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SC Court of Appeals



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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January 29, 2025

The Honorable Jenny Abbott Kitchings  
Clerk of the S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

Re: State of South Carolina v. Brandon Lee Corder  
Appellate Case No. 2023-001543

Dear Ms. Kitchings:

On October 4, 2024, we filed a motion requesting this case be held in abeyance due to discrepancies and likely omissions of testimony in the February 27-28, 2023 and March 1-2, 2023 trial transcripts. This Court issued an order granting the motion on October 21, 2024. Yesterday afternoon I received a revised transcript. Unfortunately, most of the errors that originally required this reconstruction were not addressed. Specifically:

- The revised transcript does not contain material from March 1, 2023, despite one of the purposes for holding the case in abeyance being to combine all days of trial into one transcript. The transcript is labelled as including March 1, but it does not contain any proceedings from that day.
- The approximately three hours of missing transcript where another court reporter was involved on March 1 has also not been addressed. This is despite, as explained in the abeyance motion, there exists an eighteen-minute recording marked from March 1 that appeared to be from that court reporter. Those eighteen minutes have not yet been transcribed.
- As explained in the motion, Court Administration previously indicated that, based on the recording, "Audio Segment A" from the Legal Eagle transcript for March 2 in fact occurred on March 1. In the revised transcript, however, it still appears on March 2. Similarly, it is still not clear if "Audio Segment C" in either Legal Eagle transcript in fact did occur on March 2.
- Testimony from Fred Wine and Suzann Cromer has never been found, even though their testimony is clearly referenced in the solicitor's closing argument.

For all of the foregoing reasons, and others likely still unnoticed, appellant still does not have a transcript sufficient for meaningful appellate review. Appellant respectfully requests that his case continues to be held in abeyance while Court Administration resolves these problems. If the Court would prefer for that request be in the form of a formal motion, that can be provided.

Sincerely,



Jordan Wayburn  
Appellate Defender

JMW/cws

cc: Melody J. Brown  
Tammie Holmes