case. Counsel respectfully requests that the time limits on this case be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

March 28, 2023

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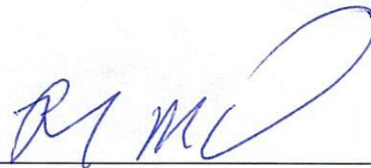
APPELLANT

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Petition for Order to unseal pre-trial hearing in the above-referenced case has been served upon Melody Jane Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 28th day of March, 2023.



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Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Burk, Adriane](#)  
**To:** [mbrown@scag.gov](mailto:mbrown@scag.gov); [abennett@scag.gov](mailto:abennett@scag.gov)  
**Cc:** [Dudek, Robert](#)  
**Subject:** The State v Anthony Nicholas Argoe - Appellate Case No. 2023-000223  
**Date:** Tuesday, March 28, 2023 10:31:00 AM  
**Attachments:** [2023-000223 - Motion to Unseal Pre-Trial Hearing.pdf](#)

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Good morning:

Attached for service in the above-referenced case is the Petition to Unseal which will be filed today March 28, 2023 with the Court of Appeals via One Drive.

Adriane Burk  
Legal Services Coordinator  
Appellate Defense Division  
Commission on Indigent Defense  
803-734-1330