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Jul 26 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of General Sessions

Heath P. Taylor, Circuit Court Judge

Appellate Case No. 2023-000911

The State,

Respondent,

v.

Kari Kayshon Ryant,

Appellant.

MOTION FOR LEAVE TO REQUEST TRANSCRIPT
OUTSIDE OF DEADLINE

W. Scott Palmer, Esquire, hereby moves for an Order of this Court Granting Leave to Request the trial transcript outside of the filing deadline. The grounds for this motion are particularly set forth in the Affidavit attached hereto, and incorporated herein.

July 26, 2023



W. Scott Palmer
SC Bar No. 011936
W. Scott Palmer Law Firm, P.A.
Post Office Box 722
Santee, S.C. 29142
(803) 854-4417
Attorney for Appellant

Other Counsel of Record:
Thomas B. Scott, III, Esquire
Deputy Solicitor
First Judicial Circuit
151 Docket Street
P.O. Box 1525
Orangeburg, SC 29116
(803) 533-6252
Attorney for Respondent

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AFFIDAVIT

I served as trial counsel for Kari Kayshon Ryant, who was charged with one (1) count of First Degree Murder. This case was tried on October 17, 18, and 19, before the Honorable Heath P. Taylor, in the Orangeburg County Court of Common Pleas. Mr. Ryant was found guilty, following a full trial and jury deliberations. Due to Ryant's age when the offense was committed, Judge Taylor deferred sentencing, pending a presentence investigation. The Court reconvened on January 12, 2023 for a sentencing hearing. At this hearing, Mr. Ryant requested that I be relieved as his counsel. Judge Taylor relieved me as Ryant's trial attorney, and appointed Justin Kata, Esquire, in my stead. On April 24, 2023, Ryant was sentenced to fifty (50) years in the SC Department of

Corrections.

Even though I had been relieved as Ryant's trial counsel, in order to protect his legal interests, on May 4, 2023, I filed, on Mr. Ryant's behalf, a post-trial motion, requesting a new trial. This motion was denied by the trial Judge on June 1, 2023. Although I had not been retained to appeal Mr. Ryant's case, I filed a Notice of Appeal on June 8, 2023. Mr. Ryant was advised to seek private counsel to finish the appeal, or to file an Affidavit of Indigency with the Office of Indigent Offense. Mr. Ryant failed to complete and return the Affidavit of Indigency to OID. It should be noted that Mr. Ryant is young and has a limited education.

Eventually I received correspondence from OID that Ryant had not filed the necessary paperwork to enable OID to take over his appeal. By the time I received this correspondence, the time for requesting the trial transcript had nearly expired.

I prepared a proposed Affidavit of Indigency and retained a private investigator to meet with Mr. Ryant to have him complete and sign the affidavit. The signed Affidavit of Indigency was then hand delivered to OID along with the trial documents necessary to proceed with the appeal.

I have not ordered the trial transcript because I have not been retained to complete the appeal of Mr. Ryant's conviction. In fact, Mr. Ryant has indicated in open court that he does not wish for me to remain as his attorney in this case.

I am hereby requesting that the time allowed for requesting the transcript be expanded until OID has sufficient time to screen the Affidavit of Indigency and otherwise determine whether Mr. Ryant qualifies for indigent representation.

SWORN to before me this 26th day of July 2023.

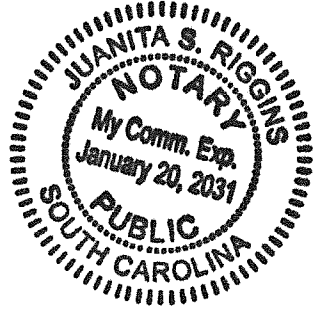
Juanita S. Riggins

Notary Public for South Carolina

My Commission Expires: 1-20-2031

W. Scott Palmer

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PROOF OF SERVICE

I certify that I have served the Motion for Leave to Request Transcript Outside of Deadline on the following:

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(Paralegal George F. Goodwin)

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SC Court of Appeals

July 26, 2023

VIA ELECTRONIC MAIL - ctappfilings@sccourts.org

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


RE: The State, Respondent, v. Kari Kayshon Ryant, Appellant
Appellate Case No.: 2023-000911

Dear Ms. Kitchings:

Please find enclosed the Motion for Leave to Request Transcript Outside of Deadline with regard to the above referenced matter. A check in the amount of \$50.00 for the filing fee will be forwarded via First Class Mail.

Should you have any questions, please do not hesitate to contact me.

Sincerely,


W. Scott Palmer
Post Office Box 722
Santee, SC 29142
(803) 854-4417
Attorney for Appellant

/pov

enclosures

cc: SC Court of Office Administration (w/encl.)
Thomas B. Scott, III, Esquire (w/encl.)
SC Office of Appellate Defense (w/encl.)
Della White, SCCID (w/encl.)
Robert Michael Dudek, Esquire, SCCID (w/encl.)
Alan McCrory Wilson, Esquire, SCAG (w/encl.)
Melody Jane Brown, Esquire, SCAG (w/encl.)
Bethanie K. Creppon, Circuit Court Reporter (w/encl.)
Kari Kayshon Ryant (w/encl.)