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S.C. SUPREME COURT



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Wanda H. Carter, Chief Appellate Defender

July 22, 2026

Honorable Patricia A. Howard
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: Justin Perkins v. The State
Appellate Case No. 2025-002572

Dear Ms. Howard:

The petition for writ of certiorari this matter is due to be filed with the Supreme Court today. However, in preparing the Appendix and the briefs, it was discovered that a relevant transcript to the appeal is missing from the file. Following an evidentiary hearing on November 15, 2022, the PCR court (by order dated November 21, 2025) denied relief but granted a belated appeal on Petitioner's original guilty plea from May 18, 2015. Both the original guilty plea and the PCR evidentiary hearing are available to all parties. However, a motion to withdraw the plea was timely filed on May 28, 2015, and finally heard and ruled upon on September 12, 2019. The hearing on the motion to withdraw the plea has apparently not been transcribed. I have asked both the Attorney General and substituted PCR counsel to review their files, and neither is in possession of the September 12, 2019 transcript. Court Administration has been contacted and the missing transcript has been ordered, but at this time we are not certain the recordings are still available.

Therefore, counsel would request that this case be held in abeyance pending receipt of the September 12, 2019, hearing transcript, which was ordered on July 21, 2026. If a formal motion is preferred by the Court, I will be happy to prepare and file the motion immediately. By copy of this letter, I am informing counsel for Respondent of this request.

Sincerely,

Gary H. Johnson
Appellate Defender

GHJ/sl
cc: Kylee Kanealey, Esquire