

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Letitia H. Verdin, Circuit Court Judge

Appellate Case No. 2014-001164
Lower Court Case No. 2013-CP-23-01440

Jose Alberto Maldonado, Petitioner

v.

State of South Carolina, Respondent.

RECEIVED

JUL 15 2014

S.C. Supreme Court

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SC Court of Appeals

PETITION FOR COURT REPORTER TRANSCRIPTS AND TAPES

The Honorable, Tanya A. Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, S.C. 29211

The Hon: Rosalyn W. Frison, Director
South Carolina Court Administration
1015 Sumter, Street Suit 200
Columbia, S.C. 29201

THE SUPREME COURT OF SOUTH CAROLINA
DANIEL E. SHEAROUSE, CLERK OF COURT
Post Office Box 11330
Columbia, S.C. 29211

KAREN C. RATIGAN
Assistant Attorney General
Post Office Box 11549
Columbia, S.C. 29211

Issue Filed: July 10, 2014.

Dear Ms. Tanya A. Gee:

Respectfully Submitted


Jose A. Maldonado # 312648

Enclosed please find the proposed copy from the "Original" PETITION FOR COURT REPORTER TRANSCRIPT AND TAPES. And I hope this enclosure Petition find you in greading heald! In this Captioned Case. Please, be so kind to clock - stamped this enclosure, and return it to The Petitioner's Confinement Address. for file this claims in the Court of Appeals, The Petition For Rehearing and Remittitur. Issue Filed On July 3, 2014. Thank You!!!

Enclosures: (1) Attached:(1)

Cc: File

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Letitia H. Verdin, Circuit Court
Judge

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Jose Alberto Maldonado, Petitioner,

v.

State of South Carolina, Respondent.

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Karen C. Ratigan
Assistant Attorney General
Post Office Box 11549
Columbia, S.C. 29211

Issue Filed: July 10, 2014

Respectfully Submitted


Jose A. Maldonado, # 312648

Dear DANIEL E. SHEAROUSE:

Enclosed please find the proposed copy from the "Original" PETITION FOR COURT REPORTER TRANSCRIPT AND TAPES. And I hope this enclosure petition find you in greading held! In this Captioned Case. Please, be so kind to clock - stamped this enclosure, and return it to the Petitioner's Confinement address. for file this claims in the Court of Appeals, The Petitione For Rehearing and Remittitur. Issue Filed On July 3, 2014. Thank You!!!

SOUTH CAROLINA ADMINISTRATION
South Carolina Supreme Court
Columbia, South Carolina

1-of-2 Page

July 10, 2014

Rosalyn W. Frierson Director,
South Carolina Court Administration
1015 Sumter, Street Suit 200
Columbia, S.C. 29201

Jose Alberto Maldonado
I/D#: 312648 MB/Rm., #59
Kershaw, Corr. Inst.,
4848 Goldmine Highway
Kershaw, S.C. 29067

Re: Jose A. Maldonado C/A#:2014-001164/Lower Court C/A#:13-CP-23-01440
v. The State of South Carolina

Dear, Honorable Ms. Frierson:

I, Jose A. Maldonado, returning your answer therein reference's the writtend letter from June 10, 2014. That ~~I'm received on June 27, 2014~~. Through, the Address 4344 Broad River Rd. Columbia, SC 29210.

After you received my request information I am sended to you on June 3, 2014. The Petitioner has been notify from your Court reporter, who will [said] that; contact my requested of Petition to make arrangements for the payment and delivery of the transcripts within 60 days to being prepar the transcripts is records. After satisfactory payment arrangements I am made. Petitioner have send the "INMATE TRUST FUND ACCOUNT REPORT FOR (S.C.) FILING FEES." Is Copy, to the Appellate Court, and the Supreme Court is Clerks. If this information copy have the early convenience with this requirement of information to the transcript's records. To do so? Their, is my transcripts I was looking, in reference to the last requested, accordingly for your assistance to going forth in this matter, and obtain the followings transcripts:

I request that you provide me with this information to the Transcripts, its records of the proceedings. Please transcribe the entire records [except for the following parts;

- 1). Selection and aswearing all Statewide Grand Jury from Columbia South Carolina;(2) the preliminary hearing's transcript in the 1st. weeked I'm been arrested June 26, 2005; and also the bill bond hearing before, Lloyd, Reginal I. At Large Seat 9, P.O. Box 192, Columbia 29202. when those hearings has been take placed in diferent issue dateds. (1, on June 26-to-30, 2005/ 2nd, Oct. 20-to-30, 2005 once of those days;
- 3). the sentenced, and guilty plead transcript. Before Edward W. Miller judge. from november 29, 2005, was such guilty pled, and sentenced has been happend in the same dated is courtroom for the first, (Seven (7) years);
- 4). The (1st. PCR Hearing Transcript), before Edward W. Miller judge. When, such hearing has been held on December 8, 2008; and

- 5). The (3rd. PCR Act. Transcript's Hearing from October 25, 2013), before, Edward W. Miller judge;
- 6). That, the last hearing is transcript in the (3rd PCR Act Application). Before, is Edward W. Miller judge. was been hear on April 1, 2014; and
- 7). That, indictments:(1) 2003-GS-23-4545; Arrest W/A#.:G-8033-04; Indictment 2003-GS-23-4547;and W/A#.:G-530070, Indictment Count I, IV. Requesting from your office to produce the transcript in "question, and if possible to over trun the list of the grand jury who considered the truth of the indictments" and documentary proof that the Grand Jury was "qualify by a Circuit Court's Judge in Open Court. List of Grand Juros." Holding as Follows:

(A) Docketing Transcripts with Clerk of other Courts.

- 1). An Appellant was entitled, pursuant to S.C. Code Ann § 15-35-540, to enter in the Court of Common Please transcripts of Judgments issued. See, e.g., Integrity Ins.Co. V. Taylor, 295 SC. 143, 367 SE.2d 441 (SC. App 1988); Harrison v. Southern Porcelain Mfg. Co. 10 S.C. 278 (S.C. 1878). Transcript is good, although certified to be from docket of judgment instead of judgment book, and without the clerk is name but with his Seal;

- (B) Right of Appellant to Review or reproduce or review and produce stenographically or electronically recorded material. U.S.C.A. 14 Code §§ 14-7-1700, 14-7-1720, 14-7-1771 Rules CrimP Rule 5 Post-Indictment. Evans v. State 363 S.C. 507, 611 SE.2d at 517 (SC. 2005);

- 1). Appellant was not entitled to compelling County Clerk of Court to provid copies of grand jury transcripts involving his indictments; but Attorney General perform his duties as chief prosecuting officer of State not only through his immediate staff but through his "Constitutional authority to supervise and direct activities of solicitors or prosecuting attorneys located in each judicial circuit of State." Const. art. 5, § 20. Ex- Parte Mcleod, 272 S.C. 373, 377 252 SE.2d 128 (S.C. (S.C. 1979)(quoting, Anderson v. State, 338 S.C. 629, 632, 527 SE.2d at 400 (S.C. App. 2000); And
- 2). An Appellant qualify for the free transcripts has the burden of establishing his indigency. S.C. Code Ann.§ 14-15-40; see State v. Bishop, 241 SC. 459, 128 SE.2d 914 (S.C. 1962). Appellant in his criminal case and judge before who motion had been heard sole judge in trial, 1st. PCR. 2nd. PCR. and 3rd PCR Actions, of factual issue, and the Supreme Court bound by findings of fact of circuit judge unless such findings is sufficient evidence to support the Petitioner's claims. See Id. File, 6-3-2014. R.6075PCR

• Thank You for heard this Matter.

Done this 10 day of July, 2014.

Sincerely,

1st Joe A. Maldonado
 Joe A. Maldonado, #312648
 Apcal C/A#.: 2014-001164
 Lower Court C/A#.:13-CP-23-1440

SOUTH CAROLINA ADMINISTRATION
South Carolina Supreme Court
Columbia, South Carolina

Rosalyn Frison Director,
South Carolina Court Administration
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Jose Alberto Maldonado
I/D#: 312648 MB/Rm., 59
Kershaw, Corr. Inst.
4848 Goldmine Wighway
Kershaw, S.C. 29067

Re: Appeal C/A#: 2014-001164
Lower Court C/A#: 13-CP-23-01440

CERTIFICATE OF SERVICE BY MAIL

I certify that I have serve the answer and response to a written letter from, S.C. Court Administration, issue dated June 10, 2014 for ORDING the TRANSCRIPTS, in this Court of Administration, the Appellant received it on June 27, 2014. By depositing a copy of it in the U.S. Mail, postage, on this 10 day of July, 2014. And a copy of it have being served to the S.C. Supreme Court is Clerk, Appellate Court is Clerk of Court, Pursuit in Rule 607(a) (b)(c)(d), & (h)(1)(A) SCACR, by personally delivering a copy of it to the CompuScripts P.O. Box 7172 Columbia, S. C. 29202. Appellant did and forward to the Following. Persons is Request ORDERING is seven (7) list of issues, the transcript's Records. To:

Rosalyn W. Frierson, Director
South Carolina Court Administration
1015 Sumter, Street Suit 200
Columbia, S.C. 29201

THE SUPREME COURT OF SOUTH CAROLINA
DANIEL E. SHEOROUSE, CLERK
Post Office Box 11629
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The Honorable Tanya A. Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, S.C. 29211

Karen C. Ratigan
Assistant Attorney General
Post Office Box 11549
Columbia, S.C. 29211

Further, Petitioner said and Not:
This 10 day of July, 2014.

Sincerely,

Jose A. Maldonado
Jose Alberto Maldonado, #312648
The Petitioner, Requesting

SWORN TO and SUBSCRIBED Before Me

this 10 day of July, 2014

Cathrine A. Carrasco
Notary Public For South Carolina

Kershaw, Corr. inst. MB/Room#59
4848 Goldmine Highway
Kershaw, S.C. 29067

My Commission Expires: _____
My Commission Expires December 22, 2018

Issued Filed: 7/10/14

