

David Benjamin 354583

October 22, 2013

Perry Corr. Inst. Q3A-115

430 Oaklawn Rd

Pelzer SC 29669

RECEIVED

OCT 25 2013

Appellate Case #: 2013-001496

SC Court of Appeals

Dear Honorable Deputy Clerk Claire Allen

In reply to your letter dated October 17, 2013 the applicant in this case on notice of appeal retain Brown Stone An Appellate Litigation Law Firm 400 North New York Ave., Suite 215 Winter Park, Florida 32789. On September 18, 2013 Brown Stone Appellate Litigation Law Firm paralegal Ashley Baez contacted me Mr. David Benjamin with notice of stipulation of counsel that the substitution for Wendy J. Keefer Esq would be James Goldsmith Jr. Esq located at P.O. Box 92 Zirconia N.C. 28790 and contact number is (877) 288-4876. The applicant was notified by counsel Mr. James Goldsmith Jr that he will be handling my notice of appeal in South Carolina Court of Appeals and would be requiring to order all transcripts and file cases the applicant was notified by counsel that the court reporter was granted an extension for time to deliver the trial transcript which I still have have not received. I request your assistance, could you please check your data-base for the information of the name of the court reporter which would be handling the trial transcripts while I may contact the court reporter and notify my

Counsel Mr. James Goldsmith that he should take
necessary actions to order the trial transcripts
and pair my notice of appeal for petition writ of certiorari.
Therefore I request that you make contact and forward
a copy of my letter to attorney at law Mr. Goldsmith Jr.

CC: D. B.

cc: D. C. A

Respectfully Submitted
David Benjamin

State of South Carolina } In The Court of Appeals
County of Greenville }
David Benjamin 354583 } Appellate Case #: 2013-001496
Appellate }
VS } Proof of Service
State of South Carolina }

To The Respondent

I David Benjamin 354583 hereby certified that a true copy of a letter dated Oct. 22, 2013 to your honorable Deputy Clerk Claire Allen notifying the court in reply to her letter dated October 17, 2013 where by a true copy has been placed in the United States Mail address below

South Carolina Court of Appeals
P.O. Box 11629
Columbia, -South Carolina 29211.

RECEIVED

OCT 25 2013

SC Court of Appeals

Sworn before me this day
22nd of October 2013

Notary Nancy C. Mulder
Expires 1-23-2023

~~David Benjamin~~
David Benjamin
Perry Corr. Inst.
430 Oaklawn Rd
Pelzer, S.C. 29669

State of South Carolina }
County of Greenville }
David Benjamin 354583 } Appellate Case #: 2013-001496
Appellate }
vs } Affidavit By David Benjamin
State of South Carolina }

I, David Benjamin 354583 swear upon oath that all information in this affidavit given by David Benjamin is true and correct along with all necessary exhibit attachments.

1) I, David Benjamin is in the custody of SCDC at 430 Oaklawn Rd Pelzer S.C 29669.

2) On September 23, 2013 Inmate David Benjamin received legal mail at Perry Corr. Inst. Mail room from Brown Stone An Appellate Litigation Law Firm 400 North New York Ave., Suite 215 Winter Park Florida 32789 (Exhibit A)

3) On September 18, 2013 a legal letter for notice of substitution of Counsel replacing Wendy J. Keefer Esq for James Gold Smith Jr Esq (Exhibit B)

4) I, David Benjamin received cover letter dated September 18, 2013 from Brown Stone Law Firm (Exhibit C)

I David Benjamin swear that all information is true that
is given upon this day October 22, 2013

Subscribed before me this day

~~22nd~~ of October 2013

~~S. David Benjamin~~

Notary ~~Nancy C. Muehler~~

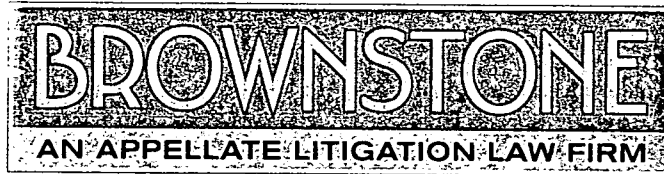
David Benjamin

Expires ~~1-23-2023~~

Perry Carr Inst

430 Oaklawn Rd

Pelzer, S.C. 29669



LEGAL MAIL

September 18, 2013

David J. Benjamin (#354583)
Perry Correctional
430 Oaklawn Road
Pelzer, Sc 29669

Re: The State of South Carolina v. David Jamar Benjamin
Case No.:

Dear Mr. Benjamin:

Enclosed please find a copy of the Notice of Stipulation of Counsel. Please review and sign the stipulation form provided and mail back in the enclosed envelope. Should any question or concern arise, please contact me at your earliest convenience.

Sincerely,

BROWNSTONE, P.A.

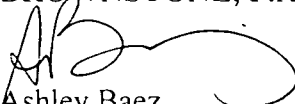

Ashley Baez
Paralegal

Exhibit C

Enc.

PRIDE. PASSION. AND THE PURSUIT OF WINNING THE ARGUMENT ON APPEAL

Phone 407.388.1900 • Fax 407.622.1511

400 North New York Ave., Suite 215 • Winter Park, Florida 32789

www.brownstonelaw.com

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CALHOUN COUNTY
Court of General Sessions

Diane Schafer Goodstein, Circuit Court Judge

Appellate Case No. 2013-001496

David Jamar Benjamin

Appellant,

v.

State of South Carolina,

Appellee.

Exhibit B

NOTICE OF SUBSTITUTION OF COUNSEL

You are notified that DAVID JAMAR BENJAMIN, the Appellant, in the above action, has substituted JAMES GOLDSMITH, JR., Esq., of BROWNSTONE, P.A., 400 N. New York Ave., Suite 215, Winter Park, Florida, (407) 388-1900, as attorney of record in this cause in place of WENDY J. KEEFER, ESQ. A copy of the parties' stipulation to the substitution of counsel is attached as Exhibit "A", and incorporated by reference. All court orders and other documents in this action should now be served on JAMES GOLDSMITH, ESQ. at the above stated address.

Dated:

James Goldsmith, Jr., Esq.
South Carolina Bar No. 2175
BROWNSTONE, P.A.
400 N. New York Ave.
Suite 215
Winter Park, Florida 32789
Attorney for Appellant

Other Counsel of Record and Interested Parties:

David Zelenka, Esq.
Assistant Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, South Carolina 29201

Jenny Abbott Kitchings
Clerk of Court
P.O. Box 11629
Columbia, South Carolina 29211