

January 26, 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RE: Karen Oliver, Appellant, v. Amanda Lawrence and Trident United Way, Respondents.
Appellate Case No. 2013-002587

Dear Ms. Kitchings:

Enclosed for filing is the Reply. Also enclosed are the following:

- (1) Proof of service of to the known counsel for the respondents.
- (2) The original and other submissions will be mailed in accordance with the rule.

Sincerely,



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Pro Se

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Attorneys for Respondents

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JAN 27 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Active/Retired Circuit Court Judge

Case No. 2012-CP-10-8135

REPLY

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JAN 27 2015

SC Court of Appeals

Karen Oliver,

Appellant,

v.

Amanda Lawrence and Trident United Way,

Respondents.

REPLY

The Appellant has shown just cause for the presiding judges to provide a review of the audio, video and stenographer's notes as the court reporter, Mona Manley, violated the procedures and guidelines for the preparation of the official court transcript. The Appellant has outlined what regulations in the court reporter's manual of S.C. that Mona Manley refuses to adhere too. The opposing counsel, Andrew Lindemann, calls the omissions "inconsequential," but did not label it legal. The court reporter's manual clearly states that the transcription must be verbatim (Court Reporter's Manual pages 2, 13). Therefore, the "intentional" omission of the judge's and the opposing counsel's statements (as already noted) without being advised to strike

them from the record by the judge during the Proceeding is the usurping of power from the judicial system, a violation of my Civil Rights, my Right to Due Process- Constitutional Rights. Andrew Lindemann never claimed that the "intentional" omissions did not take place. He just contends that they are "inconsequential." Yet, still a violation and an "intentional" falsification of official court documentation resulting in an illegal act. The transcript is to depict what took place in the courtroom. By altering it through these numerous "intentional omissions" of the judge's statements and the opposing counsel's statements the official documentation is prejudiced. The non-use (lack of) of parenthetical to address the event of the exchanging of places by the legal team that was already seated and set up in the courtroom's well and Appellant and opposing counsel (Fagnoli) is another violation (page 29). The Appellant is willing to sit with representatives of the Clerk of Court, Court Administration and the opposing counsels to review the audio and video recordings along with the stenographic notes to corroborate that the "intentional falsified" transcript is not reliable and to gain a true official transcript as afforded by the 14th and 5th Amendments in our Constitution Rule 607 and the Court Reporter's Manual. Due to the fact that the current counsel for the Respondents, Andrew Lindemann, who was not a participant in those proceedings and is not able to make an informed contribution to this issue a review of the audio and video recordings provides an equitable field of operation for both sides. To allow the submission of the copy of the transcript received would prejudice the court and cause irreparable damage to the Appellant. The recordings are still available, due to the challenges still being in question and unresolved. What is the opposing counsel afraid of—the truth being revealed? He proffered in a previous response to the Injunction that there were no

issues. Well, there were issues and there still remain issues due to Mona Manley's refusal to do what she was hired to do by the Appellant, who requested a court reporter for the Oct 9, 2013 Hearing before Judge J.C. Nicholson, Jr.

Furthermore, the court has recently ruled to provide new trials to convicted murderers because of "unreliable" transcripts **after** my issue of not having a reliable transcript. Please see the attached newspaper print (a computerized print has been submitted). Consequently, the same judge named and involved in the attached newsprint from the *Post and Courier*, Murderer granted new trial over inadequate transcript, December 23, 2014 by Christina Elmore is the same judge Mona Manley has given the appearance of collusion. Basically, the same judge, same issue (unreliable transcripts) and the same culprits-court reporters. The right to a "reliable" transcript is paramount to an equitable judicial proceeding. If it were not, the legislative branch would not have designated it to be obtained **prior** to the Initial Brief. The Court of Appeals has already ruled in this area and knows that a "reliable" transcript is the foundation of any case to their court or the Supreme Court. So important that contempt of court charges are the result of not providing one upon request and payment. **Negligence** as labelled by an Assistant Solicitor. S. C. Court Administration needs to better supervise their court reporters. My issues are not isolated as the article and recent rulings indicate. My complaint of unreliability **pre-dates** the recent rulings. I have tried to file an official complaint against Mona Manley and inquired about any procedure to which I need to comply to accomplish this and got resistance from her supervisor- Desiree Allen. Hence, the letter Andrew Lindemann supplied dated January 12, 2015 to which I sent him a copy to be transparent with all involved. Mona Manley did not adhere to the Court Reporter's Manual

of S.C. and Rule 607 and my request that a formal complaint be filed should be honored without a cover up or collusion.

Andrew Lindemann was incorrect when he informed the courts that I “threatened” to go to the Justice Department. It was not a threat just a future projection of an act that will take place because of the “intentional” mishandling of transcripts. Yes, it’s a serious trend/pattern with a threat to public safety. In fact the Governor’s office, State Attorney General, law enforcement, lawmakers, victim’s advocate groups, churches, news media and local community members are being put on notice of these disturbing trend/finding of “unreliable transcripts” that will affect their lives, some jobs and the lives of those they are supposed to serve. Surely, if nothing is done at the state level then the federal level should be called in to do what should have taken place by those paid to do so in our state. I have provided copies of the letters sent to the Governor and State Attorney General as proof that these trend/finding must be addressed to ensure no more of our citizen’s rights are violated. Therefore, not a threat.

An official review of the audio, video and stenographer’s notes is being requested with all parties present to preserve the rights of both sides. I have shown the trend/findings of the mishandling of official court documentation by court reporters and specifically this case the missing quotes: by the same judge from the Lower Courts that was involved my case (and he was cited in the article) and those by the opposing counsel. Why is Andrew Lindemann opposed to the truth? He should desire the same for his clients. The court should find it strange that the opposing counsel would buck at having a reliable transcript. Does he as a trial lawyer knowingly provide his clients with inadequate transcripts? This act would be unethical, unlawful and unconscionable. The review will show collusion and a lack of supervision of court reporters.

Mona Manley should be held in contempt of court. The 14th Amendment provides no state shall deprive any person without Due Process of law. All levels of American government must operate within the law and provide fair procedures. No state shall deprive any person within its jurisdiction equal protection of the law. A "reliable" transcript is used for convicted felons, child molesters, rapist, murderers and ethics violators **then, the average citizen should be afforded the same.**

Additionally, the government has to follow rules and established procedures in everything it does. It cannot for example skip parts of a trial or deny citizens of their rights protected by the Bill of Rights and by law this protection helps to ensure justice. The right to a "reliable" transcript is paramount to the appellate process if it wasn't it would not be written as such. The date of January 5, 2015 provided by the court for an Initial Brief was given with the thought that the procedures as outlined in the Court Reporter's Manual and Rule 607 would be adhered to and no violation to the 5th and 14th Amendments. **A simple review of the audio, video recordings and the stenographer's notes in comparison to the "unreliable" transcript will resolve this issue so a lawful submission of the Initial Brief can take place.** The recordings are still available as the challenges are still in play. I am asking the court to preserve the rights of all involved (Respondents, Court Reporter, Court Administration) not just my own. The Clerk of Court was kept abreast of the occurrences involved in trying to get the challenges resolved as instructed. Mona Manley refused to continue. Judge J.C. Nicholson, Jr. should not find any fault with a review otherwise, grant a new case.

If Desiree Allen did as I requested and went and prayed to the Most High God, even she would know that the following statement is true beyond a shadow of a doubt. God is in control!!!



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MEMORANDUM WITH CITATIONS OF SUPPORT

The Appellant has provided the breaches that took place by the court reporter in the application of the guidelines and rules as prescribed in Court Reporter's Manual of SC and Rule 607. The "intentional" omission of the judge's and opposing counsel's statements are a direct violation: PURPOSE AND APPLICABILITY

The purpose of any court reporting system is to create a timely, accurate, *verbatim record of lower court proceedings* which may be transcribed for use in subsequent proceedings (2).

The willful failure of a court reporter to comply with the provisions of this manual may constitute contempt of court enforceable by Order of the Supreme Court (2).

3. Common Pleas

All aspects or phases of proceedings in civil cases must be recorded verbatim. Opening statements and closing arguments are part of the record and must be taken verbatim, unless all parties, on the record, agree otherwise (13).

A. Preparation Responsibility

The court reporter is responsible for the preparation of the transcript. This is a

pg. 2 (Mem)
pg. 9 (total)

significant responsibility. The requested transcript must be verbatim and prepared in upper and lower case and in accordance with the standardized format described below. (See Appendix 3, Exhibit 5-15) (25).

7. Parenthetical

The parenthetical is a remark added to the transcript by the court reporter to ensure a clear understanding of the record (e.g., the fact that an event transpired, times relating to jury actions, a witness responds by physical gesture rather than verbally). All parenthetical remarks by the court reporter must be enclosed within parentheses (29).

XV. PRODUCTION OF THE TRANSCRIPT

In the appeal process, the transcript is the official document which provides the appellate court reliable information regarding trial court proceedings (24).

I. Presentation of Exhibits

The presentation of exhibits for identification and admittance is noted in the body of the transcript. The exhibit should be marked when directed by the court. Some exhibits may be marked for identification only and may be entered later officially as an exhibit. (See Appendix 3, Exhibit 11.2)(32-33)

The recent rulings by the Court of Appeals to convicted murderers and other convicted felons due to inadequate “unreliable” transcripts proves there is a deficiency with court reporters providing reliable transcript and a lack of quality checks by their supervisor. . A “reliable” transcript is used for convicted felons, child molesters, rapist, murderers and ethics violators **then, the average citizen should be afforded the same.**

¹ Court Reporter' Manual State of SC Pages 1-2, 13, 25, 24, 30, 31

¹¹ Post and Courier *Convicted Murderer granted new*, December 23, 2014, by Christina Elmore

Letters: Governor Haley and Alan Wilson

pg. 3 (Mem)
pg. 9 (total)



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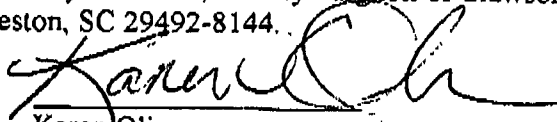
Amanda Lawrence and Trident United Way,

Respondents.

PROOF OF SERVICE

I certify that I served the Reply by depositing a copy of it in the United States Mail, postage prepaid, on January 26, 2015 addressed to their attorney of record, Christy Fagnoli of Clawson and Staubes, LLC 126 Sevens Farms Drive Charleston, SC 29492-8144.

January 26, 2015



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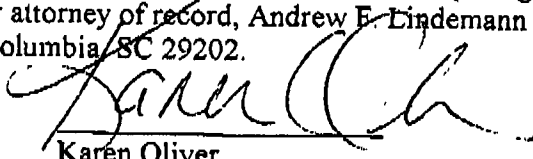
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I certify that I served the Reply by depositing a copy of it in the United States Mail, postage prepaid, on January 26, 2015, addressed to their attorney of record, Andrew F. Lindemann of Davidson & Lindemann, P.A P O. Box 8568 Columbia, SC 29202.

January 26, 2015



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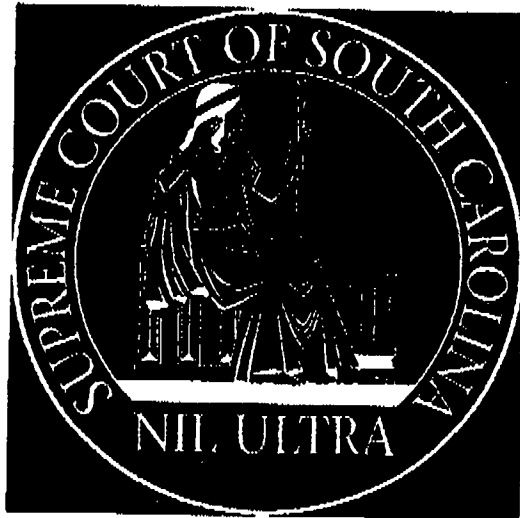
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JAN 27 2015

SC Court of Appeals

COURT REPORTER MANUAL

STATE OF SOUTH CAROLINA



South Carolina Court Administration

As approved August 16, 2011

I. PURPOSE AND APPLICABILITY

The purpose of any court reporting system is to create a timely, accurate, verbatim record of lower court proceedings which may be transcribed for use in subsequent proceedings.

This manual provides court reporters employed by the South Carolina Judicial Department ("Department" or "Court Administration") with a workable, day-to-day guide for the proper conduct of court reporting. The manual also includes all required forms. See Appendix 1 and § II(A). It is intended to be a comprehensive, consistent, and clear-cut description of roles, responsibilities and duties of state court reporters.

Because it is meant to be a user's manual, comments and suggestions for improvement will be appreciated. Such comments or suggestions should be directed to Court Administration. As the court reporters' responsibilities and duties may change from time to time, the Department reserves the right to revise the contents of this manual, in whole or in part, to keep abreast of such changes. Each court reporter is required to become thoroughly familiar with the content and to actively apply this manual to his/her daily work.

The willful failure of a court reporter to comply with the provisions of this manual may constitute contempt of court enforceable by Order of the Supreme Court.

Verbatim testimony of the jury venire roll call proceeding is not required.

2. General Sessions

Every proceeding of a criminal case must be recorded verbatim. Case information should be obtained from the solicitor's office prior to commencement of the trial.

3. Common Pleas

All aspects or phases of proceedings in civil cases must be recorded verbatim. Opening statements and closing arguments are part of the record and must be taken verbatim, unless all parties, on the record, agree otherwise. The roster of civil cases should be obtained from the clerk of court's office as a matter of standard procedure. Roster meetings should not be recorded unless required by the presiding judge.

B. Family Court

All court proceedings and such other hearings as the Family Court judge directs must be recorded verbatim.

C. Pre-Trial/Hearing Preparation

Always ensure that an adequate supply of necessary materials such as cassettes, CD's, paper, pads, pencils, evidence stickers, *etc.*, is on hand and that all primary electronic recording devices and back-up equipment are functioning properly.

Court reporters should ask attorneys to furnish the following information:

1. A copy of all material they intend to read verbatim into the record.
A copy of motions and citations is also helpful.
2. The case names, case numbers and correct spelling of witnesses

standardized format which is described below. Examples of transcripts which use the required format are included for clarification. Court rules are referenced where pertinent.

A. Preparation Responsibility

The court reporter is responsible for the preparation of the transcript. This is a significant responsibility. The requested transcript must be verbatim and prepared in upper and lower case and in accordance with the standardized format described below.

(See Appendix 3, Exhibit 5-15).

B. Materials and Organization Required

1. Paper

Transcripts of record shall be printed on 8½ by 11-inch opaque and unglazed paper. The paper must be at least 20-pound weight. Do not use onionskin paper or anti-copy paper. If so desired, the court reporter may have his/her name printed on the bottom of the page.

2. Printer Ink or Cartridges

The use of high quality black ink or cartridges is required on all transcribed documents. Under no circumstances should any ink or cartridge which smudges or flakes be used to prepare a transcript of record.

6. Colloquy

Colloquy is defined as an on-the-record dialogue between the court and another individual. To transcribe a colloquy, the line begins at the tab stop; print the speaker's name in all caps followed by a colon, and followed by two spaces. Then print the dialogue and continue to the right-hand margin; succeeding lines return to the left-hand margin and continue until the next speaker is introduced. (See Appendix 3, Exhibit 12).

7. Parenthetical

The parenthetical is a remark added to the transcript by the court reporter to ensure a clear understanding of the record (e.g., the fact that an event transpired, times relating to jury actions, a witness responds by physical gesture rather than verbally). All parenthetical remarks by the court reporter must be enclosed within parentheses. (See Appendix 3, Exhibits 11.1 - 11.5). However, parentheticals should only be added when necessary.

E. Bench Conferences

A judge may wish to hold a bench conference in the presence of the jury to avoid having the jury enter and leave the courtroom numerous times. If the bench conference is on the record, it is to be included in the transcript. However, if the bench conference is held off the record, this should be noted. A parenthetical should be used by the court reporter in preparing the transcript to indicate the nature of such a conference.

request," should be sent. If payment still has not been received after sixty (60) days from the original due date, a fourth invoice and notice should be sent and copies of all invoices and correspondence should be forwarded to Court Administration for further action. The fourth notice should indicate that a copy has been sent to Court Administration.

D. Extension Requests

A court reporter has 60 days in which to prepare a transcript. After this initial 60-day period, extension requests must be made in 30-day increments. Extensions should be requested only during the 10-day period preceding the applicable deadline. Requests are to be made by forwarding to Court Administration a Notice of Request for Extension form. (See Appendix 1, Form 2). This form must be completed in its entirety, including the names, addresses, and email addresses of the appellant and respondent; stating fully the reason the extension is requested and the docket number.

Court Administration may grant a maximum of three 30-day extensions. Additional requests for extension will not be allowed except by order of the Chief Justice.

Unless otherwise controlled by order, which has been promptly forwarded to Court Administration, a court reporter may not agree to expedite a transcript if the court reporter has pending any transcripts for which an extension has been requested.

XV. PRODUCTION OF THE TRANSCRIPT

In the appeal process, the transcript is the official document which provides the appellate court reliable information regarding trial court proceedings. All transcripts must reflect a professional work product to ensure uniformity and adhere to the

F. Witnesses

During transcription, to indicate when a witness is called, indent to the center of the page, print the name in all caps, followed by a statement similar to "being first duly sworn, testifies as follows:" (See Appendix 3, Exhibits 11.1 - 11.5).

G. Types of Examination

There are four (4) major types of examination which may be conducted during the course of a trial: (1) direct examination -- conducted by the attorney who called the witness; (2) cross examination -- witness questioned by opposing counsel; (3) redirect examination -- first attorney questions witness again; and (4) re-cross examination -- opposing counsel questions witness again.

It is necessary to note a change from one kind of examination to another. Beginning at the left-hand margin, transcribe in all caps the type of examination about to be commenced, along with the identity of the speaker conducting the examination; double space, moving to the left-hand margin, and begin transcribing in Q and A form. (See Appendix 3, Exhibits 11.1 - 11.5).

H. Headers

Every transcript shall include a "header" at the top of each page of testimony that clearly and concisely describes the contents of that page. Headers should appear in the top left column at least three to four lines before the numbered text begins, and with the type of examination conducted. (See Appendix 3, Exhibits 11.1 - 11.5).

I. Presentation of Exhibits

The presentation of exhibits for identification and admittance is noted in the body of the transcript. The exhibit should be marked when directed by the court.

Some exhibits may be marked for identification only and may be entered later officially as an exhibit. (See Appendix 3, Exhibit 11.2).

J. Motions and Objections During Trial

When requested, a motion or an objection must be included as part of the transcript. (See Appendix 3, Exhibit 12). If the motion is argued outside the presence of the jury, this should be noted. The format for including these objections will conform to the standards specified earlier for colloquy.

K. Special Requests to Charge

When a special request to charge is presented to the court, the court reporter should enter the fact of the request in the record as a parenthetical.

Each special request is given to the court in writing. The judge will mark each special request as charged or not charged and then give the written request to the court reporter. The requests that are accepted and charged should be printed as part of the charge and not included as an exhibit. The requests not charged should be numbered with a consecutive exhibit number and must be included as an exhibit attachment to the transcript.

L. Judge's Charge to the Jury

The charge is often cited by counsel as grounds for a motion for a new trial. The charge must be included in the transcript of record. It is transcribed in narrative form, with each paragraph indented to the tab and all continuation lines starting flush with the left-hand margin. (Appendix 3, Exhibit 13).

M. Time Indications for Jury Actions

The court reporter is required to enter the following in parenthetical form: the

YOUR HEALTH: is a wellness coach in your future for 2015? D1

The Post and Courier

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Thursday, December 23, 2014

POSTANDCOURIER.COM

Charleston, S.C. \$1.00

Murderer granted new trial over transcript

Flawed recordings change legal course for man who faced 39 years in '07 shooting

BY CHRISTINA ELMORE
celmore@postandcourier.com

A convicted murderer was granted a new chance at freedom because a Charleston County court reporter could not produce

a transcript of his 5-year-old trial for appellate review

Travis Maurice Hurst, 29, was transferred from Lieber Correctional Institution Dec. 9 and sent to the Charleston County jail to await a new trial.

He had faced 39 years in prison for gunning down Ronit Perez-Ricardez, 24, in August 2007 near Johnson Cemetery on Stall Road.

Hurst confessed to the killing in talks with his friends, prosecutors argued during his first trial in August 2009.

His fingerprints and a ammunition similar to what was used to kill Perez-Ricardez were found in an abandoned van that witnesses saw leave the scene, authorities had said.

A court reporter, identified in court

documents as Deborah Everett, was in the courtroom for every minute of the three-day trial, and her job was to record the proceedings.

But when attorneys presenting Hurst's appeal later requested a transcript of the trial, they were told "significant portions of the transcript were unable to be transcribed due to missing or inaudible recordings," court documents stated.

Please see HURST, Page A5



Hurst

Murderer granted new trial over inadequate transcript

HURST, from A1

Everett could not be reached for comment.

Backup audio recordings of trials are generally taken as a fail-safe, but the quality of such recordings is never a guarantee, said Assistant Solicitor Greg Voigt, who prosecuted the case. Everett attempted to reproduce a transcript of Hurst's trial using the backup recording, but, ultimately, she was unable to do so, he said.

Attorneys for Hurst filed a motion in March requesting that the missing portions of the record, roughly half of the document, be reconstructed, attorney Robert Dudek said. Circuit Judge J.C. Nicholson oversaw three hearings to revisit evidence, witnesses and the memories of the attorneys who had tried the case, but to no avail, he said.

"Judge Nicholson essentially made an exhaustive effort. He did everything he could to reconstruct the record, but this was a lengthy murder trial," Dudek said. "There were various legal rulings and objections that came up during the trial. At the end of the day, Judge Nicholson ruled the record could not be reconstructed to fairly provide Hurst with meaningful appellate review."

The state Court of Appeals granted Hurst a new trial based on Nicholson's determination. Considering the circumstances, Dudek said, the ruling was agreed upon by all sides.

Dudek and Voigt have both served in their respective careers for more than two decades. They both said they considered a court reporter's inability to produce an adequate transcript an aberration, but not unheard of.

A trial transcript that disappeared in 2012 opened a door for a potential third trial against James Summersett Jr., who had twice been convicted in the shooting death of his childhood friend, Julian Grant, in West Ashley in April 2002.

Summersett's 2003 conviction and life sentence were tossed out by the state Supreme Court due to errors committed by the trial judge. During his second trial, in 2010, a judge found Summersett guilty of voluntary manslaughter.

That charge carried a maximum 30-year sentence, but Summersett again received a life sentence due to a prior con-

Tuesday, December 23, 2014 A5

"The cost of that court reporter's negligence really affects the whole system. It should never happen. That should be the most reliable part of the system."

Assistant Solicitor Greg Voigt

viction for assault and battery with intent to kill in 2012 while pursuing post-conviction relief, an attorney for Summersett requested a third trial after learning a transcript for his second trial had disappeared.

Summersett's second conviction ultimately stuck, but a circuit judge in June agreed to reconsider his life sentence, court records show. The 9th Circuit Solicitor's Office and the state Attorney General's Office are in the process of appealing that decision.

The decision to grant Hurst a second trial has sent all involved back to square one.

Perez-Ricardez's next of kin was last known to be living in Mexico and has not yet been located or notified of the developments in the case, Voigt said. Witnesses will have to be tracked down and made available for upcoming proceedings. Hurst is still in the process of acquiring a new trial attorney.

Desiree Allen, who manages court reporters for the S.C. Court Administration, confirmed that Everett is no longer employed through the agency. She did not respond to a request for further comment.

In Voigt's eyes, there is no excuse for the slip-up.

"People who have exerted their right to a trial do so knowing it could go against them and they do so with a right to an appeal. You know the transcript is going to be the first order of business. Failure to maintain the record so that you can create a transcript is inexcusable," Voigt said. "The cost of that court reporter's negligence really affects the whole system. It should never happen. That should be the most reliable part of the system."

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January 17, 2015

RECEIVED

JAN 27 2015

SC Court of Appeals

Hon. Governor Nikki Haley
Office of Governor
1205 Pendleton Street
Columbia, SC 29201

RE: S.C. Citizens are being victimized and re-victimized by our court reporters
Subject: Restoration of trust

Dear Governor Nikki Haley:

Please review the following correspondence sent to Alan Wilson to take action on immediately. Convicted murderers and felons are being given new trials due to the incompetence of the court reporters. Given the recent call for a change promulgated by many, our state officials need to address this very important issue of court reporters violating the rights of our citizens by not doing their jobs. S.C. Court Administration has not been forthcoming in addressing these issues. These negligible acts by court reporters will hinder victims and witnesses from testifying especially in the area of domestic violence. This reform does not involve gun regulations or an ill perceived attack on masculinity so it should be fixed without much resistance from those who have fought reforms previously. Do we need to bring the Federal Government in to ensure our Civil Rights and Right to Due Process? If you truly are not looking to run for Vice-president and would like to focus on our state, please address this issue that will truly snowball into something greater this includes violators of women, children and the elderly our most vulnerable segment of our population.

In your recent inaugural address you stated, "Sadly our soul is beginning to shake once more..... They deserve honest service." Please let me thank you for taking time to review these concerns. We look forward to hearing your response.

Respectfully,

Karen Oliver

Encl/ko

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January 17, 2015

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JAN 27 2015

SC Court of Appeals

Alan Wilson
S.C. Attorney General
P.O. Box 11549
Columbia, SC 29211

RE: Human Trafficking in a specific form and the victimization of the citizens and re-victimization of victims

I am writing you to alert your office to the fact of a specific form of Human Trafficking that is taking place in the state of South Carolina. When court reporters are allowed to usurp the powers of the courts by not performing their duties as prescribed by law. We, the people, are asking your office to investigate the S.C. Court Administration for ethical violations of not following the rules defined (Rule 607 and the court reporter's manual). Those court reporters in violation of these rules should be disciplined in accordance with same rule. How does this equate to a specific form of Human Trafficking?

According to your agency's website: *Human trafficking is often referred to as "modern day slavery," and can be labor trafficking, sex trafficking, or both.* When a person's Right to Due Process is compromised due to the "negligence" as deemed by Prosecutor Voigt {according to a Publication in the December 22, 2014 edition of the Post and Courier titled, *Convicted murderer granted new trial due to inadequate trial transcript*} when court reporters do not comply with Rule 607 and nothing is done. Both sides are affected. Prosecutor Voigt goes even further to discuss the relevancy of this derelict of duty. **PLEASE** read the attached aforementioned article. The violation of victims', defendants' and the general public's Civil Rights and their Right to Due Process. The transcript is a vital part of the appeal process and without a "reliable" transcript a person's Rights have been violated. The transcript must be accurate as to not provide a fraudulent account of the Proceedings no matter the court. When a court reporter accepts a particular assignment it is reasonable expectation that they will abide by and adhere to the court reporter's manual guidelines for preparation and challenges along with Rule 607. Without a "reliable" transcript the Court of Appeals, the Supreme Court and the Lower Courts cases are being compromised. There are victims who have been sexually assaulted in some form whether physically, mentally or spiritually. Notwithstanding, those made to do acts against their will which they labor to do so. **If victims are made to revisit a case, they will look to your office for answers to why this area was not a component in your reform package.** I will provide those who recently held a Town Hall meeting on domestic violence a copy of this request to your office. Action must be taken. You even participated in a similar rally earlier this week calling for reforms.

Additionally, it is difficult to gain resolution when challenges to transcripts are made. The court reporter will not address the specific concerns/challenges and refuses to listen further to gain resolution. A simple task such as a review of audio, video and stenographer's notes is near to impossible to gain even

when going to the Supervisor - Desiree Allen also, named in the article above. Also, going to the Department's Director, is fruitless.

Convicted murders are being allowed new trials. Witnesses have left and sentences will change if new trials are needed. How widespread of a problem? The judge named in the article has statements missing from a transcript that the S.C. Court Administration would not review to provide a quality check to the challenges. If a regular citizen is experiencing this then imagine how at the end of the year when the courts are shuffling cases through like hot cakes how many transcripts are being mishandled. If the people who have been through the Lower Courts and their transcripts were inaccurate then, it is up to the judicial system of the state of South Carolina to correct the problem. Court reporters are to maintain audio recordings for 5 (five) years in accordance with their handbook. What if people begin to request transcripts and they are not able to be produced such as in the two cases of the convicted murderers depicted in the article. How widespread? That is, what your office needs to find out and prevent further **negligible** acts within the S.C. Court Administration. We are alerting Governor Nikki Haley, politicians, churches, various news publications and victim advocates. Because this is a serious problem and needs to be addressed immediately! Victims or advocate groups will not be happy. Law enforcement and those within the judicial system will be disappointed in the lack of competence displayed by those entrusted to carry forth their duties with equality in mind. The same judge as named in the article, the same issue transcripts and court reporters. It appears to be a problem in Charleston County. We put you there to do a job and you have done well thus far. Now really do your job. The biggest Human Trafficking that is taking place is in our court system. The victimization and re-victimization of our citizens when those entrusted to do what is right (their job) -- providing "reliable" transcripts for Due Process. The appellate court judges are not getting an accurate depiction of what took place in the courtroom if they are going by a fraudulent official documentation signed by the court reporter as being verbatim as prescribed by the rules and guidelines from their manual. Even worse receive no record of the Proceedings.

What if most people request for a transcript of their Proceedings for the past five years and most are **not** able to gain a "**reliable**" transcript? More convictions will be revisited causing undue pain to citizens who are being victimized and re-victimized by these negligible acts. Imagine the cost and the toll this will take on the taxpayers of our state. The money spent could be allocated elsewhere. Our citizens depend on our judicial system to treat them fairly. It is imperative that your office investigate these and all other unfortunate occurrences involving S.C. Court Administration and court reporters (along with judges). I know that the word is getting out to felons, inmates, sex offenders and those who do harm to our most vulnerable segment of our society-women, children and the elderly. This will further hinder victims and witnesses from testifying and getting the justice that they deserve especially in domestic violence situations. This involves no gun regulations or ill perceived attacks on masculinity so fixing this major flaw should find little resistance from those who have fought reforms previously.

Respectfully,

The Citizens of the state of South Carolina
Karen Oliver

Happy Martin Luther King Jr. Day!