

June 16, 2016

RE: State v. Leroy C. Gibbs, # 209448

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JUN 20 2016

SC Court of Appeals

To Whom This May Concern,

I'm presenting this letter to your office requesting your utmost and sincerest attention and consideration concerning my circumstances and situation.

I've been requesting my transcript of record from my trial that started on Feb. 20, 2013 and ended on Feb. 22, 2013 in Sumter County. But so far all of my written request have been ignored.

I've written my court reporter, my trial counsel, my appellate counsel, the South Carolina Court Administration, and the South Carolina Supreme Court, and still, all of my attempts at obtaining my transcript have been to no avail.

However, Rule 607(G) of the SCACR states that if I fail to receive my transcript of record within the allotted time and have not been notified of an extension within 10 days after the allotted time, I shall notify in writing, the Clerk of that Court.

Furthermore, I would like to inform your office that I am indigent. But that shouldn't pose a problem for my case on the grounds of GRIFFIN V. ILLINOIS, 351 U.S. 12, 76 S.Ct. 585, United States Supreme Court, April 23, 1956, which guarantees me the right to obtain my transcript of record even if I am indigent.

Lastly I look forward to hearing from your office very soon concerning this matter. In closing, I am enclosing all correspondence concerning this matter. Because Rule 607(J) of the SCACR, (2)(J) to be exact states that the wilful failure of a court reporter to comply with the

provisions of this Rule, Rule 607 (a) (5), shall constitute contempt of court enforceable by order of the Supreme Court.

Sincerely,

Heroy C. Gibbs
#208448

P.S.

I'm requesting this particular transcript of record for PCR purposes.

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RULE 607
COURT REPORTER TRANSCRIPTS AND TAPES JUN 20 2016

SC Court of Appeals

(a) Applicability. This rule is applicable to court reporter transcripts and tapes relating to proceedings before the family and circuit court, to include proceedings before masters-in-equity. A court reporter for such a proceeding, regardless whether the court reporter is a Judicial Department employee or a private court reporter, shall comply with the requirements of this rule.

(b) Ordering Transcripts. Transcripts of proceedings which are needed for an appeal or appellate review of a post-conviction relief action before the Supreme Court or Court of Appeals shall be ordered as provided by Rules 207(a) or 243(b), SCACR. In all other cases, the request for the transcript shall be made, in writing, to the court reporter, and a copy of the request shall be served as provided by Rule 262(b), SCACR, on all parties to the proceeding which is to be transcribed and, if the transcript is requested for use in another case, on all parties in that case. A copy of the request shall also be provided to the Office of Court Administration. The names and addresses of all persons who are to be served with a copy shall be included on the request for the transcript.

(c) Preparation of Transcript. The transcript shall be prepared in the manner prescribed by the Court Reporters Manual published by the Office of Court Administration.

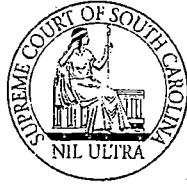
(d) Delivery of Transcripts. A court reporter shall transcribe and deliver the transcript no later than sixty (60) days after the date of the request. Records shall be transcribed by the court reporter in the order in which the requests for transcripts are made; provided, however, that requests to transcribe post-conviction relief proceedings challenging a sentence of death shall be given priority as provided by S.C. Code Ann. § 17-27-160(E).

(e) Extension of Time to Deliver. If a court reporter anticipates continuous engagement in the performance of other official duties which make it impossible to prepare a transcript within the time specified in (d) above, the reporter shall promptly notify the Office of Court Administration in writing of the fact, setting forth the caption of the case involved, the length of time required to complete the transcript, and the nature and probable duration of the conflicting official duties. The Office of Court Administration may grant an extension of up to ninety (90) days. An extension in excess of ninety days (90) days shall not be allowed except by order of the Chief Justice.

(f) Notice of Extension. Upon the granting of any extension of time for delivery of the transcript, the Office of Court Administration shall notify the parties and, if the transcript has been requested for an appeal or other proceeding before the Supreme Court or the Court of Appeals, the Clerk of that Court.

(g) Failure to Receive Transcript. If the requesting party has not received the transcript within the allotted time nor received notification of an extension within ten (10) days after the allotted time, the requesting party shall notify, in writing, the Office of Court Administration, the court reporter and, if the transcript has been requested for an appeal or other proceeding before the Supreme Court or the Court of Appeals, the Clerk of that Court.

(h) Fees for Transcription and Other Services.



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South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina

SC Court of Appeals

REC-112-2016

ROSALYN FRIERSON
DIRECTOR

1220 SENATE STREET, SUITE 200
COLUMBIA, SOUTH CAROLINA 29201

MEMORANDUM

TO: Melissa Raye Singletary
FROM: Court Reporting Section
RE: Request for transcript
DATE: April 6, 2016

I have enclosed a letter from Mr. Leroy C. Gibbs who is requesting a transcript from proceedings heard by the Honorable George C. James, Jr., on February 20-22, 2013. Our records reflect that you were assigned to Judge James in a term of Sumter County General Sessions Court on those days. Please determine if this proceeding was recorded by you and contact Mr. Gibbs to make arrangements for payment for preparation and delivery of the transcript. Kindly copy this office on the correspondence. Thank you for your attention to this matter.

Enclosure

cc: Leroy C. Gibbs #208448
TCI
84 Greenhouse Road
Trenton, SC 29847

The Brooks Law Office, LLC

CHARLES T. BROOKS, III, ATTORNEY AT LAW

IRMA R. BROOKS, ATTORNEY AT LAW

309 BROAD STREET ~ SUMTER, SOUTH CAROLINA 29150
POST OFFICE BOX 3512 ~ SUMTER, SOUTH CAROLINA 29151

(803) 418-5708

FAX: (803) 934-9618 TOLL FREE: (877) 770-8792

Email: cbrooks@ctbrooks.com

May 9, 2016

Mr. Clifton Gibbs, 208448
84 Greenhouse Road
Trenton Correctional Institution
Trenton, S. C. 29847


RE: File

Dear Mr. Gibbs:

Enclosed you shall find a copy of everything we have in file with reference to your case that you requested.

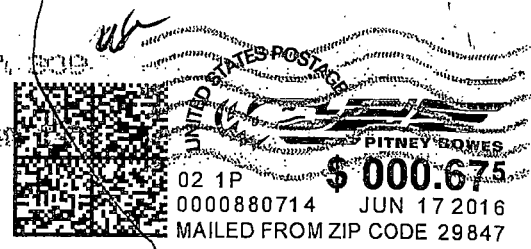
We are not in possession of the Transcript from your trial. As the Office of Appellate Defense handled your appeal, you would need to contact them for a copy of the Trial Transcript.

Sincerely,


Charles T. Brooks, III
CTBIII/jlb
Enclosure

Heroy C. Gibbs, # 208448
Trenton Correctional Institution, 2-A-43
84 Greenhouse Road
Trenton, SC 29847

JUN 17 2016



THE DEPARTMENT OF CORRECTIONS HAS NOT INSURED THIS ITEM. THEREFORE, THE DEPARTMENT OF CORRECTIONS ASSUME RESPONSIBILITY FOR ITS CONTENTS. TIONAL INSTITUTION, S.C. DEPARTMENT OF CORRECTIONS

Jenny Abbott Kitchens
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JUN 30 2016
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LEGAL

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MAY 23 2016