



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Wanda H. Carter, Interim Chief Appellate Defender

RECEIVED
Oct 20 2025
SC Court of Appeals

October 20, 2025

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: The State v. Shane A. Byerly, Appellate Case No. 2025-000304

Dear Ms. Kitchings:

Please accept this letter in lieu of a formal motion to hold this case in abeyance. The initial brief of appellant and designation of matter in the above case are due to be served and filed today, October 20, 2025. No extensions have been granted. On October 8, 2025, my office requested the transcript of a pretrial hearing held on February 7, 2025, in Mr. Byerly's case. Initially, my office was not aware that this transcript was necessary for the appeal. However, I recently spoke to trial counsel who stated that this transcript is critical. A copy of our transcript request is enclosed.

Additionally, by letter dated October 2, 2025, I formally challenged the trial transcript dated February 10-12, 2025, in Mr. Byerly's case, and requested the court reporter provide a corrected transcript. My letter to the court reporter enclosed an errata, which outlined 332 instances in which "inaudible" appeared throughout the transcript, six instances of transcribed videos/audio recordings, and 27 bench conferences that were not transcribed. As of today, I have not received a corrected transcript. A copy of my letter to the court reporter is also enclosed.

I respectfully request the Court hold the time limits for filing the initial brief of appellant and designation of matter in abeyance pending receipt of this additional pretrial transcript as well as the corrected trial transcript. If you need any additional information or if the Court would prefer a formal motion, please do not hesitate to contact me.

Sincerely,

Lara M. Caudy
Senior Appellate Defender

LMC/sm

cc: Mark R. Farthing, Esquire

Enclosures



SCCID

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Wanda H. Carter, Interim Chief Appellate Defender

October 2, 2025

Ms. Latasha Jefferson
Legal Eagle
P. O. Box 5682
Greenville, SC 29606
depos@legaleagleinc.com (via email)

Re: The State v. Shane Andrew Byerly, 2023-GS-10-05614
Trial Transcript Dated February 10-12, 2025

Dear Ms. Jefferson:

Our office is in receipt of the 519 page trial transcript in the above referenced case that you transcribed. With this letter, I am formally challenging the accuracy of this transcript. Attached is the errata, outlining 332 instances in which “inaudible” appears throughout the trial transcript, six instances of transcribed videos/audio recordings, and 27 bench conferences that were not transcribed. Please respond to this correspondence estimating when the corrected trial transcript will be provided.

Sincerely,

Lara M. Caudy
Senior Appellate Defender

LMC/sm

cc: Court Reporting Section Management
Mark R. Farthing, Esquire

From: [White, Della](#)
To: [Mcinnis, Sara](#)
Subject: FW: [External] Transcript Request for Docket Number 2023GS1005614
Date: Wednesday, October 8, 2025 3:07:38 PM

For your records!

From: Transcripts@sccourts.org <Transcripts@sccourts.org>
Sent: Wednesday, October 8, 2025 3:07 PM
To: White, Della <dwhite@sccid.sc.gov>
Subject: [External] Transcript Request for Docket Number 2023GS1005614

Greetings,

Please accept this email and the **summarized Transcript Request shown below** as confirmation that the online transcript request that you submitted has been received by our office. You should receive communication from a transcriptionist within five (5) business days with an estimated cost for production.

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

Regards,

Court Administration

Summarized Transcript Request ID(s): **1733021660**

Requester Information:

Name: Della White

Entity: Agency SCCID

Phone Number: (803) 734-1330

Email: dwhite@sccid.sc.gov

Address: 1330 Lady Street Columbia, SC 29201

Is the requester a party on the case? No

Does the requester represent a party? Yes Shane Byerly

Transcript Information:

Docket Number: 2023GS1005614

Court Type: Circuit

County: Charleston

Case Caption: The State of South Carolina vs Byerly, Shane Andrew

Appeal Pending? Court of Appeals

Death Penalty? No

Start Date of Proceeding: 2/7/2025

End Date of Proceeding: 2/7/2025

Presiding Judge: Marvin H. Dukes, III

Court reporter daily assignments:

2/7/2025 (Friday): Johnson, Caressa, DCRP

Opposing Counsel and/or other parties information:

(Attorney) Christopher Ga Hamilton

(Defendant) Shane Andrew Byerly

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: SCCID

Email: dwhite@sccid.sc.gov

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