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Dec 20 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of General Sessions

Appellate Case No. 2024-001567

The State Respondent,

v.

Sean Michael Peterson Appellant.

APPELLANT’S MOTION FOR LEAVE TO ORDER TRANSCRIPT OUTSIDE OF THE
FILING DEADLINE

Pursuant to Rules 207 and 263 of the South Carolina Appellate Court Rules, Appellant respectfully moves for an order granting the Appellant Leave to Order the Transcript outside of the filing deadline. Appellant does so move the Court because the undersigned Counsel was under the good faith belief that The South Carolina Commission of Indigent Defense has assumed representation of Appellant. In support of this Motion, Appellant would show that:

1. This Appeal was filed on September 16, 2024;
2. On October 23, 2024, the undersigned spoke by telephone with Robert M. Dudek, Esquire, Chief Appellate Defender, who indicated that he would have a member of his staff send the undersigned an affidavit of indigency for Appellant to complete.

3. On October 24, 2024, the Clerk of this Court issued a letter notifying the parties that this appeal was allowed to proceed and that the transcript needed to be ordered within thirty (30) days.

4. On October 29, 2024, the undersigned received an affidavit of indigency from the South Carolina Commission of Indigent Defense, with a note stating that if approved as indigent, the Commission would order the transcript.

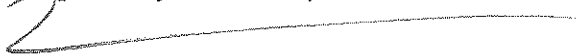
5. On November 1, 2024, the undersigned sent Appellant by first class mail an affidavit of indigency, as well as pre-paid envelope to forward the affidavit to the South Carolina Commission of Indigent Defense.

6. On December 13, 2024, the undersigned sent Appellant by first class mail another affidavit of indigency, as was well as pre-paid envelope to forward the affidavit to the South Carolina Commission of Indigent Defense.

This motion is supported by the attached affidavit of counsel.

Wherefore, Appellant would respectfully request this Court issue an order granting leave to order the transcript outside of the prescribed time limit.

Respectfully submitted,



L. Scott Harvin, Esquire
Attorney for Appellant
Harvin Law Firm, LLC
Post Office Box 139
125 S Walter Street
Walterboro, SC 29488
843-549-6432

STATE OF SOUTH CAROLINA)
)
COUNTY OF COLLETON)

AFFIDAVIT OF
L. SCOTT HARVIN

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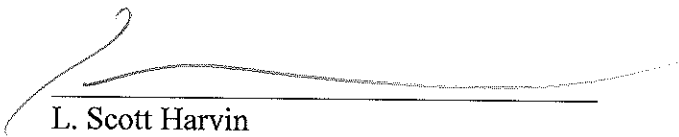
SC Court of Appeals

PERSONALLY APPEARED before me affiant, L. Scott Harvin, who first being duly sworn, deposes and says:

1. Affiant represents Sean Peterson.
2. Affiant filed the appeal on September 16, 2024;
3. On October 23, 2024, the affiant spoke by telephone with Robert M. Dudek, Esquire, Chief Appellate Defender, who indicated that he would have a member of his staff send the undersigned an affidavit of indigency for Appellant to complete;
4. On October 24, 2024, the Clerk of this Court issued a letter notifying the parties that this appeal was allowed to proceed and that the transcript needed to be ordered within thirty (30) days.
5. On October 29, 2024, the undersigned received an affidavit of indigency from the South Carolina Commission of Indigent Defense, with a note stating that if approved as indigent, the Commission would order the transcript.
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7. On December 13, 2024, the undersigned sent Appellant by first class mail another affidavit of indigency, as well as pre-paid envelope to forward the affidavit to the South Carolina Commission of Indigent Defense.

FURTHER AFFIANT SAYS NOT.

12/19, 2024
Walterboro, South Carolina 29488


L. Scott Harvin
Harvin Law Firm, LLC
Post Office Box 139
Walterboro, SC 29488
(843)549-6432

Sworn to before me this 19th day
of December, 2024.

Amber D. Dant
Notary Public for South Carolina
My Commission Expires: 9.27.27.

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In the Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of General Sessions

Maite Murphy, Circuit Court Judge

Appellate Case No. 2024-001567

The State Respondent,

v.

Sean Michael Peterson Appellant.

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing Motion for Leave to Order Transcript Outside of the Filing Deadline has been served upon the following counsel of record by emailing a copy of the same, this 20th day of December 20, 2024.

South Carolina Court of Appeals
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Respectfully submitted,



December 20, 2024

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