



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender
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March 4, 2024

Mr. Seuvarrggio S. Rector, #392088
Evans Correctional Institution
610 Hwy. 9 West
Bennettsville, SC 29512

RECEIVED
Mar 04 2024
SC Court of Appeals

Re: Your Case

Dear Mr. Rector:

I am the lawyer who will be handling your case in the appellate court. I will be reviewing the record of the proceedings at the trial court to see what legal errors to present to the court on your behalf. I will submit these arguments in the form of a written "brief."

With this letter, I am sending you copies of all hearing transcripts relevant to your case. I will send you copies of the brief when I file it with the appellate court. Please be patient while the court considers your case. This process is very slow, but there is nothing I can do to speed up the process. It will probably be at least six months before I submit a brief to the appellate court and at least a year after that before the court decides your case. **Some cases take even longer.** You will be notified when the court makes a decision and letters asking the status of your case do not speed up the process.

Please keep these points in mind. In a direct appeal, the appellate court can only consider the information that was in front of the trial court. Any new information cannot be brought to their attention at this point. The appellate court does not decide guilt or innocence. In general, it only looks to see if the trial judge made errors of law. A reversible error only occurs when your lawyer makes an objection or motion and the judge rules against you when legally he should not have. In addition, usually the error must not have been harmless. That is, the error must be something that could have changed the result of the trial.

Mr. Seuvarrggio S. Rector, #392088

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In addition, the court decides the case based on the written briefs submitted by the attorney general's office and me. It occasionally sets oral arguments, which are an opportunity for me to focus its attention on the information in the brief. If you are in prison, you cannot attend.

I receive a tremendous amount of mail and I may not be able to respond to all letters. However, you are free to telephone me collect. An SCDC Telephone Privilege Request has already been submitted for the following number: (803) 734-1330. **Please record your full name on the recording. We cannot accept a collect call with a nickname or partial name.** This is the preferred method of us communicating. Regardless, rest assured if you write me a letter about your case, I will read it and carefully consider it as I decide which issue or issues to submit to the appellate court. Please note that the decision about which issues to submit is mine. Only if I submit a "no merits" or Anders brief, stating I could not find any good issues, will the court let you submit your own legal arguments to the court.

In addition, we are not able to visit our clients personally but feel free to call collect.

Be assured that I will try my best to find reversible error. I will submit the best brief I possibly can to the appellate court.

Finally, if you are transferred to another facility or released, you must write and let me know where you are. The Department of Corrections will not notify us of your new address.

I hope this letter answers some of the questions you may have at this time. Again, please do not hesitate to contact me by letter if you have any questions or I may be of further assistance.

Sincerely,

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

Breen Richard Stevens
Appellate Defender

BRS/kpw

Enclosure

STATE OF SOUTH CAROLINA)
) COURT OF GENERAL SESSIONS
COUNTY OF GREENVILLE) 2019-GS-23-00919; 00918
)
)
)
STATE OF SOUTH CAROLINA)
) PLAINTIFF)
 vs.) TRANSCRIPT OF RECORD
)
)
SEUVARRGGIO S. RECTOR)
)
)
) DEFENDANT)

September 11-15, 2023
Greenville, South Carolina

B E F O R E:

THE HONORABLE ALEX KINLAW, JR., Judge; and a
jury.

A P P E A R A N C E S:

JON GREGORY, ESQ.
WALKER MILLER, ESQ.
Attorneys for The State

SEUVARRGGIO S. RECTOR, PRO SE
DAVID CANTRELL, ESQ.
Standby Counsel for Mr. Rector

APRIL HERRON
Official Court Reporter

ABARLEE PIERCE-CROSS BY MR. RECTOR

1 was on, like, the 18th or 19th of December?

2 A I don't think so.

3 Q So you don't think so or you did?

4 A Have I ever said it?

5 Q Have ever stated that this probably happened on
6 the 18th or 19th of December?

7 A No.

8 Q You don't remember giving testimony that on the
9 18th or the 19th of December, that was when this happened?

10 A No.

11 MR. RECTOR: Your Honor?

12 THE COURT: Ladies and gentlemen of the jury,
13 we've got a legal matter to take up. I'm going to
14 send you back to your jury room. Please, ma'am,
15 please, sir, do not talk about the case to each
16 other, I'll bring you back in just a few minutes.

17 (WHEREUPON, the jury left open court at
18 approximately 4:08 p.m.)

19 THE COURT: Mr. Rector, I'll be glad to hear
20 from you. I didn't know where you were going, but
21 you motioned to The Court that you needed to ask me
22 something. I didn't know what that was going to be
23 --

24 MR. RECTOR: I didn't want to --

25 THE COURT: -- didn't know what that was going