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AUG 25 2015

SC Court of Appeals

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

June 8, 2015

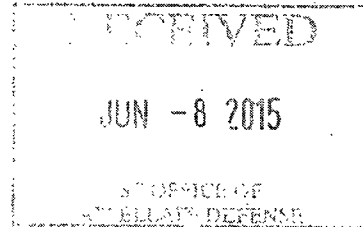
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JUN 08 2015

SC Court of Appeals

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

Re: State v. Terrance Seabrook  
Appellate Case No. 2012-212388



Dear Ms. Kitchings:

On April 26, 2012, Appellant filed a Notice of Appeal from his armed robbery conviction and sentence of life without parole. On June 11, 2014, this Court granted Appellant's motion to remand the above referenced case to the circuit court to reconstruct the record. On April 15, 2015, a reconstruction hearing was held before the Honorable Carmen T. Mullen in Beaufort County. Judge Mullen ruled that the record was sufficiently reconstructed to allow for meaningful appellate review. I filed a Notice of Intent to Appeal from Judge Mullen's ruling with this Court on April 23, 2015. Thus, there are two notices of intent to appeal pending in this case.

On April 16, 2015, I requested the transcript of the reconstruction hearing and sent a letter to this Court requesting the case continue to be held in abeyance. Today, my office received a copy of this transcript.

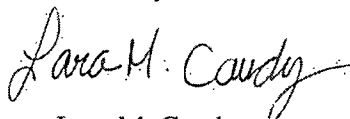
I respectfully request this Court continue to hold the appeal from Mr. Seabrook's conviction and sentence in abeyance pending resolution of the appeal from Judge Mullen's ruling reconstructing the record.

For your convenience, I have enclosed a copy of this Court's letter to appellate counsel in State v. Travis Anthony Ladson, 373 S.C. 320, 644 S.E.2d 271 (2007), where this procedure was followed. Following the procedure used in Ladson is logical as Appellant likewise challenges the circuit court's finding that the record was sufficiently reconstructed to allow for meaningful appellate review.

If this procedure is unsatisfactory to the Court, I would respectfully request an opportunity to file a motion with arguments as to why this procedure should be followed.

Beginning our sixty day time limit from today's date, my calculations show that the deadline for filing the initial brief of appellant and designation of matter related to the second notice of intent to appeal is August 7, 2015. If this is not accurate, please contact me at your earliest convenience. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lara M. Caudy".

Lara M. Caudy  
Appellate Defender

LMC/pcm

Enclosure

cc: Salley W. Elliott, Esquire  
Terrance Seabrook



# The South Carolina Court of Appeals

KENNETH A. RICHSTAD  
CLERK

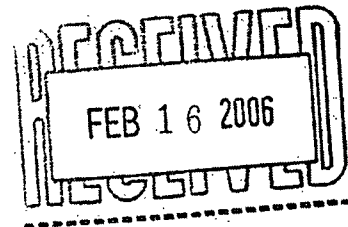
V. CLAIRE ALLEN  
DEPUTY CLERK

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February 16, 2006

Assistant Appellate Defender Aileen P. Clare  
Office of Appellate Defense  
1205 Pendleton Street, Rm. 306  
Columbia, SC 29201

Re: The State v. Ladson, Travis Anthony (2)  
The State v. Ladson, Travis Anthony



Dear Counsel:

We have received your Notice of Appeal in the case noted above. This case will be docketed in the Court of Appeals and all communications concerning this case, including motions and petitions, initial and final briefs, and the Record on Appeal, should be directed to and filed in this Court. For all filings, please note the requirements of Rule 238(a) of the South Carolina Appellate Court Rules, and be further advised that Court of Appeals policy requires the firm name of any counsel shown must be included in his or her address.

Pursuant to the automatic stay of Rule 225, SCACR, the appeal from Mr. Ladson's sentence and conviction will be stayed pending resolution of the appeal from the order reconstructing the record.

We suggest that large parcels such as copies of final briefs and the Record On Appeal be sent directly to the Court via the street address: 1015 Sumter Street, Columbia, S.C. 29201. Thank you for your attention to this. Failure to file in the proper court may result in the dismissal of your appeal.

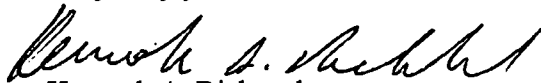
PLEASE BE ADVISED that, pursuant to Rule 207 of the South Carolina Appellate Court Rules, the transcript must be ordered within thirty (30) days of the proof of service of the Notice of Appeal and you must provide this Court, opposing counsel, and the Office of Court

Administration with all correspondence regarding the transcript. It is also Appellant's responsibility to make satisfactory arrangements (including agreement regarding payment for the transcript) with the Court Reporter for furnishing the transcript. You are reminded of the notification requirements of Rule 207(e), SCACR, also, please advise the Court in writing upon receipt of the transcript.

**NOTE: If you believe this case has been improperly filed in the Court of Appeals, by reason of the limitations set forth in S.C. Code Ann. Section 14-8-200(b)(1998), as amended June 1, 1999, notify the Clerk's office of the Court of Appeals immediately. The cited Code Section prohibits the Court of Appeals from hearing appeals in seven classes of cases:**

- 1) any final judgment from the circuit court which includes a sentence of death;
- 2) any final judgment from the circuit court setting public utility rates pursuant to Title 58;
- 3) any final judgment involving a challenge on state or federal grounds to the constitutionality of a state law or county or municipal ordinance where the principal issue is the constitutionality of the law or ordinance;
- 4) any final judgment from the circuit court involving the authorization, issuance, or proposed issuance of general obligation debt, revenue, institutional, industrial, or hospital bonds of the state, its agencies, political subdivisions, public service districts, counties, and municipalities or any other indebtedness now or hereafter authorized by Article X of the Constitution of this state;
- 5) any final judgment from the circuit court pertaining to elections and election procedure;
- 6) any order limiting an investigation by a State Grand Jury under S.C. Code Ann. Section 14-7-1630;
- 7) any order of the family court relating to an abortion by a minor under S.C. Code Ann. Section 44-41-33.

Very truly yours,

  
Kenneth A. Richstad  
CLERK

KAR/ab

cc: Assistant Attorney General David Spencer