

**RECEIVED**

**Apr 08 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Richland County

Honorable Charles J. McCutchen, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JAMES EDWARD CARSON,

APPELLANT

APPELLATE CASE NO. 2025-000178

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MOTION TO REINSTATE APPEAL AND FOR  
LEAVE TO ORDER TRANSCRIPT OUT OF TIME

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The undersigned counsel petitions the Court to reinstate the direct appeal of James Edward Carson. In support of this petition, counsel would respectfully show the Court that:

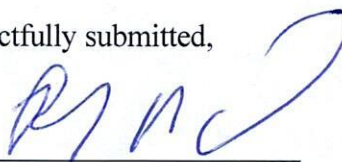
1. Trial counsel served and filed the notice of intent to appeal on January 29, 2025.
2. This Court issued a letter notifying trial counsel of a deficiency in the notice of appeal on February 4, 2025, which this office now knows, after checking C-Track, was cured on February 26, 2025.
3. However, this office was not aware at the pertinent time that the deficiency had been cured. This resulted in the oversight of the deadline to order the transcript.
4. On April 7, 2025, this Court dismissed the appeal due to the failure of appellant to

order the transcript as provided in Rule 207, SCACR.

5. This office ordered the transcript for this appeal today, April 8, 2025. The transcript request and cover letter to the Court Reporter are attached to this motion as Exhibit A.

WHEREFORE, undersigned counsel would respectfully request that his direct appeal be reinstated, and for leave to request the transcript out of time as evidenced by Exhibit A to this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

This 8th day April, 2025.

# EXHIBIT

A



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1345

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

April 8, 2025

Lisa G. Amick  
7098 Jollystreet Road  
Newberry, SC 29108

Dear Ms. Amick:

Please provide us with the following transcript:

The State v. James E. Carson

Case #: 2024-GS-40-03504,  
2024-GS-40-03506

Appellate Case No. 2025-000178

County: Richland

Date of Trial: Jan. 27-28, 2025

Presiding Judge: Heath P. Taylor/Charles J. McCutchen

Pursuant to the SC Court Reporter's Manual, please number the lines on the paper from 1-25 and include any and all recorded motions (pretrial and post-trial). Consecutive numbering of pages must be used throughout all volumes regardless of the number of volumes involved. Additionally, please transcribe the **jury selection** and the State and defense counsel's **opening and closing arguments** and include the **jury strike sheet**. Please be sure to include **headers** and a **complete index** including a **listing of exhibits**. **Please, do not include keyword indexing.**

If you are aware of any co-defendants, additional transcripts, or if the Attorney General's Office has already requested a transcript, please let us know.

Please send transcripts electronically, you must use the SC Department of Technology's file transfer service at <https://scfiledrop.sc.gov>. New users click the register button to sign up for the service. For assistance with registration or passwords, contact the SC Department of Technology Service Center at 803-896-0001, option 2.

To ensure prompt payment, please sign and complete the enclosed form and include the original criminal case number (indictment number) where the space is provided.

Sincerely,

s/Sara McInnis  
Administrative Assistant

cc: S. C. Court of Appeals  
Attorney General's Office  
S. C. Court Administration



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

## COURT REPORTERS' REQUEST FOR PAYMENT FOR TRANSCRIPT IN CRIMINAL INDIGENCY CASE

**TO: SC COMMISSION ON INDIGENT DEFENSE**  
PO BOX 11589  
COLUMBIA, SC 29211-1589

SIGNATURE OF APPROVING OFFICIAL AT APPELLATE DEFENSE:

FORWARD THIS SIGNED AND COMPLETED FORM ALONG WITH THE REQUESTED TRANSCRIPT TO THE SC COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION. THE SC COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION WILL APPROVE THIS REQUEST FOR PAYMENT AND FORWARD THE REQUEST TO THE S.C. COMMISSION ON INDIGENT DEFENSE FOR PAYMENT. ALL QUESTIONS REGARDING PAYMENT SHOULD BE MADE TO THE S.C. COMMISSION ON INDIGENT DEFENSE P.O. BOX 11433, COLUMBIA, SC 29211-1433, PHONE: (803) 734-1343, E-Mail: [executive@sccid.sc.gov](mailto:executive@sccid.sc.gov).

CASE NAME:

CRIMINAL CASE (INDICTMENT) NO.(s):

DATE TRANSCRIPT REQUESTED BY APPELLATE DEFENSE:

DATE TRANSCRIPT PROVIDED TO APPELLATE DEFENSE:

**PLEASE NOTE THAT THE DEFENSE OF INDIGENTS FUND WILL REIMBURSE THE REQUESTING PARTY FOR EITHER THE ORIGINAL TRANSCRIPT OR ONE COPY, BUT NOT FOR BOTH. PLEASE DO NOT INCLUDE KEYWORD INDEXING.**

RULE 607 (H)(1), SCACR, PROVIDES THAT IN ALL CRIMINAL INDIGENCY CASES, INCLUDING POST-CONVICTION AND SEXUAL VIOLENT PREDATOR PROCEEDINGS, THE FEE FOR THE ORIGINAL TRANSCRIPT IS FOUR DOLLARS AND TWENTY-FIVE CENTS (\$4.25) PER PAGE AND THE FEE FOR A COPY OF THE TRANSCRIPT IS ONE DOLLAR (\$1.00) PER PAGE.

PURSUANT TO THE REQUEST OF THE S.C. COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION, THE TRANSCRIPT IN THE ABOVE MATTER WAS PROVIDED TO THAT OFFICE. REIMBURSEMENT IN THE FOLLOWING AMOUNT IS HEREBY REQUESTED:

- ORIGINAL TRANSCRIPT OF \_\_\_\_\_ PAGES: \$ \_\_\_\_\_
- COPY OF ORIGINAL TRANSCRIPT OF \_\_\_\_\_ PAGES: \$ \_\_\_\_\_
- OTHER (Please specify): \_\_\_\_\_: \$ \_\_\_\_\_

**TOTAL PAYMENT REQUESTED:**

\$

PRINTED OR TYPED NAME OF COURT REPORTER:

SIGNATURE OF COURT REPORTER:

ADDRESS:

A SC VENDOR IDENTIFICATION NUMBER, WHICH IS ISSUED BY THE SC COMPTROLLER GENERAL'S OFFICE, AND IS NEITHER A FEDERAL EMPLOYER IDENTIFICATION NUMBER NOR AN INDIVIDUAL SOCIAL SECURITY NUMBER, IS REQUIRED FOR PAYMENT PROCESSING. (SCCID DOES NOT REQUIRE A FEI OR SSN)

PHONE NUMBER:

IF YOU DO NOT HAVE A SC VENDOR ID NUMBER, APPLY HERE:  
<https://webprod.cio.sc.gov/SCVendorWeb/mainNewFrame.do>

EMAIL ADDRESS:

NOTE: ONCE YOU APPLY FOR A SC VENDOR ID, THE SC COMPTROLLER GENERAL'S OFFICE REQUIRES A 72-HOUR WAITING PERIOD TO VERIFY YOUR ID NUMBER. ADDITIONAL LINKS AND INFORMATION MAY BE FOUND AT:

<http://sccid.sc.gov/register.cfm>

VENDOR ID NUMBER:

SCCID USE ONLY:

SCCID FILE NUMBER:

DOCUMENT NUMBER:



# South Carolina Judicial Branch

## TRANSCRIPT REQUEST FORM

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter/Transcriptionist and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). If WebEx or DCRP were used to capture the record, please indicate below and send the form to [transcripts@sccourts.org](mailto:transcripts@sccourts.org).

Requestor's Information			
<b>Full Name</b> Sarah McInnis	<b>Law Firm/Agency</b> South Carolina Commission on Indigent Defense	<b>Phone Number</b> 803-734-1330	
<b>Email Address</b> dwhite@sccid.sc.gov		<b>Mailing Address</b> PO Box 11589 Columbia, SC 29211	
Is the requestor a party in the case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, does the requestor represent a party? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of party _____			
Transcript Information			
<b>Docket Number</b> 2024-GS-40-03504, 2024-GS-40-03506	<b>Full Case Caption</b> (i.e. State v. John Doe or John Smith v. Jane Smith) The State v. James E. Carson		<b>Circuit</b> <input checked="" type="checkbox"/> <b>Family</b> <input type="checkbox"/>
<b>Date(s) of Proceeding</b> Jan. 27-28, 2025	<b>County</b> Richland	<b>Appeal pending</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Death Penalty</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Presiding Judge</b> Heath P. Taylor		<b>Special Circumstances</b> Is the hearing to be transcribed one of the following: <input type="checkbox"/> Termination of parental rights <input type="checkbox"/> Adoption <input type="checkbox"/> Any actions involving child custody/visitation.	
<b>Opposing Counsel(s)</b> (name and email address) South Carolina Attorney General			
<b>Court Reporter(s)</b> Lisa G. Amick	<input type="checkbox"/> Webex <input type="checkbox"/> DCRP		
<b>Portion of proceeding to be transcribed</b> <input checked="" type="checkbox"/> Entire hearing <input type="checkbox"/> Voir dire by juror <input type="checkbox"/> Jury selection <input type="checkbox"/> Plaintiff's opening statement <input type="checkbox"/> Defendant's opening statement <input type="checkbox"/> Plaintiff's closing arguments <input type="checkbox"/> Defendant's closing arguments <input type="checkbox"/> Entire direct examination <input type="checkbox"/> Entire cross examination <input type="checkbox"/> Entire redirect <input type="checkbox"/> Examination of witness (W) by attorney (A) <b>W:</b> _ <b>A:</b> <input type="checkbox"/> Ruling of the court		<b>Delivery Timeframe</b> (check Rule 607 for current page rates) <input type="checkbox"/> Quote <input type="checkbox"/> Rough Draft <input type="checkbox"/> Overnight delivery <input type="checkbox"/> Daily delivery <input type="checkbox"/> Expedited delivery (7 days) <b>Due on/before:</b> _____ <input type="checkbox"/> Regular delivery (60 days)	
		<b>Delivery Method</b> (additional fees may apply) <input type="checkbox"/> <a href="https://scfiledrop.sc.gov">https://scfiledrop.sc.gov</a> <input type="checkbox"/> Hard Copy/Priority Mail (\$50 + shipping) <input type="checkbox"/> PDF & Hard Copy/Priority Mail (\$50 + shipping)	
		<b>Responsible Payor</b> <input type="checkbox"/> Private / Self <input checked="" type="checkbox"/> Court Appointed Counsel Appeals Attorney _____ Email _____ <input type="checkbox"/> Other	
<b>Next Hearing Date</b>			

**Requestor's Signature:** Sarah McInnis

**Date:** 04/08/2025

(Typed name will serve as signature)

**NOTE:** Requests will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party, regardless of indigent status. Please promptly submit your payment in the method of payment requested, in order for the transcript to be produced. In some cases, a deposit may be required before the transcript can be placed in the production queue. You may also request a quote before deciding to order. **If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.**

If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter or transcriptionist.

**White, Della**

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**From:** Transcripts@sccourts.org  
**Sent:** Tuesday, April 8, 2025 12:12 PM  
**To:** White, Della  
**Subject:** [External] Transcript Request for Docket Number 2024GS4003504

Greetings,

You are receiving this notice and the **summarized Transcript Request shown below** because you are associated with case **The State of South Carolina vs Carson, James Edward**. Pursuant to Rule 207(a)(1), SCACR, you are being notified that the transcript has been requested on **4/8/2025**. There is no action required.

If you need further assistance, please contact us at transcripts@sccourts.org.

Regards,

Court Administration

Summarized Transcript Request ID: **1538322747**

## **Requester Information:**

**Name:** Della White  
**Entity:** Agency SCCID  
**Email:** dwhite@sccid.sc.gov  
**Is the requester a party on the case?** No  
**Does the requester represent a party?** Yes James Carson

## **Transcript Information:**

**Docket Number:** 2024GS4003504  
**Court Type:** Circuit  
**County:** Richland  
**Case Caption:** The State of South Carolina vs Carson, James Edward  
**Appeal Pending?** Court of Appeals  
**Death Penalty?** No  
**Start Date of Proceeding:** 1/27/2025  
**End Date of Proceeding:** 1/28/2025  
**Presiding Judge:** Taylor, Heath P.  
**Court reporter daily assignments:**  
**1/27/2025 (Monday):** Amick, Lisa G.

**1/28/2025 (Tuesday):** Amick, Lisa G.

**Opposing Counsel and/or other parties information:**

(Attorney) Megan Ashley Eigenbrot

(Defendant) James Edward Carson

**Next hearing date:** *Date not entered*

**Portion of proceeding to be transcribed:** Entire Hearing

## **Delivery Information:**

**Delivery Timeframe:** Regular Delivery (60 days)

**Delivery Method:** PDF/Email

**Delivery Timeframe:** Court Appointed Counsel

**Appeals Attorney:** SCIID

**Email:** [dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)

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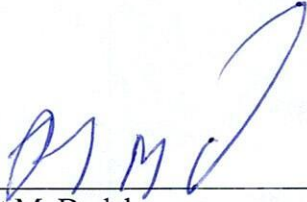
APPELLATE CASE NO. 2025-000178

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CERTIFICATE OF SERVICE

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The undersigned attorney hereby certifies that a true copy of the Motion to Reinstate the Appeal in the above referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 8th day of April, 2025.

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender