

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appellate No;2014-000737

Mr,Shearouse;

Please find inclosed (1) motion for EXPARTE OF EXPENDITURE OF FUNDS.to be put before the Honorable Justice Mrs,Toal." This matter is urgent and in needing of ruled upon, as soon as possible.Please be advised York County Clerk of Court Mr,David Hamilton has been served same.

Respectfully,



January,2-2015

Richard Keith Poe,#259297
Evans Correctional
610 Hwy 9 West
Bennettsville SC,29512

RECEIVED

DEC 31 2014

S.C. Supreme Court

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Richard Keith Poe, #259297
Petitioner

Appellate No; 2014-000737

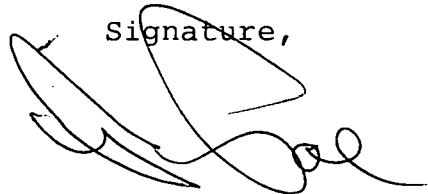
VS.

Certificate of
Service

State of South Carolina
Respondent

As of this Day, January-2-2015, I have placed in US regular Mail (1) motion for "exparte expenditure of funds. The Sixteenth Circuit Court of York County served same, as the South Carolina Supreme Court.

Signature,

A handwritten signature in black ink, appearing to be "Richard Keith Poe", written over the printed word "Signature,".

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Richard Keith Poe,
Petitioner

APPELLATE NO:2014-000737

VS.

State of South Carolina,
Respondent

" EXPARTE MOTION"

" MEMORANDUM "

This motion is made ex parte as authorized by South Carolina Code of Laws § 17-3-50(B). Applicant, moves this Court pursuant to the Fifth, Sixth, and Fourteenth Amendment to the United States Constitution, S.C. Const, Art (1) § 3 & 14, S.C. Code § 17-3-50(B). Bailey V. State, 309 S.C., 455, 424 S.E. 2nd 502 (1992), rule 602 SCAR, and other applicable Federal and State Laws. Applicant request this Court to authorize the expenditure of funds to obtain "transcript" from hearing that was conducted on April, 1-2013. In front of the Sixteenth Circuit Court Judge the, Lee S. Alford. Transcript is in fact relevant to assist applicant with the preparation of the above case.

Petitioner, " URGENTLY" request enlargement of time span to file issues and legal grounds before this Court pertaining to writ of certiorari. Transcript of record from the hearing in the Sixteenth Circuit Court of York County April, (1)-2013, is of a "NECESSARY DIRE NEED" to support claims of ineffectiveness of counsel and prejudicial misconduct.

The South Carolina Supreme Court has been especially concerned that indigent defendants receive competent counsel. Petitioner has exhausted all available remedies through "attorney's" of record. Sean F. Cronin, Micheal Hemplepp Jr, and Robert M. Dudek. Trying urgently to obtain this (relevant documentation) which is necessary to a meaningful defense.

(1) Petitioner is facing a "LOWP" of a sentence as stated from the Honorable Judge Baxley, during (PCR) hearing January, 22-2014. Petitioner appealed Baxley's denial of Post Conviction Relief.

(2) Petitioners appeal is currently before this Honorable South Carolina Supreme Court for Writ of Certiorari, where transcript of facts are required and need to be amended to writ.

(5) Counsel, Sean F. Cronin, blatantly refused to even entertain the idea of obtaining transcript from April, 1-2013, even after being requested he do so by his client here.

(4) Counsel, Micheal Hemplepp Jr, represented petitioner during (PCR) hearing and failed to obtain " transcript " after being ask to obtain record to further support claims in (PCR) application.

(5) Counsel, Robert M. Dudek, is appointed to brief legal issues on appeal. In which Counsel has failed to adequately do. "Dudek raised "ONE ISSUE" out of (27) and filed a Johnson v. State, 294 S.C 310, 364 S.E. 2nd 201 (1988) and request to be relieved as counsel.

Petitioner, was sentenced to (13) years and this transcript is relevant to facts regarding "ineffective assistance of counsel claim pending before this Honorable Court, for review.

"FACTS"

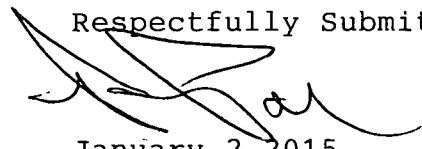
Applicant is entitled to this funding, otherwise he is denied the opportunity to participate meaningfully in a judicial proceeding in which his liberty is at stake, Ake v. Oklahoma, 470 U.S. 68, 76, (1985).

Whereas, based on the above statement of facts and arguement, any other facts petitioner may proffer at an ex parte hearing on these issues, petitioner is entitled to funds not to exceed the amount of \$150.00 dollars.

This Court should find this is a reasonable and necessary expense and funds should be set aside for the petitioner by the Office of Indigent defense, and upon the services, funds should be forwarded to the Court Reporter in fact recorded proceedings on april, 1-2013 in front of the Honorable Judge Lee S. Alford.

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Respectfully Submitted



January, 2-2015

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PM 11



Supreme Court
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