

RECEIVED

OCT 11 2013

SC Court of Appeals

Dear Clerk:

Enclosed please find a motion to be furnish transcript I am requesting you to file with The Court. Also I am in need of A copy Attachment (H) its my original and SCDC would not provide me with copies in any event could you please ~~be~~ forward the attorney General a copy of Attachment (H) Also.

Finally clerk SCDC have lost, destroy or misplaced the "Explanation" that was filed in my case when I requested copies. Could you "please" send me a copy of the Explanation because I will need it to furnish the Record on Appeal. Thanks.

Antonio Gordon

10-8-2013

In The State of South Carolina
In The Court of Appeals

Appeal From York County
John C. Hayes, III, Circuit Court Judge

Appellate Case No. 2013-000995

State of South Carolina

Respondent

Antonio Gordon

v.

Appellant

Motion To Be Furnish Transcript

The Appellant hereby motion this Court to order Respondent to furnish the transcript under the 5th and 14th Amendment U.S. Const.

The Appellant assert he should be furnish with the transcript Pursuant to due Process of law and Equal Protection of the law. Appellant assert he is a Pauper. See FN1 As Griffin holds, once the State chooses to establish "Appellate review" in "Criminal Cases", it may not foreclose indigents from any phase of that Procedure because of their Poverty. 351 U.S. at Pages 18122, 76 S.Ct at Pages 590, 592. In Mayer V. City of Chicago, 92 S.Ct 410, the Court held whether Appeal in state criminal trial is "discretionary or as of right" does not affect indigent's right to transcript, since indigent's must have the same Opportunities to invoke the discretion of the Court's as those who can afford the cost.

Appellant assert he is indigent, see Attachment (H) and that Pursuant to Rule 207 SCACR, he must furnish the transcript and a failure to do so will foreclose the Appellant to Appellate review under Rule 231 (A) SCACR. Therefore, the Appellant request this Honorable Court to order Respondent to furnish the transcript, failure to do so will foreclose Appellant from Appellate review. Citing Griffin, 76 S.Ct. at Pages 590, 592.

Antonio Gordon

FN1 The Appellant wrote the South Carolina Court of Appeals clerk of Court to receive the proper papers to file Forma Pauperis and never received a Response back, see Attachment (J), Appellant wrote the Court Reporter and was told they do not provide free transcripts. See Attachment (C)

STATE OF SOUTH CAROLINA
IN the Court of Appeals

APPEAL FROM YORK COUNTY
COURT of GENERAL SESSIONS
JOHN C. HAYES, III, Circuit Court Judge

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SC Court of Appeals

Appellate Court Case No. 2013-000975
Circuit Court Case No. 1998-GS-46-2847;2850;2851;2852

STATE OF SOUTH CAROLINA, Respondent,
V.
ANTONIO GORDON, Appellant.

CERTIFICATE OF SERVICE

The Pro-se, Appellant, Antonio Gordon, hereby certifies that one copy of the ~~Motion to Be~~ Motion to Be furnish transcript ~~to be furnished~~ in the above case has been served upon opposing counsel, Sally W. Elliot, Assistant Deputy Attorney General, office of the Attorney General, P.O. Box 11549, Columbia, SC 29211, by depositing in the U.S. mail with proper postage, this 8 day of October 2013.

Antonio Gordon
Antonio Gordon 259798

Sworn to before me this ~~11th~~
8 day of OCT 2013

Notary Public for South Carolina

Jumpa C. Frank

My Commission Expires: 01-31-2020

END

Wanda S. Nelson, CVR-M
Official Court Reporter
Post Office Box 749
York, SC 29745

Attachment (c)

Date: September 3, 2013

ACKNOWLEDGEMENT OF RECEIPT OF
LETTER REGARDING TRANSCRIPT OF RECORD

TO: Antonio Gordon # 259798
Evans Correctional Institute
610 Hwy. 9 West
Bennettsville, South Carolina 29512

DATE OF HEARING: March 4, 2013

CAPTION: State of South Carolina v. Antonio Gordon

Case No.: 1998-GS-46-02847; 02849; 02850

This is to acknowledge that on August 30, 2013, I received your letter dated August 28, 2013, requesting the transcript of record in the above-referenced matter. I do not give out free transcripts.

Rule 607 provides that the rate of \$3.25 shall be charged per page for a transcript. Based on the current rate, the estimated cost could/will be \$350.00. **Upon receipt of your money order, cashier's check, (NO PERSONAL CHECKS) in the amount of \$350.00 toward the deposit to prepare the transcript, I will be able to place your request in line for preparing.** If the transcript is less than the estimated pages, I will refund the difference to you upon delivery of the transcript. If the transcript is more than the estimated pages, the balance will be due prior to delivery of the transcript.

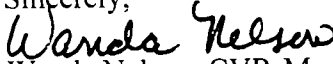
Under our rules, I have sixty days in which to complete the transcript, after receipt of the deposit. In addition, I am allowed to request from Court Administration thirty days extensions, if necessary, to complete the transcript. You will be notified if extensions are granted.

If you desire to cancel the request for the transcript, a cancellation request must be made in writing. You will be responsible for payment of any portion of the transcript that has been completed.

Should you have any questions regarding the above information, please contact me at the above address.

Thank you for your request in this matter.

Sincerely,


Wanda Nelson, CVR-M
Official Court Reporter
Sixteenth Judicial Circuit

Antonio Gordon 259788

ECI smu

610 Hwy 9 West

Bennettsville, SC 29512

Attachment (J)

Dear Clerk:

~~2013~~ August 25, 2013

I am the Appellant in state v. Antonio Gordon, case no. 98-65-46-2847; 2849; 2850; 2851; 2852, Counsel Jeremy A. Thompson, esquire have filed a motion to be relieved as counsel in the above case and the Appellant have filed a motion for appointment of counsel in the matter do to his indigency. Counsel provided Appellant with an affidavit of indigent form and in return provided to Appellate Defense whom declined to represent me on the basis their office does not represent indigent defendant's on appeal from A Rule 29(b) motion.

However, due to Appellant's indigent status he will motion the court of appeal to proceed in forma pauperis concerning briefing and preparation of the Record on Appeal set forth in SCACR Rules 207 through 222. "I am in need of the proper forms," to fill out and return back to your Honor court. Thanks

Antonio Gordon

INMATE TRUST FUND ACCOUNT REPORT
for SOUTH CAROLINA COURT FILING FEES

Gu...

INSTRUCTIONS TO INMATE: Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

MA0232A

INMATE NAME (print) Antonio Gordon

Attachment (H)

SCDC# 259798

INMATE SIGNATURE: Antonio Gordon

I plan to file this action in the SC County of South Carolina Court of Appeals
Columbia, SC 29210

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period* \$ 0
- (2) Twenty percent (20%) of line 1 \$ 0
- (3) Account balance - current date \$ 3.63
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3)
Enclosed check # \$ 0

****NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections
Financial Accounting - Room 234
PO Box 21787
Columbia, SC 29221-1787

*Admission date is noted here if inmate incarcerated less than six months 1/1/13

[Signature]
Prepared by Financial Accounting Branch - SCDC

9/20/13

Date 9/20/13 ©2013 SCDC Prepared 7/97

Antonio Gordan 259798
ECI Smu A 232
660 Hwy 9 West
Bennettsville, SC 29512

0CT 09 2013

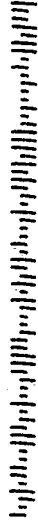


02 1M
0008002055
\$ 00.66⁰
OCT 09 2013
MAILED FROM ZIP CODE 29512

South Carolina Court of Appeals
Jenny Abbot Kitching clerk
Post Office Box 11629
Columbia, SC 29211

LEGAL MAIL USE ONLY

29211162929



THE DEPARTMENT OF CORRECTIONS HAS NEITHER
CENSORED NOR INSPECTED THIS ITEM. THERE-
FORE THE DEPARTMENT DOES NOT ASSUME
RESPONSIBILITY FOR ITS CONTENTS.

EVANS CORRECTIONAL INSTITUTION
S. C. DEPARTMENT OF CORRECTIONS