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May 24 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of General Session

Maite Murphy, Circuit Court Judge

Appellate Case No.: 2024-000583

Ex Parte: South Carolina Commission on Indigent Defense, Respondent,

In Re: The State, Respondent,

V.

Kenneth Henry Eastwood, Appellant.

MOTION FOR WAIVER OF FEES/ALLOCATION OF
INDIGENT FUNDS FOR PURPOSES OF
ORDERING HEARING TRANSCRIPT

In accordance with Rule 607(h) of the SCACR, Appellant Kenneth Henry Eastwood respectfully requests this honorable Court waive the transcript fees required in this matter pursuant to Rule 607(h) of the SCACR or in the alternative order indigent funds be made available to Appellant for the purpose of ordering a copy of the hearing transcript associated with this appeal.

The grounds for this motion are that Appellant has been financially unable to timely order a transcript of the hearing and provide payment for the hearing transcript pursuant to Rules 207 and 607 of the SCACR because of his indigent status. Throughout Appellant's criminal proceedings, he has been found indigent at both the trial and appellate level; and is currently in SCDC custody appealing his criminal conviction. This appeal was filed separately upon Respondent Ex Parte: South Carolina Commission on Indigent Defense objecting to funding orders

that were submitted to them post-trial. Appellant timely filed this appeal upon receiving the trial court's ruling on the matter, but has been unable to obtain the required funds needed to timely order a transcript pursuant to Rules 207 and 607 of the SCACR as part of his appeal. Appellant has prepared the attached transcript request form as required, but has been unable to timely submit it to the court reporter and this Court as a result of his inability to pay the required transcript fees.

For these reasons, Appellant respectfully requests this honorable Court waive the fees associated with ordering the hearing transcript based upon his indigent status, or in the alternative, order that funds be made available to Appellant through the State for purposes of ordering the hearing transcript.

Respectfully submitted by:

May 23, 2024

/s Ashley B. Cornwell
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PROOF OF SERVICE

I certify that I have served the Motion for Funding on Hervery Young, Other Counsel of Record, via email on May 23, 2024, addressed to counsel of record as follows:

Hervery Young
hyoung@sccid.sc.gov

May 23, 2024

/s Ashley B. Cornwell
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