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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

SEP 10 2014

SC Court of Appeals

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

September 10, 2014

The Honorable Jenny Abbott Kitchings  
Clerk of the S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

Re: State of South Carolina v. Joshua W. Porch  
Appellate Case No. 2013-002531

Dear Ms. Kitchings:

On June 3, 2014 our office sent a letter to you requesting that this case be held in abeyance pending receipt of three additional hearing transcripts (copies attached).

We received the October 14, 2013 pre-trial motion hearing transcript. However, we are still waiting to receive the transcripts for the Bond Hearing on July 29, 2013 and the pre-trial motion hearing on November 12, 2013. Please continue to hold this case in abeyance until all requested transcripts have been received.

In addition, during the process of adding outside counsel to this case and also changing office assistants, we inadvertently overlooked the abeyance status of this case and prematurely asked the Court for two extensions in which to file the Initial Brief of Appellant and Designation of Matter. We are now requesting that those two extensions be considered a nullity due to the abeyance status of this matter with the Court.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD/rdf

cc: Donald Zelenka, Esquire  
Michael Anzelmone, Esquire  
Mervin Ashley Alexander Garry, Esquire

Enclosures



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June 3, 2014

The Honorable Jenny Abbott Kitchings  
Clerk of the S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

Re: State of South Carolina v. Joshua W. Porch  
Appellate Case No. 2013-002531

Dear Ms. Kitchings:

The initial brief of appellant and designation of matter in the above case are due to be served and filed on July 11, 2014. However, after reviewing this newly assigned case, I have discovered that we need additional transcripts. There were three additional hearings that we were not previously aware of: a Bond Hearing on July 29, 2013, and two pre-trial motion hearings on October 14, 2013 and November 12, 2013. We have requested the three transcripts today and would request that the time limits be held in abeyance pending receipt of them. I am enclosing copies of our transcript requests with this letter. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD/kam

cc: Donald Zelenka, Esquire

Enclosures



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

June 3, 2014

Ms. Elizabeth Harris  
Circuit Court Reporter  
414 Autumn Circle  
Columbia, SC 29206

Dear Ms. Harris:

Please provide us with the following transcript:

The State v. Joshua W. Porch, Appellate Case No. Case #: 11-GS-40-03359  
2013-002531

County: Richland Date of Trial: July 29, 2013 (Bond Hrg)

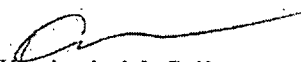
Presiding Judge: Alison Renee Lee

Pursuant to the SC Court Reporter's Manual, please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Consecutive numbering of pages must be used throughout all volumes regardless of the number of volumes involved. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments, and include the jury strike sheet. Please be sure to include Headers and a complete index including a listing of exhibits.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

Sincerely,

  
Kimberly McCall  
Administrative Coordinator

cc: S.C. Court of Appeals  
Attorney General's Office



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Columbia, South Carolina 29201-3332  
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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

June 3, 2014

Ms. Carol M. Thueme  
Circuit Court Reporter  
P O Box 1981  
Irmo, SC 29063

Dear Ms. Thueme:

Please provide us with the following transcript:

The State v. Joshua W. Porch, Appellate Case No. Case #: 11-GS-40-03359  
2013-002531

County: Richland Date of Trial: July 29, 2013 (Bond Hrg)

Presiding Judge: Alison Renee Lee

Pursuant to the SC Court Reporter's Manual, please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Consecutive numbering of pages must be used throughout all volumes regardless of the number of volumes involved. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments, and include the jury strike sheet. Please be sure to include Headers and a complete index including a listing of exhibits.

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Sincerely,

Kimberly McCall  
Administrative Coordinator

cc: S.C. Court of Appeals  
Attorney General's Office



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

June 3, 2014

Ms. Theresa Johnson  
Circuit Court Reporter  
Post Office Box 2812  
Greenville, SC 29602

Dear Ms. Johnson:

Please provide us with the following transcript:

The State v. Joshua W. Porch, Appellate Case No. Case #: 11-GS-40-03359  
2013-002531

County: Richland Date of Trial: October 14, 2013 (Pre-trial Mtn Hrg)

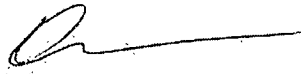
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Sincerely,

  
Kimberly McCall  
Administrative Coordinator

cc: S.C. Court of Appeals  
Attorney General's Office



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

June 3, 2014

Ms. Bonnie H. Kelly  
Circuit Court Reporter  
P O Box 50614  
Columbia, SC 29250-0614

Dear Ms. Kelly:

Please provide us with the following transcript:

The State v. Joshua W. Porch, Appellate Case No. Case #: 11-GS-40-03359  
2013-002531

County: Richland Date of Trial: November 12, 2013 (Pre-trial Mtn Hrg)

Presiding Judge: Alison Renee Lee

Pursuant to the SC Court Reporter's Manual, please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Consecutive numbering of pages must be used throughout all volumes regardless of the number of volumes involved. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments, and include the jury strike sheet. Please be sure to include Headers and a complete index including a listing of exhibits.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

Sincerely,

Kimberly McCall  
Administrative Coordinator

cc: S.C. Court of Appeals  
Attorney General's Office