

RECEIVED

May 29 2026

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal from Greenville County

Honorable G.D. Morgan, Jr., Circuit Court Judge

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CLARENCE W. JENKINS, JR.,

PETITIONER,

V.

THE STATE

RESPONDENT

APPELLATE CASE NO. 2025-002211

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MOTION TO HOLD APPEAL IN ABEYANCE PENDING RECEIPT OF TRANSCRIPT

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Pursuant to Rule 240 of the South Carolina Appellate Court Rules, undersigned counsel respectfully moves this Court for an order holding the timelines for the above-captioned case in abeyance pending receipt of the complete transcript of the January 30, 2023 post-conviction relief evidentiary hearing held before the Honorable G.D. Morgan, Jr. The Petition for Writ of Certiorari and Appendix in this case are due for filing on Monday, June 1, 2026. There have been no extensions requested in this case. In support of this request, counsel shows:

1. Petitioner was indicted by a Greenville county grand jury in its November 2008 and September 2011 terms for the offenses of murder (2008-GS-23-8409) and kidnapping (2011-GS-23-007258A).

2. Petitioner's case was called to trial on April 9, 2012, before the Honorable Edward W. Miller and a jury. Petitioner was represented by then-Chief Public Defender John Mauldin and associated counsels Mark MacDougall and Susannah Ross; Solicitor W. Walter Wilkins, III and Betty C. Strom prosecuted the case. On April 13, 2012, the jury convicted Petitioner as indicted, and Judge Miller sentenced him to a term of life imprisonment without the possibility of parole.

3. Petitioner timely noted appeal, and his direct appeal was perfected by appellate defender Susan Barber Hackett. The Court of Appeals affirmed Petitioner's convictions and sentence by published opinion filed May, 21, 2014. *State v. Jenkins*, 408 S.C. 560, 759 S.E.2d 759 (Ct. App. 2014). This Court subsequently denied the petition for writ of certiorari to the Court of Appeals on February 4, 2015.

4. Petitioner timely filed an application for post-conviction relief on April 20, 2015. The state made its return on September 18, 2015. Petitioner amended his PCR application through appointed counsel Sarah M. Henry on May 28, 2019 and on January 23, 2023. An evidentiary hearing was convened before the Honorable G.D. Morgan, Jr. on January 30, 2023. Petitioner was represented by Sarah M. Henry, Esquire; the state was represented by Taylor Zane Smith. On October 16, 2025, Judge Morgan entered an Order of Dismissal denying Petitioner's application for post-conviction relief with prejudice.

5. This case is now on appeal before this Court. Undersigned counsel has been unable to obtain a complete transcript of the January 30, 2023 evidentiary hearing.

6. Upon reviewing the transcript of the January 30, 2023 evidentiary hearing received from court reporting subcontractor Legal Eagle, undersigned counsel was alerted to the fact that the Court Reporter's index for exhibits neglected to list a number of exhibits included on the Clerk's receipt for exhibits on file with the Greenville County Clerk of Court. See Exhibit A.

7. On May 7, 2026, the Division of Appellate Defense contacted Legal Eagle for correction of the transcript. See Exhibit B at pp. 4-5. It was ultimately discovered that Legal Eagle was not provided with the complete audio of the hearing, although Appellate Defense ordered the transcript of the entire hearing. See Exhibit B at p. 3 and Exhibit C at p. 2.

8. On May 29, 2026, Legal Eagle returned revision A of the operative transcript, qualifying that they “still [didn’t] like how the transcript ends” and would be reaching out the Court Administration seeking the complete audio of the hearing. See Exhibit B at p. 2.

9. On May 29, 2026, Legal Eagle contacted Appellate Defense stating that four more audio files from the hearing were received from Court Administration and would be placed in the production queue. See Exhibit B. at p. 1.

10. Undersigned counsel discovered the fact of this incomplete transcript of the operative evidentiary hearing early and endeavored to prepare this motion before taking any extensions in petitioner’s case.

WHEREFORE, undersigned counsel respectfully requests that this Court hold the above-captioned case in abeyance pending receipt of the complete transcript of the January 30, 2023 evidentiary hearing. Counsel also requests that the time limits for filing the petition for writ of certiorari and the appendix be held in abeyance pending disposition of this motion.

Respectfully submitted,



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W. Chandler Norville  
Appellate Defender  
Attorney for Petitioner

This 29<sup>th</sup> day of May, 2026.



EXHIBIT A

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EXHIBITS

<u>No.</u>	<u>Description</u>	<u>I.D.</u>	<u>Ev.</u>
S-1	Record of Conviction, Laverne Ronnie Mitchell		202

## EXHIBIT B

### Warren, Kaylynn

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**From:** White, Della  
**Sent:** Friday, May 29, 2026 9:52 AM  
**To:** Warren, Kaylynn  
**Subject:** FW: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Mystery solved! See below!

---

**From:** Kevin Dehlinger <kdehlinger@LegalEagleInc.com>  
**Sent:** Friday, May 29, 2026 9:38 AM  
**To:** White, Della <dwhite@sccid.sc.gov>  
**Cc:** Alexandria Garraud <agarraud@LegalEagleInc.com>; info <info@LegalEagleInc.com>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Della,

We got some further clarification on this trial. Cordelia said the request form had January 30 as the date of the hearing. It has been discovered that the hearing continued on to a second day on the 31<sup>st</sup>. She has uploaded 4 more audio files for that day.

Would you like for us to transcribe 31<sup>st</sup> audio files and add to what we have already done? Thanks for the help.

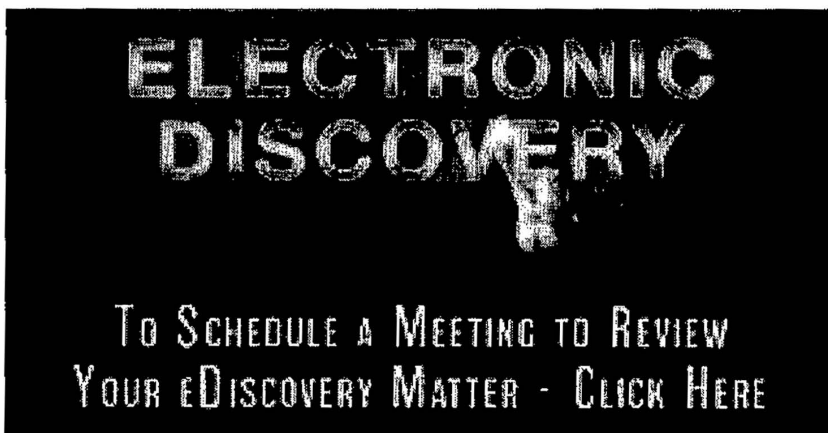


**Kevin Dehlinger**

**Director of Operations**

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E: [kdehlinger@legaleagleinc.com](mailto:kdehlinger@legaleagleinc.com) | [www.legaleagleinc.com](http://www.legaleagleinc.com)  
107 LeGrand Blvd., Greenville, SC | 29607



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**From:** White, Della <dwhite@sccid.sc.gov>  
**Sent:** Friday, May 29, 2026 8:55 AM  
**To:** Kevin Dehlinger <kdehlinger@LegalEagleInc.com>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

## EXHIBIT B

Thank you for letting me know. I wonder if the backup may be better?

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**From:** Kevin Dehlinger <kdehlinger@LegalEagleInc.com>  
**Sent:** Thursday, May 28, 2026 2:01 PM  
**To:** White, Della <dwhite@sccid.sc.gov>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Della,

Here you go. I still don't like how the transcript ends. I am going to reach out to Cordelia.

Let me know if you have any questions. Have a good weekend.

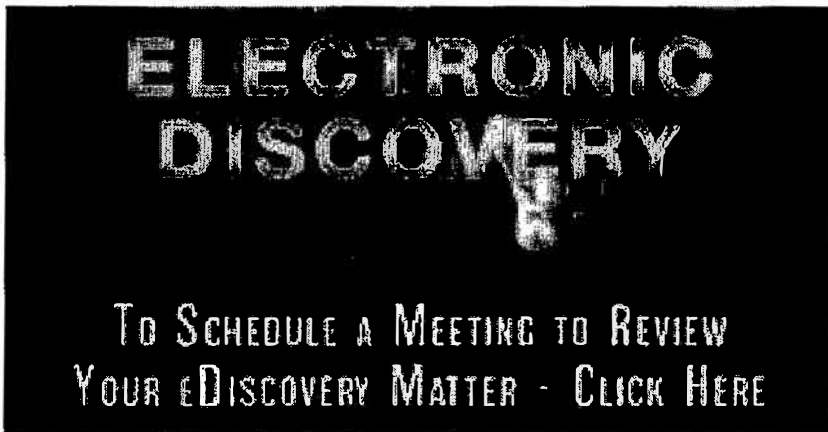


**Kevin Dehlinger**

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**From:** White, Della <dwhite@sccid.sc.gov>  
**Sent:** Monday, May 18, 2026 9:34 AM  
**To:** Kevin Dehlinger <kdehlinger@LegalEagleInc.com>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Good morning,

I wanted to follow up on the below email.

Thank you!

Della

## EXHIBIT B

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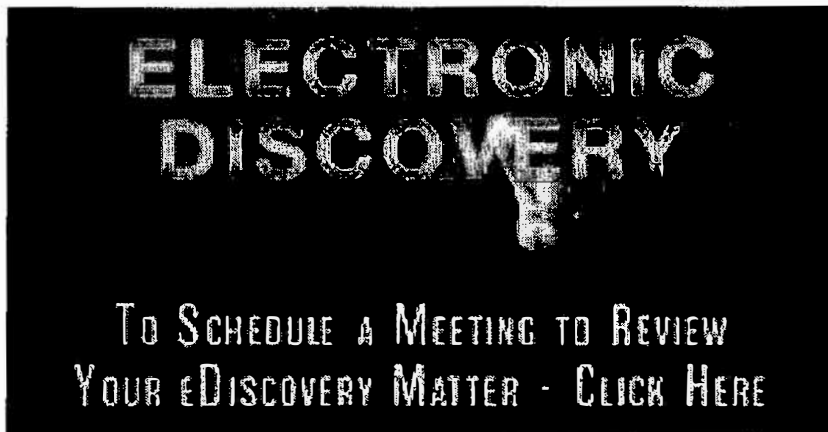
**From:** Kevin Dehlinger <kdehlinger@LegalEagleInc.com>  
**Sent:** Thursday, May 7, 2026 3:12 PM  
**To:** White, Della <dwhite@sccid.sc.gov>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Della,

After reviewing the transcript and audio, it does not appear we received all the audio from the SCJB. That might be why the exhibits are missing. I will reach out to Cordelia and Tammie and copy you.



**Kevin Dehlinger**  
**Director of Operations**  
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**From:** White, Della <dwhite@sccid.sc.gov>  
**Sent:** Thursday, May 7, 2026 2:52 PM  
**To:** Kevin Dehlinger <kdehlinger@LegalEagleInc.com>  
**Subject:** FW: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Please see below. Maybe this helps? Please let me know.

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**From:** Warren, Kaylynn <kwarren@sccid.sc.gov>  
**Sent:** Thursday, May 7, 2026 2:48 PM  
**To:** White, Della <dwhite@sccid.sc.gov>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

I don't know how else Susan Hudgins would've recorded these exhibits as entered and marked them all with exhibit tags and then had the clerk retain them if they weren't properly entered in this hearing.

**Kaylynn Warren**  
Administrative Assistant  
South Carolina Commission on Indigent Defense

## EXHIBIT B

Division of Appellate Defense  
(803) 734-1330

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**From:** White, Della <[dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)>  
**Sent:** Thursday, May 7, 2026 2:45 PM  
**To:** Warren, Kaylynn <[kwarren@sccid.sc.gov](mailto:kwarren@sccid.sc.gov)>  
**Subject:** FW: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Please see below.

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**From:** Kevin Dehlinger <[kdehlinger@LegalEagleInc.com](mailto:kdehlinger@LegalEagleInc.com)>  
**Sent:** Thursday, May 7, 2026 2:44 PM  
**To:** White, Della <[dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Della,

For the Jenkins v State 1-30-23 transcript, the word "exhibit" is only mentioned 8 times and only one exhibit is actually entered into the record. We don't have the other exhibits ever mentioned on the audio. I am referencing the correct transcript, correct? Thank you for the help.

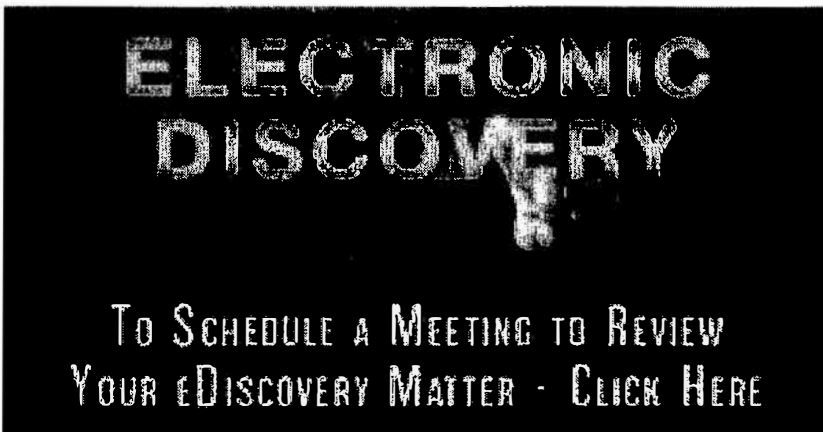


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107 LeGrand Blvd., Greenville, SC | 29607



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**From:** White, Della <[dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)>  
**Sent:** Thursday, May 7, 2026 2:31 PM  
**To:** Kevin Dehlinger <[kdehlinger@LegalEagleInc.com](mailto:kdehlinger@LegalEagleInc.com)>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Hey Kevin,

## EXHIBIT B

Hope you are well.

Would it be possible to correct the exhibits index on this transcript? The Clerks receipt for exhibits for this hearing denotes four exhibits that are not reflected on the transcript exhibit index.

Thanks for your help!!

Della

---

**From:** Kevin Dehlinger <[kdehlinger@LegalEagleInc.com](mailto:kdehlinger@LegalEagleInc.com)>  
**Sent:** Monday, March 30, 2026 10:49 AM  
**To:** White, Della <[dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)>  
**Subject:** RE: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Della,

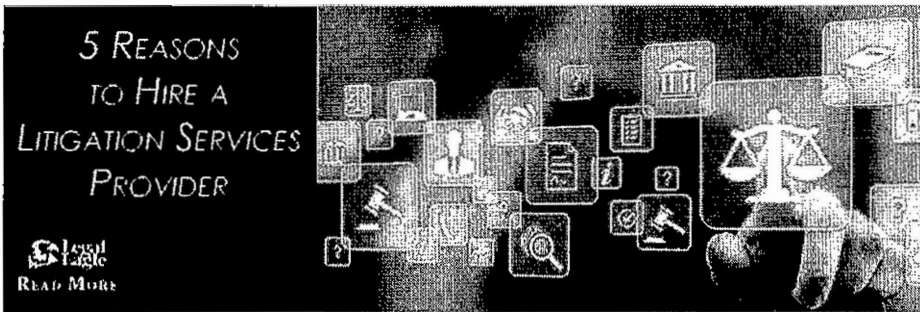
Please see the attached transcript with the forms. If you have any questions, please let us know. Thank you.



**Kevin Dehlinger**  
Director of Operations

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**From:** White, Della <[dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)>  
**Sent:** Monday, March 30, 2026 9:10 AM  
**To:** Kevin Dehlinger <[kdehlinger@LegalEagleInc.com](mailto:kdehlinger@LegalEagleInc.com)>  
**Cc:** info <[info@LegalEagleInc.com](mailto:info@LegalEagleInc.com)>  
**Subject:** FW: [External] 2025-002211 Clarence W. Jenkins, Jr. Transcript

Good morning,

# EXHIBIT C

**RECEIVED**

**Nov 17 2025**

**S.C. SUPREME COURT**

**From:** Transcripts  
**To:** Transcripts; Supreme Court Filings; RetiredCR  
**Subject:** Transcript Request for Docket Number 2015CP2302629  
**Date:** Monday, November 17, 2025 2:57:30 PM

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Greetings,

You are receiving this notice and the **summarized Transcript Request shown below** for the case **Jenkins, Clarence W Jr vs South Carolina State Of**.

Pursuant to Rule 207(a)(1), SCACR, you are being notified that the transcript has been requested on **11/17/2025**. There is no action required.

If you need further assistance, please contact us at [transcripts@sccourts.org](mailto:transcripts@sccourts.org).

Regards,

Court Administration

Summarized Transcript Request ID: **1210626812**

## Requester Information:

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**Name:** Della White  
**Entity:** Agency SCCID  
**Phone Number:** (803) 734-1330  
**Email:** [dwhite@sccid.sc.gov](mailto: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 Clarence Jenkins

## Transcript Information:

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**Docket Number:** 2015CP2302629  
**Court Type:** Circuit  
**County:** Greenville  
**Case Caption:** Jenkins, Clarence W Jr vs South Carolina State Of  
**Appeal Pending?** Supreme Court

# EXHIBIT C

**Death Penalty?** No

**Start Date of Proceeding:** 1/30/2023

**End Date of Proceeding:** 1/30/2023

**Presiding Judge:** Morgan Jr., G. D.

**Court reporter daily assignments:**

**1/30/2023 (Monday):** Hudgins, Susan W., (Ret)

**Opposing Counsel and/or other parties information:**

(Attorney) DeShawn Herman Mitchell

(Defendant) South Carolina State Of

(Plaintiff) Clarence W Jr Jenkins

(Plaintiff Attorney) R. Mills Jr. Ariail

**Next hearing date:** *Date not entered*

**Portion of proceeding to be transcribed:** Entire Hearing

## Delivery Information:

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**Delivery Timeframe:** Regular Delivery (60 days)

**Delivery Method:** PDF/Email

**Delivery Timeframe:** Court Appointed Counsel

**Appeals Attorney:** SCCID

**Email:** [dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)