

DANIEL E. SHEAROUSE, SUPREME COURT CLERK
SUPREME COURT BLDG.
P.O. BOX 11330
COLUMBIA S.C. 29211

RECEIVED

DEC 16 2013

RE: JAMES E. WAITERS JR. V. STATE OF SOUTH CAROLINA
2010-CP-23-10380
S.C. Supreme Court

DEAR MR. SHEAROUSE,

According to my records, an appeal was filed on November 25, 2013, by the Attorney General's Office. A notice of appeal was filed on February 25, 2013. Rule 243. CERTIORARI TO REVIEW POST-CONVICTION RELIEF ACTIONS (d) 30 days of receipt of the transcript. PETITIONER SHALL SERVE A COPY OF THE APPENDIX AND PETITION FOR WRIT OF CERTIORARI ON OPPOSING COUNSEL AND SHALL FILE WITH THE CLERK OF THE SUPREME COURT.

On September 19, 2013 I received a letter from Ms. Hiskell, Court Reporter informing me that this transcript was never ordered. (SEE PAGE 1 ATTACHED). Ms. Ratigan entered a request for the transcript to the courts, but she never ordered a copy from Ms. Hiskell. This delay tactic allowed Ms. Ratigan more time to perfect an appeal. Ms. Ratigan never followed up on what was delaying the delivery of the transcript because she already knew that it was not ordered. PLEASE UNDERSTAND MR. SHEAROUSE, I'M BEING ASK TO BE PATIENT IN A SITUATION THAT'S BEING DELAYED ON PURPOSE. THE ORDER WAS ENTERED INTO THE COMPUTER ON FEBRUARY 19, 2013 TO VACATE MY CONVICTIONS. IF POSSIBLE, PLEASE PROVIDE AN EXPLANATION SUPPORTED BY THE RULES OF COURTS THAT WILL ALLOW THIS MUCH TIME FOR APPEAL.

Sincerely,

JAMES E. WAITERS #235965

James E. Waiters

September 19, 2013

TO: Mr. James Waiters
MacDougall Correctional Institute
1516 Old Gilliard Road
Ridgeville, SC 29472

FROM: Caroline Hiskell
Thirteenth Circuit CR

Dear Mr. Waiters,

As per your request of June 11, 2013, the transcript in question was completed and mailed to the offices of the Attorney General's Office on June 22, 2013. I have received no other requests for this transcript from any other party.

You are more than welcomed to write me at 32 Duxbury Lane, Easley, SC 29642 if you have any further questions or need further assistance.

Thank you.

Sincerely,
Caroline Hiskell
Thirteenth Circuit Cour Reporter



ALAN WILSON
ATTORNEY GENERAL

February 25, 2013

The Honorable Daniel E. Shearouse
Clerk of the South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: James E. Waiters, Jr., Respondent v. State, Petitioner
Case No. 2010-CP-23-10380

Dear Mr. Shearouse:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

1. A copy of the order which is to be challenged on appeal.
2. Proof of service of notice of appeal on the Respondent.
3. A letter ordering the PCR transcript from the court reporter.

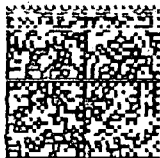
Sincerely,


Karen C. Ratigan
Assistant Deputy Attorney General

cc: R. Mills Ariail, Jr.
~~Rodney W. Richey~~, Esquire
South Carolina Department of Corrections
Greenville County Clerk of Court
Solicitor Walt Wilkins
Office of Appellate Defense
Trisha Allen, Victim Services

JAMES E. WAITERS, JR. #235965

MAGDOUGALL CORR. INST.
1516 OLD GILLIARD RD.
RIDGEVILLE SC 29472



02 1P

\$ 000.46⁰

0003167712

DEC 13 2013

MAILED FROM ZIP CODE 29472

SCDC

NOV 07 2013

MAIL ROOM

Mr. DANIEL SHEAROUSE, SUPREME COURT CLERK
SUPREME COURT BLDG.
P.O. BOX 11330
COLUMBIA S.C. 29211

29211+1330

