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South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina

NOV 24 2014

S.C. SUPREME COURT

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November 24, 2014

Brandon W. Duke, Esq.
WINSTON & STRAWN, L.L.P.
1111 Louisiana St, 25th Floor
Houston, TX 77002

In re: Mikal D. Mahdi v. State of South Carolina, 2009CP0900164

Dear Mr. Duke:

This is in response to your letter dated October 13, 2014, and the attached letter dated February 4, 2013, requesting a transcript from the records of Priscilla Nay. Ms. Nay was separated from employment with Court Administration as of March 2011, and was instructed to deliver all outstanding records to our office. Records from court reporters are stored in our warehouse for the requisite five years. In a telephone conversation with your office, I advised that this was done pursuant to Rule 607. This morning I personally went to the warehouse where court reporter records are stored to be sure it had not been retained beyond the five-year period.

After a thorough review and search of her records, I have determined that unfortunately, the records to produce a transcript from these proceedings have already been destroyed, and we will be unable to have this transcript prepared. We have exhausted all avenues before writing this letter, and are sorry for any inconvenience this causes you and all parties involved.

Sincerely,


Desiree R. Allen
Court Reporter Manager

The Honorable Daniel E. Shearouse, Clerk, S.C. Supreme Court ✓

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BRANDON DUKE
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October 13, 2014

Via Email

Desiree Allen
Manager, Court Reporting and Court Interpreters
Court Administration
1015 Sumter Street, Suite 200
Columbia, South Carolina 29201-3739
dallen@sccourts.org

Re: Mikal D. Mahdi v. State of South Carolina, 2009-CP-09-164

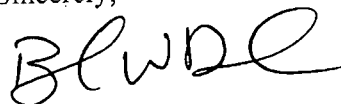
Dear Ms. Allen:

I write regarding our letter dated February 4, 2013, requesting a transcript for the above case, which was heard before the Honorable Doyet Early, III, Circuit Court Judge, in Beaufort County on August 11, 2009. A copy of the letter is attached.

On October 8, 2014, the Notice of Appeal in this case was filed, and we are ordering the transcripts for the entire proceedings below pursuant to Rule 207(a), SCACR. As explained in the previous letter, our records indicate that Priscilla Nay was the Court Reporter, and that Ms. Nay is no longer a court reporter. Can you please let me know the status of our request that Court Administration provide us with a transcript of the proceedings and to please transcribe the entire record?

I agree to pay the per page charge for the transcript as provided by Rule 607, SCACR.

Sincerely,



Brandon W. Duke
Attorney for the Appellant

Attachment

cc: The Honorable Daniel E. Shearouse
Anthony Mabry, Esq.
Teresa L. Norris, Esq.

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February 4, 2013

VIA FEDERAL EXPRESS

Court Administration
1015 Sumter Street
Columbia, South Carolina 29201

Re: **Mikal D. Mahdi v. State of South Carolina, 2009-CP-09-164**

To whom it may concern:

On August 11, 2009, the above case was heard before the Honorable Doyet Early, III, Circuit Court Judge, in Beaufort County. My records indicate that Priscilla Nay was the Court Reporter and that Priscilla Nay is no longer a court reporter.

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

I agree to pay the per page charge for the transcript as provided by Rule 607, SCACR.

Sincerely,



Seth C. Farber
Attorney for Appellant
(Application for admission *pro hac vice* pending)

Cc: The Honorable Daniel E. Shearouse
Anthony Mabry, Esq.
Teresa L. Norris, Esq.