

LAW OFFICE OF



TARA DAWN SHURLING, PA

Attorney and Counselor at Law

3614 Landmark Drive

Suite A

Columbia, South Carolina 29204

(803) 738-8622

(Fax) (803) 738-1600

E-Mail: [tdslaw@shurlinglaw.com](mailto:tdslaw@shurlinglaw.com)

December 11, 2014

Ms. Stacy Johnson  
Circuit Court Reporter  
125 Firebridge Drive  
Chapin, SC 29036

RE: State of South Carolina v. Kathy Revan  
Case Nos. 2011-GS-30-1625; 1626; 1627

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Dear Ms. Johnson:

**SC Court of Appeals**

You previously filled a transcript request in the above referenced matter. The transcript that was provided referenced two lengthy audio recordings that were played for the jury during the trial, but the content of those recordings was not transcribed as part of the record. I have been retained to represent Ms. Revn on direct appeal. It is impossible for me to perfect this appeal without those matters being transcribed and made part of the official record. For that reason, I petitioned the Court of Appeals to stay the appeal and allow time for these missing portions of the record to be transcribed. As you can see from the enclosed Motion and Order, the Court of Appeals has granted that request. If you have any problem transcribing these exhibits, please let me know at once. In regards to the immunity hearing, please clarify whether both Parts I and II of Ms. Revan's Statement, subsequently introduced as State's Exhibits 9 and 10, were played for the judge during the immunity hearing. I suspect that they were both played; however, the transcript of that hearing does not make that clear. If in fact both parts I and II were played for the Court during the immunity hearing, please correct the transcript to properly reflect this fact. Rather than have to renumber the entire record, I would suggest you add in a page marked, for example, 34b if adding clarification necessitates another page. As for State's Exhibits 9 and 10 themselves, I would be fine with them being transcribed and added at the end of the record originally provided to me so as to avoid having to renumber the entire record. You can just add to the index where they were addressed in the original transcript and where they are transcribed in the amended record:

For Example:

State's Exhibit 9	
Played for the Court	34
Played for the Jury	478
Transcribed at	_____

This would allow the reader to quickly ascertain where in the proceedings these recordings were published *and* where in the record the transcriptions can be found. I have consulted with opposing counsel, Salley Elliott, and she is in agreement with this proposal. Neither of us wants you to have to renumber this lengthy transcript. State's Exhibit 11 is the audio recording of the 911 call. While that recording is mentioned during the immunity hearing, the record is not clear as to whether the recording was played for the

judge during the hearing. It was clearly played for the jury during the trial. If State's Exhibit No. 11, the recording of the 911 call, was *played for the Court* during the immunity hearing, the record of the immunity hearing will have to be amended to add that clarification. Once again, I have no problem with you transcribing State's Exhibit 11 at the end of the record to avoid renumbering all the transcript pages. Just be sure the index is amended to reflect every time it was played in court *and* where in the transcript it appears. Be certain to caption each Exhibit where it appears in the transcript.

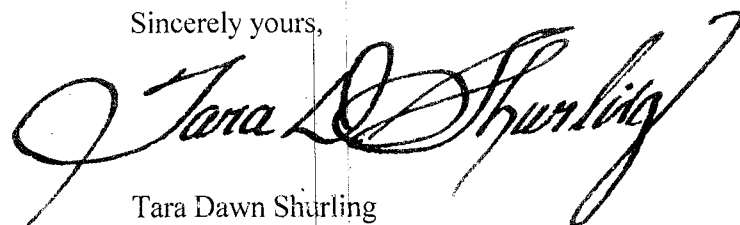
For Example:

State's Exhibit 11  
Played for Court \_\_\_\_\_  
Played for Jury \_\_\_\_\_  
Transcription at \_\_\_\_\_

I hope you still have your notes and back-up recordings available to transcribe. If not, please let me know at once so I can get a Court Order to allow you to take temporary custody of these exhibits for the purpose of transcribing them. It may be that they will have to be turned over to Court Administration for you to transcribe them there. I have never had this situation come up before, so I am uncertain how the Court of Appeals would direct us to proceed.

Please feel free to contact me if you have any questions. I will appreciate a reply from you regarding this request so I can advise the Court of the status of this case. Obviously, I will expect to be billed for these additional portions of the record not charged for in your original voucher. For now, I am,

Sincerely yours,



Tara Dawn Shurling  
Attorney and Counselor at Law

TDS/sm  
Enclosures

cc: Jenny A. Kitchings, Clerk, SC Court of Appeals  
Salley W. Elliott, Senior Assistant Deputy Attorney General  
Desiree Allen, Court Administration  
Kathy Revan, 358569  
Brandon Revan



Law Office of  
**Tara Dawn Shurling, P.A.**  
 Attorney and Counselor at Law  
 3614 Landmark Dr., Suite A  
 Columbia, South Carolina 29204

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The Honorable Jenny A. Kitching  
 Clerk of Court, SC Court of Appeals  
 P.O. Box 11629  
 Columbia, SC 29211

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**SC Court of Appeals**

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