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Randolph Ashford #256638
Lee Corr. Inst. #133
990 wisacky Highway
Bishopville. South Carolina
29010

RECEIVED

JUL 30 2015

SC Court of Appeals

July 27, 2015

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post office Box 11629
Columbia, South Carolina-29211

Re: Appeal Case NO. 2015-CO1268

Dear Ms. Kitchings:

Enclosed you will find the documents you requested that will clear up deficiency or deficiencies and several other documents in support of my response.

Thank you kindly.

Sincerely,

Randolph Ashford
Randolph Ashford #256638

CC: SC Commission on Indigent Defense

⑤
Randolph Ashford #256638
Applicant,
v.
The State of South Carolina
Respondent.

CASE NO: 2015-001268

MOTION
RECEIVED

JUL 30 2015

SC Court of Appeals

Now Comes Randolph Ashford #256638 (Appellant) Pursuant to the South Carolina Appellant Court Rules (SCACR) Rule-263

1. That I am the applicant herein and submit that good cause exist for the granting of the Notice of Intent to Appeal and Motion to allow the late filing, that Court Claim was untimely file.
2. That on April 29, 2015 Judge Robert E. Hood signed the order that denied Ashford's Motion for Post Conviction DNA testing.
3. That on May 8, 2015, the order of Judge Hood was mailed to me by Attorney at Law, David E. Belding.
4. That on May 12, 2015 I receive the order of Jude Hood from MR. Belding's.
5. That on or about May 13, 2015, I mail the Notice of Appeal to the Richland County Clerk of Court. (I, Randolph Ashford inadvertently place the wrong date on the Cover letter and Notice of Appeal.)
6. That on May 18, 2015 at 3:02 PM, the Court filed the motion of Notice of Appeal.
7. That on May 20, 2015 the Richland County Public Defendant Office assist me of whom I need to contact.
8. That on April 24, 2015, I, Randolph Ashford #256638 was placed in a special Management unit/RHU at Lee Correctional Institution.

9. That the retaliatory type of Confinement that I am currently under hinder my access to get legal material and assistance.
10. That the restricted retaliatory Confinement hinders me from filing a timely fashioned Notice of Appeal, Brief, Motions, Etc.
11. That I Applicant receives only (3) three legal materials Law books, Etc. once a week from the law library.
12. That I Applicant sometime do not receive anything in two (2) weeks, due to short of staff, and/or Security.
13. That I am not an Attorney, nor do I have legal training or the knowledge of an Attorney at Law.
14. That I Applicant has made a attempt to obtain a lawyer to assist him from the SC Commission on indigent defense.

WHEREFORE, I respectfully request this Court to extend the time within which the Notice of Appeal maybe served and/or filed Pursuant to Rule - 263 SCACR for South Carolina, and issue an order granting this motion and for such other relief as this Court deem Just and Proper.

DATED: July 23 2015

Respectfully Submitted,

Randolph Ashford
Randolph Ashford # 256638
Pro-se

CC: SC Commission on Indigent Defense

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**RICHLAND COUNTY PUBLIC DEFENDER
RICHLAND COUNTY JUDICIAL CENTER**

1701 MAIN STREET
POST OFFICE BOX 192
COLUMBIA, SC 29201

PHONE (803) 765-2592
FAX (803) 748-5018
TDD # (803) 748-4999

May 20, 2015

Randolph Ashford/Inmate number: 256638
Lee Correctional Institution
990 Wisacky Highway
Bishopville, SC 29010

Re: Information

Dear Mr. Ashford:

The Public Defender's Office received your letter from the Richland County Clerk of Court's Office. The office does not handle, review, nor examine appellate-related documents.

Contact the South Carolina Commission on Indigent Defense, Appellate Division at PO Box 11433, Columbia, SC 29211-1433.

Contact the South Carolina Court of Appeals, 1015 Sumter St # 5, Columbia, SC 29201

Enclosed is your original letter for your records.

Sincerely,

Kimberly Johnson
Paralegal

/kj

②
Randolph Ashford #256638
Lee Carr. Inst RHU# 133
990 wisacky Highway
Bishopville, South Carolina
29010

RECEIVED

JUL 30 2015

SC Court of Appeals

May 11, 2015

Jeanette W. McBride
Clerk of Court
Richland County
P.O. Box 2766
Columbia, S.C. 29202-2766

Re: Notice of Intent to Appeal

RICHLAND COUNTY
FILED
2015 MAY 18 PM 3:02
JEANNETTE W. MCBRIDE
C.C.P. & G.S.

Dear Ms. McBride:

Enclosed Please find the Original Notice of intent to Appeal. Please file the appeal and Provide other Counsel of record with a Copy of Same.

Thank You very much.

Sincerely,

Randolph Ashford
Randolph Ashford #256638

Pro-se

CC: File

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

State,

v.

Randolph Ashford

Defendant.

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

Indictment No.: 2007-GS-40-2048

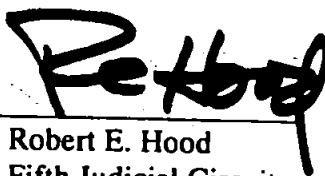
ORDER

This matter came before this Court on January 5th, 2015, at a hearing on Defendant's Motion for Post-Conviction DNA Testing. Defendant was convicted of Kidnapping, Burglary, Carjacking, Assault and Battery of a High and Aggravated Nature, Assault with Intent to Kill on April 3, 2009. At the January hearing, Defendant was represented by David E. Belding, Esq., and the State was represented by Joanna McDuffie, Esq. Defendant's motion is premised on the argument that the State used circumstantial evidence of a green jacket to connect Defendant to the crime scene.

Pursuant to S.C. Code Ann. §17-28-90(B)(1), the applicant must establish that the physical evidence is available for testing. After the hearing on January 5th, Mr. Belding informed the Court via letter dated January 23, 2015, that the green jacket in question was not available for testing. This letter also contained an affidavit from James D. Truitt of the Richland County Clerk of Court stating that the green jacket was not made an exhibit at trial, and thus was not in the possession of the Clerk's office.

Based upon a consideration of the facts before me, and S.C. Code Ann. §17-28-90(B)(1), I find that Defendant's Motion to for Post-Conviction DNA is DENIED for lack of sufficient factual cause for the motion.

IT IS SO ORDERED.



Robert E. Hood
Fifth Judicial Circuit

April 29, 2015

2015 APR 29