

The Supreme Court of South Carolina

ORDER

I find that Caroline Hiskell was employed as a Judicial Department court reporter for the period of October 2, 2008, through June 14, 2016, at which time she resigned.

I find that Caroline Hiskell was summoned to Court Administration on June 8, 2016, to discuss complaints received by the Office of Court Administration (SCCA) concerning her failure to deliver transcripts and respond to inquiries from transcript requesters and SCCA. One of these transcripts was ordered in June 2015. Pursuant to the S.C. Court Reporter Manual she was required to list requests received on her monthly report and failed to do so. Ms. Hiskell was allowed to explain the circumstances causing her inability to produce transcripts as requested and to explain the reasons for deficiencies in her work performance.

I find that during the meeting Ms. Hiskell indicated that she could produce the *State v Terry McCall* trial transcript by June 13, 2016. Further, she was directed to request an extension through June 13, 2016, in that case. That extension was requested and granted on June 9, 2016.

I find that on June 24, 2016, eleven days after it was due to be delivered, a partial transcript (May 12 and 13, 2015) was received by the Division of Appellate Defense in the *State v Terry McCall* trial. That office is still awaiting the sentencing portion of the transcript from proceedings held on May 14, 2015. I find that the full transcript has not yet been delivered.

I find that on that same date, June 24, 2016, the Division of Appellate Defense received a partial transcript in the matter of *State v Donald L. Young* with an indication on Page 97 that due to a theft, the remainder of the transcript could not be produced. This information had not been disclosed to the Division of Appellate Defense previously.

I find that Ms. Hiskell was directed to complete and deliver the transcript in the case of *State v James Michael Johnson*, which was originally due on May 16, 2016. She requested and was granted an extension on that transcript through June 16, 2016. I find that the transcript has not yet been delivered.

I find that storage boxes were sent and delivered to Ms. Hiskell by UPS on June 20, 2016, for the purpose of storing her records for delivery to SCCA. As of this date there have been no records delivered to SCCA by Ms. Hiskell.

I further find that numerous attempts have been made by Desiree Allen to obtain transcripts or information about the status of these transcripts without any success. Ms. Hiskell advised the requesting attorney (Mr. Wilkes) that she had

completed 500 pages of the *State v James Michael Johnson* transcript and it was in the process of being finalized. However, the transcript has not been delivered.

Several transcripts have been reported to SCCA as ordered but not delivered. These include transcripts for cases pending in the appellate courts. They include but are not limited to:

- State v Terry McCall, 2015-001097
- State v James Michael Johnson, 2014GS2302201
- State v Donald Lamon Young, 2014-002655
- Keyon Deshawn Robinson, 2014-002434
- Brent C. McLaurin, Jr., 2015-001147
- Phillips Brian Greene v Ashley Nicole Stewart, 2014DR4202472
- SC Department of Social Services v Janet Bright, et al, 2014DR4203156

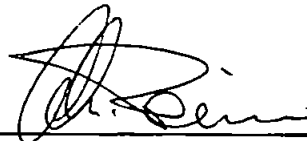
IT IS THEREFORE ORDERED that Caroline Hiskell complete the *State v Terry McCall*, *State v James Michael Johnson*, and *State v Donald Lamon Young* transcripts and deliver them to the requesters no later than close of business on **July 5, 2016**.

IT IS FURTHER ORDERED that Caroline Hiskell make a search of her home and any storage facility or any other locations under her control where all court records might be stored and shall properly label and deliver to SCCA by close of business on July 5, 2016, all court records for the period of June 28, 2011, through June 14, 2016, to include backup and primary audio, CD's or smart cards on which all court records are stored, trial notes and log sheets, and a written list of inventory enclosed.

IT IS FURTHER ORDERED that if these transcripts and/or court records are not delivered by close of business on July 5, 2016, Caroline Hiskell shall personally appear at the Supreme Court, 1231 Gervais Street, Columbia, South Carolina on **Thursday, July 14, 2016, at 3:00 PM** to show cause why she cannot produce the above-named transcripts and court records.

Failure to comply with the requirements of this Order shall subject Caroline Hiskell to penalties for contempt of court.

IT IS SO ORDERED.



Costa M. Pleicones
Chief Justice

Columbia, S.C.
June 30, 2016.