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Dec 12 2025
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Honorable Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

NATHAN MILES GINTER,

APPELLANT.

APPELLATE CASE NO. 2024-001830

MOTION FOR ABEYANCE PENDING RECEIPT OF CORRECTED TRIAL TRANSCRIPT

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, undersigned counsel requests an order holding this appeal in abeyance pending receipt of a corrected trial transcript.

Appellant was indicted for four counts of unlawful conduct towards a child (2022-GS-40-05213, 2022-GS-40-05214, 2022-GS-40-05215, and 2022-GS-40-05216) by the Richland County grand jury on November 11, 2022. On June 10, 2024, appellant was tried for these charges *in absentia* before the Honorable Robert E. Hood and a jury. Appellant was represented by retained counsel Brett Perry. Assistant Solicitors Anna Browder, Kathryn Cavanaugh, and Gabrielle Sharp prosecuted the case. On June 12, 2024, Appellant was found guilty as indicted. On October 22,

2024, appellant was sentenced to a term of ten (10) years' incarceration on each charge, to run consecutively. Appellant has been unable to obtain a true and complete transcript of this trial, as will be discussed below.

This case was not assigned to a live court reporter, but was recorded by the Digital Court Reporter Project (DCRP). The first 378-page transcript delivered on or about October 31, 2025, by subcontractor Legal Eagle and transcribed by Jessica Antonucci¹, contained 664 instances of "inaudible" testimony and pleadings and various scrivener's errors, lacked timestamps throughout the proceedings including jury deliberations, lacked notations of entered evidence on the exhibits index, and lacked fifty-three (53) minutes of known missing audio during the state's closing argument. On December 8, 2025, the undersigned submitted a Transcript Challenge, along with a thirteen-page *errata*, to Court Administration and to Ms. Antonucci. Ex. A (Transcript Challenge and *Errata*). On December 10, 2025, a corrected trial transcript was delivered to Appellate Defense by Legal Eagle, still containing all 664 instances of "inaudible" testimony, still lacking timestamps for the entirety of the proceedings, and still lacking fifty-three minutes of known missing audio. Legal Eagle averred that timestamps could not be applied to the transcript due to the condition of the audio files received from Court Administration. Ex. B (Transcript Revision Correspondence from Legal Eagle). Upon receipt of the transcript revision, undersigned counsel communicated to Court Reporter Section Manager Tammy Holmes that the transcript challenge would proceed in light of the unsatisfactory result. Ms. Holmes responded to that correspondence estimating that

¹ The certificate of transcriber lacks the appropriate designation of certification listed in Section III of the Court Reporter Manual for South Carolina
<https://www.sccourts.org/courtreporter/CourtReporterManual.pdf>

another corrected transcript would be provided to the undersigned on or before January 10, 2026.

Exhibit C (Response from Court Administration)

The trial court has the authority to set the record for appeal. *State v. Ladson*, 373 S.C. 320, 324, 644 S.E.2d 271, 273 (Ct. App. 2007). “[T]he inability to prepare a complete verbatim transcript, in and of itself, does not necessarily present a sufficient ground for reversal.” *Id.* (internal citations omitted). “Where a trial transcript has been lost or destroyed, a court may remand to have the record reconstructed.” *Koon v. State*, 358 S.C. 359, 367, 595 S.E.2d 456, 460 (2004); *see also Whitehead v. State*, 352 S.C. 215, 221, 574 S.E.2d 200, 203 (2002) (holding that when a transcript has been lost or destroyed, an appellate court may remand to have the record reconstructed).

The absence of large portions of the trial transcript in the present matter, including pre-trial motions, the decision to try appellant *in absentia*, the testimony of numerous witnesses including the minor complainants, a substantial portion of the charge conference, and both the state and defense closing arguments prevents a meaningful appellate review absent an accurate record of the missing pleadings and testimony and acknowledgement of the factual and legal basis for issues surrounding the same. In the transcript’s current state, there is no opportunity for meaningful appellate review.

The undersigned has contacted Mark R. Farthing, counsel for the state, and has been informed that the state has no objection to this motion.

WHEREFORE, Appellant requests an order holding the present appeal in abeyance pending receipt of the revised trial transcript from Court Administration. While this motion is pending, Appellant asks this Court to hold the timelines for filing his initial brief of appellant and designation of matter in abeyance.

Respectfully submitted,



W. Chandler Norville
Appellate Defender

Attorney for Appellant

This 12th day of December 2025.



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
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Wanda H. Carter, Chief Appellate Defender

December 8, 2025

Ms. Jessica Antonucci
Certified Transcriber, Legal Eagle
PO Box 5682
Greenville, SC 29606
depos@legaleagleinc.com
(via email)

Re: The State v. Nathan Miles Ginter
Appellate Case No. 2024-001830
Trial Transcript June 10-12, 2024

Dear Ms. Antonucci:

Our office is in receipt of the 378-page June 10-12, 2024 trial transcript transcribed by you in the above-entitled case. With this letter, and the enclosed 13-page errata outlining various scrivener's errors, 664 instances of "inaudible" proceedings, and fifty-three (53) minutes of known missing audio, I am formally challenging the accuracy of this transcript.

Please respond to this correspondence estimating when a corrected transcript will be provided.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Chandler Norville", written in a cursive style.

W. Chandler Norville
Appellate Defender

WCN/kpw

cc: Tammy Holmes, SC Judicial Branch Court Reporting Section Manager
Mark R. Farthing, Esquire

Enclosure: June 10-12, 2024 Trial Transcript Errata

EXHIBIT A

The State v. Nathan Miles Ginter Trial Transcript June 10-12, 2024 Errata

Cover Page: Location should read as “In the Court of General Sessions, Fifth Judicial Circuit” rather than “In the Circuit Court 5” and the location should read as “Richland County Courthouse” rather than “Richland.” The address for the transcriber lacks the PO Box number.

p. 2: The exhibits index should appear as page 2, before the index.

pp. 6-9: This exhibits index lacks multiple exhibits entered during the transcribed portions of the trial.

p. 10- transcripts for multi-day trials should begin with a notation of the date and time stamp of the proceedings.

p. 10, ll. 16-17: “we did send notice and we have made (inaudible) court exhibits”

p. 10, ll. 22-23: “he sent it to Mr. Ginter via (inaudible)”

p. 11: 15 instances of “inaudible”

p. 12, ll. 8-10: “I have a (inaudible) of templates”

p. 12, ll. 24-25: “that’s what my (inaudible) and router”

p. 13, ll. 1-3: “I did not (inaudible) that I did...I remember...putting it in an envelope (inaudible) and they...”

p. 16, ll. 5-6: “There should be 215 and 216 (inaudible)”

p. 16, ll. 11-13: “The warrant was very clear (inaudible)...and the discovery is very clear as to (inaudible)”

p. 18, l. 7: “an hour (inaudible)”

p. 18, l. 15: “MR. PERRY: (inaudible)”

p. 28, l. 5: “These (inaudible) okay.”

p. 28, ll. 20-21: “affirm that you’ll tell the truth (inaudible) questions (inaudible)”

p. 28, l. 24: “JURY PANEL: (inaudible)”

p. 31, l. 1: “MS. ALEXANDER: (Inaudible) Alexander”

p. 31, l. 3: “MS. ALEXANDER: (Inaudible) three.”

p. 32, l. 14: “MR. JOHNSON: (inaudible)”

p. 35, l. 14: “MS. MANLEY: (inaudible)”

p. 38, l. 21: “(inaudible) Jones”

p. 39, l. 2: “MS. ALEXANDER: (inaudible) Alexander”

p. 39, ll. 5-6: “My uncle is retired (inaudible) captain in (inaudible) county”

p. 40: 8 instances of “inaudible” and 3 instances of an unidentified “female voice” speaking

p. 41: 6 instances of “inaudible” and 2 instances of an unidentified “male voice” speaking

EXHIBIT A

- p. 42: 7 instances of “inaudible”
- p. 44, l. 13: “juror number 343 (inaudible)”
- p. 45, ll. 11-14: “my young cousin was (inaudible)...THE COURT: so your cousin...(inaudible)”
- p. 46, l. 2: “my children were (inaudible)”
- p. 46, ll. 17-18: “this case involves (inaudible)”
- p. 46, l. 25: “JUROR NO. 314 (inaudible)”
- p. 47, l. 5: “I think I can (inaudible)”
- p. 47, l. 12: “my sister was (inaudible)”
- p. 48: 8 instances of “inaudible”
- p. 49, l. 20: “THE COURT: (inaudible)?”
- p. 50, l. 23: “JUROR NO. 140: (inaudible)”
- p. 51, ll. 18-19: “your ability to be fair and impartial in this case? (inaudible)”
- p. 52, ll. 4-10: “JUROR NO. 312: (inaudible)...THE COURT: speak up. JUROR NO. 312: (inaudible). THE COURT: tell me about it. JUROR NO. 312: (inaudible) allegation”
- p. 53, l. 9: “I’m a therapist (inaudible)”
- p. 53, ll. 14-15: “I’m a licensed (inaudible) but it was more of a mental (inaudible)”
- p. 53, ll. 22-23: “do you have any training in the forensic (inaudible) children?”
- p. 54, ll. 6-9: “JUROR NO. 368: (inaudible)...THE COURT: is that why (inaudible)?”
- p. 56, l. 24: “JUROR NO. 98: Oh, (inaudible)”
- p. 57, l. 9: “it won’t affect (inaudible)”
- p. 58, l. 8: “JUROR NO. 120: (inaudible)”
- p. 59, ll. 9-11: “So my (inaudible) were investigated...for allegations of (inaudible)”
- p. 59, l. 20: “I mean (inaudible)”
- p. 60, ll. 7-: “I (inaudible) impact me a lot...THE COURT: Okay...I wanted to (inaudible)”
- p. 60, l. 17: “JUROR NO. 247: Hi (inaudible)”
- p. 61, ll. 10-11: “my sister was involved in a DSS (inaudible)”
- p. 61, ll. 22-24: “BAILIFF: (inaudible)...JUROR NO. (inaudible): yes.”
- p. 62: 9 instances of “inaudible” with “Juror No. (inaudible) speaking three times
- p. 63, l. 1: “(inaudible). Would having that child home...”
- p. 63, ll. 20-25: “we’re not going to get into (inaudible) about (inaudible)...MR. PERRY: (inaudible)”
- p. 64: 6 instances of “inaudible,” 4 while the Court is speaking

EXHIBIT A

p. 67, l. 9: "Juror number 80 Casey (inaudible)"

p. 70, ll. 20-23: "The defense (inaudible) used two strikes....CLERK: Does the defense (inaudible)?"

p. 71, l. 14: Notes the jury pool leaves the courtroom, then the Court very clearly begins speaking to the jury on l. 20 and does not stop speaking to them until p. 79, l. 4, where it is then noted the jury exits the courtroom.

p. 79, ll. 14-15: "He had no access to it, was not working on it (inaudible)"

p. 80: 9 instances of "inaudible"- state's pre-trial motions

p. 80, l. 5: "(court in recess)" no timestamps

p. 81: 7 instances of "inaudible"- state's pre-trial motions

p. 82, ll. 23-25: "(inaudible) decided in 1990. It stands for the proposition that it is not (inaudible) violate the defendant's Sixth..." -state's pre-trial motion

p. 83, ll. 6-10: "the alleged victim is (inaudible). MS. CAVANAUGH: Well (inaudible) it's [MINOR]...MS. BROWDER: [MINOR first name] (inaudible) [MINOR last name] is her legal name"

p. 84, ll. 5-8: "I'm not going to rule on it because he's not here. MR. PERRY: (inaudible)"

p. 84, ll. 17-18: "we would (inaudible) Court's exhibits"

p. 84, ll. 21-23: Notes Court's Exhibits 4 and 5- these exhibits do not appear on the exhibits index

p. 85, ll. 1-2: "(inaudible) the State calls Rachel Brewster"

p. 85, l. 17: contends the Bailiff swears the witness and says "but make sure you spell (inaudible)"

p. 87, ll. 19-20: "how long have you been a counselor in this (inaudible)?" proffered testimony

p. 87, l. 25: "and so in the past year and (inaudible) prior"

p. 90, l. 20: "and you were talking about (inaudible) self-esteem"

p. 91, ll. 6-7: "was she dealing with any sort of issues about how she felt about (inaudible)?"

p. 91, ll. 14-15: "have those thought processes, (inaudible) behaviors, have those changed"

p. 92, l. 8-9: "when you heard (inaudible) what would she do?"

p. 94, ll. 11-12: "you said you have been licensed (inaudible) since 2006?"

p. 94, ll. 21-23: "in your role...what is your (inaudible) what are your (inaudible) what's your main role"

p. 95, l. 6: "who actually who would (inaudible)"

p. 95, ll. 15-16: "did you have an occasion to interview (inaudible) [MINOR]?"

p. 95, l. 20: "and (inaudible) of your interview with her?"

EXHIBIT A

- p. 96, l. 12: “based on (inaudible) what did she actually witness”
- p. 97, ll. 15-16: “was that (inaudible) did she (inaudible) experienced physical abuse”
- p. 98, l. 5: “was that a signal to you that she was (inaudible)?”
- p. 99, l. 14: “Do you have (inaudible) are you her legal guardian?”
- p. 101, l. 5: “what did you observe about any of her (inaudible)”
- p. 101, ll. 12-14: “was she allowed to have friends over (inaudible)...Do you (inaudible)?”
- p. 102, ll. 3-4: “did any other behaviors sort of (inaudible)?”
- p. 102, ll. 20-23: “was she in the picture when you were (inaudible)? A. very—Q. (inaudible)”
- p. 103, l. 3: “Have any (inaudible) isolation (inaudible) friends?”
- p. 105: 5 instances of “inaudible”
- p. 107, ll. 23-24: “at this time I (inaudible) Rayani Pressley”
- p. 109, l. 10: “(inaudible) who did this (inaudible)?”
- p. 111, ll. 14-15: “it would (inaudible) any type of (inaudible) progress she made (inaudible)?”
- p. 113, ll. 19-20: “how did she (inaudible)?”
- p. 113, ll. 24-25: “so the night you (inaudible) from her mother’s home?”
- p. 114, ll. 3-4: “about what happened to her (inaudible) as a three-year-old?”
- p. 115, ll. 6-11: “she had to constantly fill [sic] the water...she was constantly filling [sic] it”
“fill” This is quite clearly a scrivener’s error and should read as “feel”
- p. 115, ll. 23-24: “has she had to talk about him since she’s been (inaudible) care?”
- p. 116, l. 1; “Q. (inaudible) removed back in March?”
- p. 116, ll. 7-8: “are you her legal guardian (inaudible) or like legal role”
- p. 118, ll. 7-8: “we do—(inaudible) relatively brief statements in Jackson v Denno hearing”
- p. 118, ll. 13-14: “although very brief, after his arrest and then prior to his arrest (inaudible)”
- p. 119: 9 instances of inaudible during state’s motions
- p. 120, l. 2: “MS. BROWDER: No, sir (inaudible)”
- p. 120, l. 20: “(court in recess)” no timestamps
- p. 121, ll. 20-25: 4 instances of “inaudible” as the clerk swears the jury
- p. 135, ll. 2-3: “He thought he was going to train her (inaudible) torture (inaudible)” state’s opening
- p. 137, ll. 3-4: “they saw all of the text messages (inaudible) he’s referring to his daughter”
- p. 138, ll. 1-2: “the waterboarding technique that he (inaudible)”
- p. 138, ll. 8-9: “having charge or custody or being the parent or guardian (inaudible) child”
- p. 138, ll. 17-18: “it’s not (inaudible) any doubt that you might have”

EXHIBIT A

- p. 139, ll. 1-4: "messages that the defendant sent describing the torture (inaudible) that he was using....(inaudible) two types of evidence"
- p. 139, ll. 12-14: "you're going to hear from an expert, (inaudible), you're going to see what (inaudible)"
- p. 144, ll. 4-6: "Where do you currently live? A. Gallivan's [sic] Ferry, which is right outside of Myrtle Beach" The town in question is spelled "Galivants Ferry"
- p. 144, ll. 19-20: "in addition to that (inaudible) law enforcement background"
- p. 149, ll. 21: during defense objection: "THE COURT: you need some more foundation. MR. PERRY: (inaudible)"
- p. 153, ll. 6-7: during defense objection: "as I understand it, somebody else (inaudible) those pictures"
- p. 153, ll. 22-23: "did you make a trip to Columbia (inaudible) to see the injuries"
- p. 154, ll. 1-2: "did the injuries that you saw (inaudible) similar (inaudible)—"
- p. 156, l. 4: "when you got there, where was (inaudible)?"
- p. 156, ll. 23-24: "when she got home, what were the children (inaudible)?"
- p. 157, ll. 6-7: "and at what point were you able to (inaudible) [MINOR]"
- p. 157, l. 21: "Q. (inaudible) what anybody told you"
- p. 157, l. 25 – 158, l. 1: "are those the same injuries that you saw on the pictures that were sent to you (inaudible)?"
- p. 158, ll. 16-17: "just general, were they (inaudible), bruises, what did you see?"
- p. 161, ll. 1-2: "do you have to get tased to (inaudible)?"
- p. 162, ll. 17-18: "have you drive stunned before (inaudible) with that?"
- p. 164, ll. 23-24: "I'm going to show you (inaudible) marked as State's Exhibit 1"
- p. 165, ll. 6-7: "can you verify (inaudible) voice that called 911?"
- p. 167, ll. 20-21: "the contact that you have had with [MINOR], (inaudible) or bruises or anything"
- p. 169, l. 24: "what is (inaudible) police department?"
- p. 170, ll. 7-8: "what was the nature (inaudible) responded to?"
- p. 170, l. 19: "about how old is [MINOR] or was she (inaudible)?"
- p. 170, l. 25: "when did you first (inaudible)?"
- p. 171, l. 9: "did you talk to him about (inaudible)?"
- p. 171, l. 18: "did she call anybody (inaudible)?"
- p. 172, ll. 4-6: "how did (inaudible) the phone?...How did you know it was (inaudible)?"
- p. 172, ll. 10-11: "I mean did he (inaudible) was he on speakerphone?"
- p. 172, ll. 20-21: "did you eventually (inaudible) instruct her to get off the phone?"
- p. 172, l. 25 – 173, l. 1: "did you hear him instructing her about anything related to (inaudible)?"

EXHIBIT A

- p. 173, ll. 14-15: "what did you do (inaudible) right after she tried to break it?"
- p. 174, l. 7: "so (inaudible) going back to Nathan"
- p. 174, l. 12: "Q. (inaudible)?"
- p. 175, ll. 15-24: 8 instances of "inaudible" during state's direct exam of a witness
- p. 176, ll. 6-7: "who (inaudible) the Columbia Police Department did you speak with?"
- p. 176, l. 11: "and did (inaudible) investigation (inaudible)?"
- p. 178, ll. 5-6: "who did you hear Tiffany call the other person on the other line (inaudible)?"
- p. 179, ll. 2-3: "What's your current role (inaudible) Twon of Lexington?"
- p. 179, l. 11: "Q. And (inaudible)"
- p. 180, l. 2: "and did you delete any data (inaudible)?"
- p. 180, ll. 10-11: "not necessarily (inaudible) but in general. What did you do with the phone (inaudible) did you take it back"
- p. 181, l. 3: "did you eventually (inaudible) conversation?"
- p. 181, l. 8: "and (inaudible) the Lexington Police Department?"
- p. 181, l. 18: "did you (inaudible) Nathan (inaudible)"
- p. 181, l. 21: "was Tiffany Britton arrested (inaudible)?"
- p. 183, ll. 16-18: "her mother's caregiver was the mother of the defendant (inaudible). (Inaudible) and you can imagine the mess (inaudible)"
- p. 184, ll. 21-22: "(inaudible) that will take forever"
- p. 185, ll. 5-6: "Actually I'd prefer to do (inaudible)"
- p. 185, ll. 8-9: "I'd much prefer to wait (inaudible)"
- p. 186, ll. 17-18: "we can kind of move her to the front a little bit, (inaudible) as much"
- p. 188, ll. 10-11: notes proceedings ending for 6.10.25 and beginning 06.11.25. This trial took place in June 2024- these are clear scrivener's errors. These notations additionally lack timestamps.
- p. 189, l. 3: "the jury (inaudible)"
- p. 192, ll. 9-10: "if I give you (inaudible) will that help refresh your memory?"
- p. 192, ll. 21-22: "anything that you would need to know in order to make sure (inaudible)?"
- p. 194, ll. 3-4: "when you began to do your (inaudible) or [MINOR] what did you notice?"
- p. 195, ll. 7-8: "kind of what you did when you (inaudible) these burns?"
- p. 201, l. 3: "in your report (inaudible) to a chemical burn"
- p. 202, l. 20: "can you tell the jury what (inaudible)"
- p. 203, l. 7: "do you have any other children (inaudible)?"
- p. 207, ll. 10-11: "Q. (inaudible) A. I do"
- p. 207, ll. 12-13: "what was Nathan concerned about when you talked to the doctor (inaudible)?"

EXHIBIT A

- p. 208, ll. 16-17: "at what point—were you there when (inaudible)."
- p. 209, ll. 16-19: "and (inaudible) baths--...--and keep them clean, can you tell the jury (inaudible) when [MINOR] came into your care"
- p. 209, ll. 22-25: "she would have to fill [sic] it constantly before she got in...when she got in she was constantly filling [sic] the water to make sure it wasn't cold" It is clear from what is being said that "filling" is a scrivener's error and should appear as "feeling"
- p. 210, ll. 7-8: "When [MINOR] was born prior to (inaudible) Nathan Ginter coming back into her life (inaudible) did you notice"
- p. 211, ll. 19-20: "What's your monkey's name? (inaudible) up here, okay"
- p. 214, ll. 18-25: direct examination of one of the Minors: "Q. (inaudible) A. You know, I—Q. (inaudible). A. Yes. Q. and is that (inaudible)? A. Yes. Yes. Q. (inaudible). A. Yes."
- p. 215, ll. 1-25: continued direct examination of Minor, 11 instances of "inaudible"
- p. 216, ll. 3-4: "She would (inaudible) with you when she would come spend the night"
- p. 216, ll. 18-20: "(inaudible) we're going to (inaudible) that you just described...you said he would (inaudible)."
- p. 216, l. 22: "this is something that you saw (inaudible)?"
- p. 216, ll. 24-25: "when he would use the taser on her, what (inaudible)?"
- p. 217, ll. 10-11: "and (inaudible) saying those things while he was tasing her?"
- p. 217, ll. 13-14: "When he used the taser what (inaudible) do it one time (inaudible) or was it over and over and over?"
- p. 217, ll. 18-19: "(inaudible) more than (inaudible) or was it just one day"
- p. 217, l. 21: "(inaudible) that you saw?"
- p. 217, ll. 23-24: "you (inaudible) a bamboo stick, what would you see him do with the bamboo stick?"
- p. 218, ll. 7-10: "try to stand back here so that it helps you speak a little bit louder (inaudible)...you said that she would be screaming while he was (inaudible) her?"
- p. 218, l. 13: "and then he would stop, or was it over (inaudible)?"
- p. 218, ll. 18-19: "how did you know that ice (inaudible)?"
- p. 219: 9 instances of "inaudible"
- p. 219, l. 5: "how did you know (inaudible) cold water?"
- p. 219, ll. 8-9: "you mentioned (inaudible) her head or (inaudible)?"
- p. 219, ll. 11-12: "(inaudible) something with the (inaudible), did you say head?"
- p. 219, ll. 18-19: "again (inaudible) questions was he asking (inaudible)?"
- p. 219, ll. 23-24: "you mentioned something that water (inaudible) how did (inaudible) water on her face?"
- p. 220, l. 6: "did you see her (inaudible) baths?"
- p. 220, ll. 14-16: "what sort of things would (inaudible) what would [MINOR] be doing...what kind of behavior was she having before (inaudible) these cold baths?"
- p. 220, ll. 19-20: "what made him so mad and what (inaudible) that caused him to (inaudible)?"

EXHIBIT A

- p. 221, ll. 6-7: "do you remember (inaudible) that he would place on her?"
- p. 221, ll. 14-15: "did he have any sort of methods for timeouts (inaudible) timeouts?"
- p. 221, l. 25 – 222, l. 1: "When y'all went to the same school did (inaudible) ever (inaudible) pick y'all up"
- p. 222, l. 7: "and when she would see your dad (inaudible) pick her"
- p. 222, l. 11: "would he (inaudible)?"
- p. 222, l. 21: "and what would he do when (inaudible) crying?"
- p. 222, l. 25: "while (inaudible) I'm going to go back"
- p. 223: 8 instances of "inaudible" during continued direct exam of MINOR
- p. 223, l. 25 – 224, l. 1: "you (inaudible) bamboo sticks or ever (inaudible) those?"
- p. 224, l. 3: "were they (inaudible)?"
- p. 224, ll. 6-7: "do you remember (inaudible)?"
- p. 226, l. 9: "were you (inaudible) both in processing the scene"
- p. 228, l. 19: "starting with 17. And what (inaudible)?"
- p. 231, l. 3: "Q. (inaudible)"
- p. 233, ll. 3-4: "what are some of the things that you collected from the defendant's home (inaudible)?"
- p. 235, ll. 4-5: "at this time the state would offer state's (inaudible)"
- p. 236, ll. 24-25: "at the time you were (inaudible) this evidence"
- p. 237, ll. 14-15: "is the packaging the same (inaudible) when you put it together?"
- p. 237, ll. 21-22: "you mentioned that there were a couple of (inaudible) in the home that caught your attention"
- p. 237, l. 25: "and (inaudible) a photo with the—"
- p. 240, l. 23: "Q. Prior to working for SLED (inaudible)"
- p. 244, l. 13: notes (COURT IN RECESS) notes no timestamps.
- p. 245, l. 8: "Q. Mr. Miramontes, (inaudible)"
- p. 245, ll. 14-15: "as an evidence custodian, (inaudible) what are your job responsibilities?"
- p. 247, ll. 2-3: "I'm going to show you what has been marked (inaudible) as state's 16"
- p. 249, l. 19: "Q: --(inaudible) can you?"
- p. 252, l. 4: "that's all I have (inaudible)"
- p. 252, ll. 24-25: "CLERK: (inaudible) and spell your last (inaudible)"
- p. 253, l. 16: "Q. And how (inaudible) that role?"
- p. 253, ll. 18-19: "were you (inaudible) 2022 were you involved in the investigation (inaudible)?"
- p. 253, l. 21: "what was your role (inaudible) investigation?"

EXHIBIT A

- p. 254, ll. 3-4: "who was the first law enforcement agency involved in (inaudible)?"
- p. 254, l. 6: "did you speak to anyone with that (inaudible)?"
- p. 254, ll. 14-15: "did you meet him (inaudible)?"
- p. 254, l. 17: "Q. and did you (inaudible)?"
- p. 255, ll. 12-13: "what did you do when (inaudible) collecting his phone?"
- p. 255, l. 17: "(inaudible) possession did you alter (inaudible)?"
- p. 256, l. 2: "or is that (inaudible) some else's responsibility?"
- p. 256, ll. 9-10: "and did you, without saying (inaudible) from that hospital visit?"
- p. 256, l. 18: "was there somebody from Advocacy Center (inaudible)?"
- p. 256, l. 25: "and as far as (inaudible) witnessed some types"
- p. 257, l. 2: "process (inaudible) interview down at the (inaudible)?"
- p. 257, l. 4: "Q. versus (inaudible)?"
- p. 257, l. 13: "did you (inaudible) Nathan"
- p. 257, l. 18: "I'm going to show you (inaudible)?"
- p. 258, l. 9: "was there anybody else (inaudible) when you went?"
- p. 258, ll. 12-13: "Q. (inaudible). A. It was."
- p. 258, l. 22: "did you have an (inaudible)?"
- p. 259, l. 14: "(state's exhibit 88 entered)" state's exhibit 88 does not appear on the exhibits index
- p. 260, ll. 6-7: "(inaudible) search warrants obtained, did (inaudible)?"
- p. 260, l. 9: "Was that (inaudible) search warrant as his house?"
- p. 260, l. 11: "and was there (inaudible) also?"
- p. 260, ll. 13-14: "who took a phone (inaudible) from CPD to the Secret Service?"
- p. 260, l. 18: "and who (inaudible) to do that?"
- p. 261, ll. 3-4: "was he aware that (inaudible) showed up at Tiffany's house"
- p. 262, ll. 1-4: "after the (inaudible) did you look at his phone (inaudible)?...and what did you (inaudible)?"
- p. 262, l. 14: "you mentioned (inaudible) and photos"
- p. 262, ll. 21-22: "you mentioned you went to the deleted folder. (inaudible) deleted folder (inaudible)?"
- p. 262, l. 24: "and what (inaudible)?"
- p. 263, ll. 21-25: "other than the deleted folder (inaudible) recovered (inaudible) did you alter any—did (inaudible)? A. No. Q. (inaudible)"
- p. 264: 8 instances of "inaudible" during direct exam of investigator
- p. 265, ll. 8-9: "did you (inaudible) anyone else like any family members of the (inaudible) the victim's mother?"
- p. 265, l. 18: "going back to the (inaudible) the defendant's phone"
- p. 269, l. 9: Notes (court in recess) without any timestamps
- p. 269, ll. 15-16: "we're going to put the phone (inaudible) exhibits (inaudible)"
- p. 269, ll. 19-20: "we have (inaudible) as in evidence (inaudible)"

EXHIBIT A

- p. 270, l. 24: "in some sort of harm (inaudible) physical or mental"
- p. 271, ll. 7-11: "defendant's state of mind (inaudible)...at the very beginning (inaudible) he says obviously...showing (inaudible) it's very relevant"
- p. 276, l. 1: "Q. and just (inaudible)"
- p. 276, l. 7: "does that help you (inaudible)?"
- p. 276, l. 16: "when (inaudible) your possession"
- p. 276, ll. 22-23: "we (inaudible) state's exhibit 16"
- p. 277, l. 11: "when it came to you, was it (inaudible)"
- p. 278, l. 3: "(inaudible), Your Honor"
- p. 279, l. 5: "do you take photograph (inaudible)?"
- p. 280, l. 20: "into evidence state's 37 (inaudible) 38"
- p. 283, l. 11: "Does it have any (inaudible)—"
- p. 283, ll. 13-15: "when you run it through (inaudible) does it give you any sort of (inaudible) identifying information regarding who (inaudible)"
- p. 283, l. 22: "is there any (inaudible) associated with this one?"
- p. 283, l. 25: "is there any other emails on that (inaudible)"
- p. 284, ll. 17-18: "when you cull certain things such as text messages, or (inaudible) pictures from the phone"
- p. 285, ll. 20-21: "Q. (inaudible). A. yes"
- p. 286, ll. 12-13: "when we're going through all these (inaudible)"
- p. 287, l. 2: "so (inaudible) but can you please publish"
- p. 287, ll. 19-20: "he just says it's her age as why she's (inaudible) and crying?"
- p. 289, ll. 5-6: "(inaudible) state's exhibit 43 (inaudible) Christmas Eve of 2021"
- p. 289, l. 17: "(inaudible) December 30, 2024. Please publish"
- p. 290, l. 5: "let's move on to January (inaudible)"
- p. 290, l. 9: "the Samsung? Okay. And they (inaudible)"
- p. 290, ll. 12-13: "you honor, enter state's 45 (inaudible)"
- p. 292, l. 6: "is there a way to (inaudible)?"
- p. 292, ll. 23-24: "is that photo of the stick (inaudible) the Android (inaudible) bamboo was created on this phone"
- p. 293, ll. 15-16: "it indicated she got up (inaudible) bed (inaudible)?"
- p. 294, l. 4: "Q. (inaudible) January 9, 2022"
- p. 295, l. 25: notes (state's exhibit 85 entered)- this exhibit does not appear on the exhibits index
- p. 297, l. 4: "verification on the photo (inaudible)?"
- p. 297, ll. 9-10: "I'm going to show you...State's Exhibit 56...62. (inaudible) exchange was from"

EXHIBIT A

February of 2022”

p. 297, l. 15: “Q. And these are verified (inaudible)?”

p. 299, l. 7: “(inaudible) associated that text thread”

p. 299m, l. 13: “February (inaudible) 2022 as well”

p. 301, l. 18: “(Inaudible) real quick, I’m going to show you”

p. 302, ll. 3-4: State’s Exhibits 86 and 87 entered. These exhibits do not appear on the exhibits index

p. 302, l. 6: “(inaudible) do you recognize these exhibits”

p. 302, l. 11: “we skipped over 64 (inaudible)”

p. 302, l. 13: “(inaudible) and verify that you pulled off of”

p. 302, ll. 17-18: “At this time, Your Honor, (inaudible) 63”

p. 303, l. 13: “Let’s start with March (inaudible) 2022 (inaudible)”

p. 303, ll. 23-24: “response is, ‘(inaudible) taking a bath’”

p. 305, l. 5: “and during the course of that he said (inaudible)”

p. 305, ll. 8-9: “the response is, ‘(inaudible) why?’”

p. 307, l. 14: “(inaudible) dated March 18”

p. 308, ll. 12-13: “is that extraction showing the photos (inaudible) sent to him”

p. 309, ll. 10-11: “are those reports showing (inaudible)”

p. 309, ll. 24-25: “I’m going to show you state’s exhibit 81, (inaudible) extraction report”

p. 310, l. 1: “did (inaudible) attached there?”

p. 310, l. 6: “(inaudible) exhibit 82”

p. 311, l. 15: “follow-up, ‘(inaudible) you expect a call’”

p. 312, ll. 19-21: “Q. (inaudible) show you (inaudible) text messages do you try to (inaudible) history of searches (inaudible) came back (inaudible)”

p. 314, ll. 22-23: “Your Honor, this already (inaudible) just a minute ago”

p. 315, ll. 1-6: “then (inaudible) most painful child punishment...(inaudible) spice in nose...wouldn’t leave any sort of thing (inaudible)”

p. 316, ll. 2-3: “(inaudible) Your Honor (inaudible)”

p. 317, l. 1: “question (inaudible) cross he has”

p. 317, l. 17: (court in recess) no timestamps

p. 317, l. 20: “MS. BROWDER: (inaudible)”

p. 317, l. 24: “THE COURT: (inaudible)”

p. 318, ll. 2-5: “when we left off we were discussing how you (inaudible)—(inaudible)”

p. 318, ll. 11: “and did you run an (inaudible)”

p. 318, l. 13: (inaudible) dates of March 21st (inaudible)”

p. 318, ll. 16-17: “I’m going to show you what’s been entered as state’s exhibit 40 (inaudible)”

EXHIBIT A

p. 327, ll. 16-22: “(inaudible) South Carolina Rules of Civil Procedure the trial judge must consider only the existence or nonexistence of the evidence (inaudible)...the indictment has both 1 and 2 in there (inaudible) go through the (inaudible) just the second one”

p. 328, l. 1: “She has (inaudible) she clearly had burns”

p. 328, ll. 4-10: “(inaudible) as far as there’s photographs...of the bruises on her (inaudible) six months and at that point, she was three and a half years old (inaudible) six months is (inaudible) of her life (inaudible) being told (inaudible) testimony (inaudible)”

p. 337, ll. 3-8: “(PROCEEDINGS FOR 6-11-25 CONCLUDED)(PROCEEDINGS BEGIN 6-12-25)(mics were muted from the beginning of the audio until 53:01)(video plays) MS.

BROWDER: it’s pretty amazing, right” Multiple problems here- This trial took place in 2024, so these date stamps are scrivener’s errors. The proceedings stops and starts should additionally be timestamped. There are at least 53 minutes of missing audio here, but it is impossible to know how much of the proceedings are missing as we do not know what time the recording is purported to have started at, but it is clear this audio begins in the middle of the state’s closing argument.

p. 338, l. 2: “trying not to have (inaudible) sprayed in her face”

p. 338, l. 7: “terrified the showers (inaudible) spray”

p. 338, ll. 20-24: “and if that wasn’t (inaudible) prove to you that this was unlawful...beyond a reasonable doubt (inaudible). He knew it was wrong (inaudible) in that video. He did it on purpose (inaudible)”

p. 339, ll. 6-11: “and it goes (inaudible) when everybody started noticing...All this came (inaudible) on March 23rd when everybody...saw those marks (inaudible)”

p. 340, l. 3: “put it under her fingernails and (inaudible)”

p. 340, l. 9: “and I heard my favorite band (inaudible)”

p. 340, ll. 12-13: “I’m not going to (inaudible)”

p. 340, ll. 18-20: “you will always be (inaudible) the safest place for me to (inaudible)”

p. 340, l. 25: “made her and made her (inaudible)”

p. 341: 9 instances of “inaudible” during the final page of the state’s closing

p. 342: 11 instances of “inaudible” on the first page of the defense closing

p. 343: 13 instances of “inaudible” on the second page of the defense closing

p. 344: 25 instances of “inaudible” on the third page of the defense closing

p. 345: 38 instances of “inaudible” on the fourth page of the defense closing

p. 346: 14 instances of “inaudible” on the final page of the defense closing

p. 359, l. 9: “next rule, all (inaudible)” during the charge on the law

p. 359, ll. 15-16: “next thing, don’t tell me to (inaudible), okay. There’s (inaudible) that says this is what the count is”

p. 359, ll. 21-22: “we’re gonna go, one (inaudible) there’s four charges”

EXHIBIT A

p. 360, ll. 2-3: “number two is an (inaudible) cruelty to children”

p. 360, l. 8: “it’s one (inaudible) does that make sense”

p. 360, l. 10: “and then starting with (inaudible)”

p. 360, ll. 14-17: “there’s no reason (inaudible) putting guilty or not guilty first or second (inaudible)...so I just (inaudible) time, okay?”

p. 360, ll. 18-21: “So I’m gonna send you back to your jury room. Don’t do anything until all the exhibits come in, okay...(jury exits courtroom)” this appears when the jury exits to deliberate, there is no timestamp. This must be corrected.

p. 361, ll. 6-14: “I need a lawyer from the Defense, a lawyer from the state, Molly and Tiffany to get together with the court reporter and make sure we have the right exhibits before they go back into the jury, okay? All right, thank you very much. Good job. (court in recess) THE COURT: okay...the jury has reached a verdict” there are no timestamps to indicate the length of the jury’s deliberations. This must be corrected.

p. 363, ll. 6-7: “Madam Forelady, is this your verdict (inaudible)?”

p. 367, l. 23: “(court in recess)” no timestamps.

p. 368, ll. 16-17: “Ashley and her family (inaudible) here too”

p. 371, l. 8: “just within a (inaudible) of meeting his daughter”

p. 377, l. 25: “(proceedings for 6-12-25 concluded)” This trial occurred in 2024, this date stamp is a scrivener’s error.

p. 387: Court reporter’s signed certificate indicates this is a “true, accurate, and complete Transcript of Record of the proceedings had and evidence introduced” although the court reporter noted 664 instances of “inaudible” and 53 minutes of known missing audio in the body of the transcript.

EXHIBIT B

Warren, Kaylynn

From: Kevin Dehlinger <kdehlinger@LegalEagleInc.com>
Sent: Tuesday, December 9, 2025 1:04 PM
To: Warren, Kaylynn
Cc: Norville, Chandler; Holmes, Tammie; Mark Farthing; Caroline Collins; Velvet Mills
Subject: [External] RE: 2024-001830 The State v. Nathan Miles Ginter TRANSCRIPT CHALLENGE
Attachments: State vs. Ginter June 10-12-2024 Transcript - Revision A.pdf

Kaylynn,

We knew this was going to be a very difficult transcript. The transcriber spent countless hours going through this audio to ensure we captured every audible word possible. Legal Eagle also updated the SCCID while the transcript was in production to be sure they were aware of the issues.

The audio files that were provided to Legal Eagle are MP4 video files with no notes. The video files do not provide any times; so, timestamps are not possible. Additionally, the examples of transcript formats provided by the SCCID to Legal Eagle have the Exhibit page after the index. We followed that template as instructed.

Legal Eagle has made the following changes to the transcript:

- Updated the title page with the court name and location.
- Page 71: The jury pool was excused by the judge not the selected jury for the trial. We removed this parenthetical.
- Page 84: Court's exhibit 4 and 5 are merely mentioned. They are not described or put into evidence by the judge. They were not included in the index for that reason.
- Page 188: Date was corrected.
- Page 259: S-88 was added to the index.
- Page 302: S-85 & 86 were added to the index.
- Page 337: Date was corrected.
- Page 377: Date was corrected.
- Page 387: Certification language amended.

At this time, Legal Eagle has nothing further to add to the transcript and will defer to the SCJB's review of the audio and transcript. Thank you.

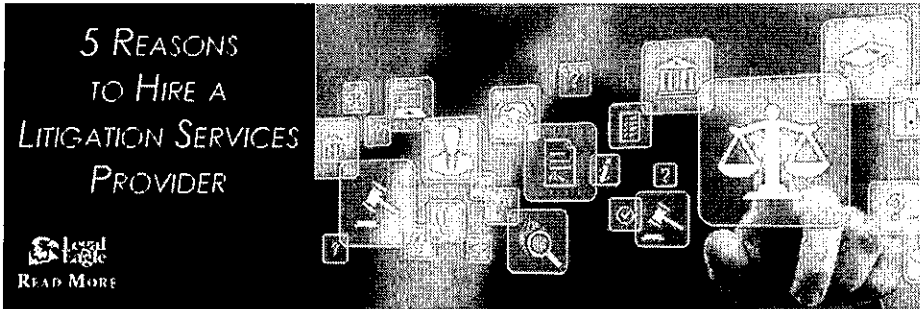


Kevin Dehlinger
Director of Operations

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From: Warren, Kaylynn <kwarren@sccid.sc.gov>
Sent: Monday, December 8, 2025 10:47 AM
To: Legal Eagle Depos <Depos@LegalEagleInc.com>
Cc: Norville, Chandler <cnorville@sccid.sc.gov>; Holmes, Tammie <tholmes@sccourts.org>; Transcripts <transcripts@sccourts.org>; Mark Farthing <mfarthing@scag.gov>; Caroline Collins <ccollins@scag.gov>
Subject: 2024-001830 The State v. Nathan Miles Ginter TRANSCRIPT CHALLENGE

Good Morning,

Attached to this correspondence is a challenge to the June 10-12, 2024 Trial Transcript in the above-referenced case transcribed by Jessica Antonucci of Legal Eagle.

Respectfully,
Kaylynn
Kaylynn Warren
Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
(803) 734-1330

This communication and any attachment thereto is intended only for use by the addressee(s) named herein, and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, utilization, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error please notify the Commission on Indigent Defense immediately and permanently delete the original and any copy of any e-mail and any printout thereof. SCCID may be reached by using the email address of the sender, or at 803-734-1343.

Disclaimer

Warren, Kaylynn

From: Holmes, Tammie <tholmes@sccourts.org>
Sent: Thursday, December 11, 2025 10:40 AM
To: Norville, Chandler; Kevin Dehlinger; Warren, Kaylynn
Cc: Mark Farthing; Caroline Collins; Velvet Mills; Transcripts
Subject: RE: [External] RE: 2024-001830 The State v. Nathan Miles Ginter TRANSCRIPT CHALLENGE

Good morning Mr. Norville.

I have received your email and will review the transcript. I should have this completed on or before January 10, 2026.

Thank you.

Tammie M. Holmes
Court Reporter Manager
South Carolina Judicial Branch
1220 Senate Street, Ste. 200
Columbia, SC 29201
tholmes@sccourts.org
803-734-1825

From: Norville, Chandler <cnorville@sccid.sc.gov>
Sent: Tuesday, December 9, 2025 2:19 PM
To: Kevin Dehlinger <kdehlinger@LegalEagleInc.com>; Warren, Kaylynn <kwarren@sccid.sc.gov>
Cc: Holmes, Tammie <tholmes@sccourts.org>; Mark Farthing <mfarthing@scag.gov>; Caroline Collins <ccollins@scag.gov>; Velvet Mills <vmills@LegalEagleInc.com>; Transcripts <transcripts@sccourts.org>
Subject: Re: [External] RE: 2024-001830 The State v. Nathan Miles Ginter TRANSCRIPT CHALLENGE

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Dear Tammy:

In light of this unsatisfactory result, we will be proceeding with a transcript challenge. Please respond to this email with a timeline regarding when a new transcript of this trial with complete audio and time stamps will be provided. We will need to provide this timeline to the Court in our abeyance motion.

Thank you for your assistance.

V/r,

Chandler Norville
Appellate Defender
SC Commission on Indigent Defense

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Honorable Robert E. Hood, Circuit Court Judge

RECEIVED
Dec 12 2025
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

NATHAN MILES GINTER,

APPELLANT.

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to Hold in Abeyance Pending Receipt of the Corrected Trial Transcript 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 12th day of December, 2025.



W. Chandler Norville
Appellate Defender

Attorney for Appellant

Warren, Kaylynn

From: Warren, Kaylynn
Sent: Friday, December 12, 2025 3:10 PM
To: Mark Farthing
Cc: Norville, Chandler; Caroline Collins
Subject: 2024-001830 The State v. Nathan Miles Ginter
Attachments: 2024-001830 The State v. Nathan Miles Ginter Motion to Hold in Abeyance Pending Transcript.pdf

Good Afternoon,

Attached for service in the above-referenced case is the Motion for Abeyance Pending Receipt of the Corrected Trial Transcript which will be filed today, December 12, 2025, with the Court of Appeals via email filing.

Respectfully,
Kaylynn
Kaylynn Warren
Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
(803) 734-1330

RECEIVED
Dec 12 2025
SC Court of Appeals