

June 12, 2015

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JUN 19 2015

Jenny Kitchings

SC Court of Appeals

Clerk of Court

South Carolina Court of Appeals

Re: State v. Faasiu Toese - Request for Appointed Counsel and Transcripts(s)

Dear Ms. Kitchings:

My name is Faasiu Toese, Appellant Case No. 2015-00633. I am of Samoan descent, Indigent, and suffer from a clear understanding of the English language and specifically the law and courtroom legal jargon. On two separate occasions before my Plea Hearing in March of 2015, I requested of two different Richland Co. public defenders that they provide me an Interpreter. My concern was that I wouldn't fully understand the plea proceedings...yet my requests were ignored. I am receiving assistance to even put this letter together in a clear and concise manner.

On May 29, 2015, per Order of this Court, my appeal was dismissed. I was never given help/assistance via an appointed Appellate defender (to even put forth a Brief of Argument(s)) and had been required to give an explanation for my arguments i.e. an appeal without even a transcript. Within the Court's Order, the reason given for dismissal was failure "to provide a sufficient explanation as required by Rule 203(d)(1)(B)(iv) of the SCACR." I feel strongly that there were/are viable and appealable issues to be brought forth if the required transcript(s) had been provided to me as needed to properly put forth any post-conviction argument.

Graciously, fellow inmates have also informed me that a defendant is constitutionally entitled to effective assistance of appellate counsel (Evitts v. Lacey, 469 US 387) I never received a letter of notification or information from any appointed counsel. Seemingly denied this right for some reason,

having already been disadvantaged by the language barrier, my right as an indigent to be given a copy of the transcript(s) of my proceedings with which to prepare a proper argument or explanation for appealable issues has left me in an unfair predicament. So I would like to formally request the following:

- 1.) Appointment of an Appellate Defender as soon as possible.
- 2.) Expedited copy of my Plea transcript. (Gunter v. State, 229 SE.2d 723, 724 [1976])
- 3.) A reasonable extension of time, given the need for the above in order to properly proceed, to appeal the Order of Dismissal.

Please forward any of the above requests to the appropriate individuals. I would also request a clock-dated stamped return copy acknowledging your receipt of this letter. Thank you in advance for your help with these matters.

Sincerely,

*Faasiu Toese*

Faasiu Toese

cc: File  
cc: Chief Appellate Defender Robert Dudek

Faasin Toese, SCOC # 363340

F4-2140

990 Wisacky Hwy.

Bishopville, SC 29010

LEGAL  
MAIL

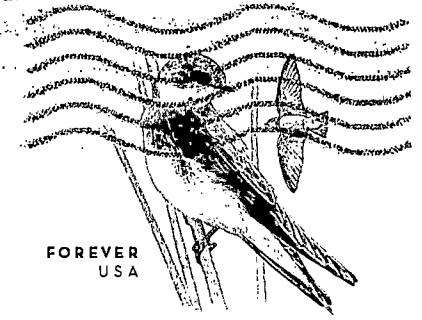
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SC Court of Appeals

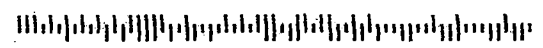
South Carolina Court of Appeals  
Attn: Jenny Kitchings, Clerk  
P.O. Box 11629  
Columbia, SC 29211



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