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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

May 12, 2015

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
MAY 12 2015
SC Court of Appeals

Re: State v. Esaiveus Booker – Appellate Case No. 2013-000207
State v. Michael Antonio Williams – Appellate Case No. 2013-000091
State v. Raymond Lewis Young – Appellate Case No. 2013-000149

Dear Ms. Kitchings:

Pursuant to this Court's order of October 17, 2014, requesting an update on the status of the above cases every thirty days, please be advised that all three appellants are still waiting on the court reporter to provide a copy of the transcript of the closing arguments.

On January 5, 2014, the court reporter indicated that she was able to produce a recording of the closing arguments and would transcribe them, such that a reconstruction hearing may no longer be necessary. Though the court reporter indicated that she mailed the previously missing portion of the transcript on April 15, 2015, we have not received it. We sent a letter to Court Administration on April 30, 2015 regarding this matter, a copy of which is attached to this letter. As of today's date, we have not received a response from the court reporter or court administration.

Counsel will provide the Court with an additional update in thirty (30) days. Please do not hesitate to contact us if you have any further questions.

Sincerely,

Laura R. Baer
Appellate Defender

Encl. (Apr. 30, 2015 letter to Court Admin.)
cc: Honorable Edward W. Miller
Salley W. Elliott, Esquire
LaNelle C. DuRant, Esquire
Kathrine H. Hudgins, Esquire



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April 30, 2015

Desiree Allen
Manager
S.C. Court Administration
1015 Sumter Street, 2nd Floor
Columbia, SC 29201-3739

RE: State v. Esaiveus Booker Appellate Case No. 2013-000207
State v. Michael Antonio Williams Appellate Case No. 2013-000091
State v. Raymond Lewis Young Appellate Case No. 2013-000149

Dear Ms. Allen:

This letter is being sent as you requested in your email to Kimberly McCall today in an effort to expedite our receipt of that portion of the trial transcript (closing arguments) in the above named cases which is missing. A brief summary is as follows:

When the transcript was initially received, Ms. Hiskell informed us that she was unable to transcribe the closing arguments of the trial. Our motion to reconstruct the record was granted by the Court of Appeals on October 17, 2014.

On January 5th 2015, Ms. Hiskell contacted Ms. McCall stating that she could provide us with that portion of the transcript that she was previously unable to transcribe. We have been sending update letters to the Court of Appeals every 30 days regarding the status of that transcript.

On April 14th, Ms. Hiskell sent Ms. McCall an email stating that she would be mailing that portion of the transcript (closing arguments) the following day. When the transcript was not received, Ms. McCall followed-up with emails on April 23rd and again on April 28th. There has been no response to these inquiries.

As of today's date, we have not received that portion of the transcript. It took almost 14 months for us to obtain the transcript (excluding the closing arguments). Now we are having additional significant delays that have to be explained to the Court.

Our concern is the delay being caused to our clients in their appeals. We would appreciate your help in this matter.

Please contact us if additional information is needed.

Thank you.

Sincerely,


Lanelle Cantey DuRant
Appellate Defender

LCD/mpm

cc: Court of Appeals
Salley W. Elliot, Esquire
Kathrine H. Hudgins, Esquire
Laura R. Baer, Esquire
Kimberly McCall, Administrative Coordinator
Caroline Hiskell, Court Reporter