

In the State of South Carolina  
In the Court of Appeals

---

Appeal from Richland County  
Court of Common Pleas

Honorable James R. Barber, III, Circuit Court Judge

Case No. 2010-CR-40-05846

Robert Brown, et al.,

Respondents,

v.

Stewart Buchanan,

Appellant.

Motion for Order to Compel  
Court Reporter to Produce  
Transcript Without Prepayment  
of Costs.

Appellant Stewart Buchanan moves this Court for an order which compels the Court Reporter (name unknown) who attended the September 15, 2011 hearing before the Honorable James R. Barber, III, Circuit Court Judge, in Richland County, in this matter. In support of such motion, Appellant would respectfully show this court:

1. Appellant was granted leave to proceed In Forma Pauperis by the Richland County Court of Common Pleas in this case.

(2)

2. Appellant's indigency continues unchanged and he has moved this court in a separate motion for leave to proceed in this appeal In Forma Pauperis.

3. On September 15, 2011 Defendants' "Motion to Dismiss Due to Lack of Subject matter Jurisdiction" was heard in Richland County before Circuit Judge James R. Barber, III.

4. The defendants' motion was granted and is the subject matter of this appeal.

5. Appellant is informed and believes, and based upon such information and belief alleges that he has a Constitutionally protected due process interest in obtaining a true and correct copy of the transcript of the September 15, 2012 hearing to perfect his appeal, even though he is without sufficient funds to prepay the costs related to this request as prescribed by Rule 607, SCACR.

6. Appellant alleges that if this Court fails to grant this Motion and Plaintiff is without transcript with which to perfect his appeal, Appellant will suffer irreparable harm, injury and damages as a direct and proximate result of this court's order, violating the South Carolina Constitution.

(3)

Wherefore, premises considered, Plaintiff prays that this Court grant an order compelling the Court Reporter attending the September 15, 2011 motions hearing (name unknown) to produce and deliver to Plaintiff a transcript of the hearing within sixty (60) days of such order, without prepayment by Plaintiff of the costs incurred by this Request.

Respectfully submitted!

Stewart Buchanan

Stewart Buchanan, #069848

McCormick CI

386 Redemption Way

McCormick, SC 29849

Dated: April 24/2012

Stewart Buchanan, #069848  
McCormick CI  
386 Redemption Way  
McCormick, SC 29899

April 24, 2012

Court Reporter  
C/O Circuit Court Judge James R. Barber, III  
Richland County Judicial Center  
P.O. Box 2766  
Columbia, SC 29202

Re: Buchanan v. Brown, et al.,  
Case No. 2010-CP-40-05846

Dear Court Reporter:

On September 15, 2011 motion in the above case was heard before the Honorable James R. Barber, III, Circuit Court Judge, in Richland County.

My attempts to obtain your name and mailing address have been unsuccessful; however, Judge Barber's records indicate you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record.

I am a pauper and have been granted leave to proceed In Forma Pauperis; therefore, I am unable to prepay the per page charge for this transcript as provided by Rule 607, SCACR.

With kind regards,

Sincerely,  
Stewart Buchanan

cc: Court Administration, SC Supreme Court  
SC Court of Appeals  
Samuel F. Arthur, III, Esq.  
File