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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

December 31, 2013

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RECEIVED

DEC 31 2013

SC Court of Appeals

Re: State of South Carolina v. Antonio Gordon, Appellate Case No. 2013-000975

Dear Ms. Kitchings:

We received the request for a response to appellant's motion on December 27, 2013. Attached is a copy of the response we filed, or should have filed, on December 5, 2013. I am not sure what happened to the original or our clocked filed copy, but please accept the attached letter in response to appellant's motion to be furnished with a copy of the transcript.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD/kam

cc: Donald J. Zelenka, Esquire



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December 5, 2013

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DEC 31 2013

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

SC Court of Appeals

Re: State of South Carolina v. Antonio Gordon, Appellate Case No. 2013-000975

Dear Ms. Kitchings:

Please accept this letter in lieu of a formal response to the motion to furnish the transcript in the above-referenced case. This office does not handle Rule 29 motions for a new trial based on after-discovered evidence that originate in the Circuit Court. I am in receipt of the pro-se motion that Indigent Defense pay for the transcript of the hearing in this case. I have discussed this case with Hugh Ryan of the Commission on Indigent Defense.

The Commission can only pay for a transcript of record with a proper Court order authorizing the expense, prior to the expense being incurred. The Commission therefore leaves it to the discretion of this Court whether an order should be issued authorizing the payment of a transcript for appellant's appeal from the denial of his Rule 29 motion, assuming, of course, that he is indigent. Should this Court issue an order authorizing the payment of the costs of a transcript for appellant in this case the Commission will pay the invoice from the court reporter directly to the court reporter as authorized by law.

By copy of this letter, I am informing Donald J. Zelenka, Esquire, of the Office of the Attorney General, of this request. Please let me know if you have any questions.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD/kam

cc: Donald J. Zelenka, Esquire