

The South Carolina Court of Appeals

The State, Respondent,

v.

Richard Sims, Appellant.

Appellate Case No. 2016-001568

ORDER

Appellant has filed a letter with this court, which we construe as a motion to be provided with a copy of the transcript and a motion to appoint counsel. Because the transcript from the hearing on Appellant's motion pursuant to Rule 29(b) of the South Carolina Rules of Criminal Procedure is necessary for a meaningful judicial review of this appeal, Appellant's motion to be provided with a transcript is granted. The Office of Appellate Defense shall provide this Court with proof it has ordered and arranged for payment of the transcript within ten days.

Appellant's motion to appoint counsel is denied. *See State v. Clinkscales*, 318 S.C. 513, 515, 458 S.E.2d 548, 549 (1995) (holding the defendant's motion for a new trial on the ground of after-discovered evidence was not heard and decided at a critical stage of his criminal prosecution; therefore, the defendant's constitutional right to counsel did not extend to his motion for a new trial).


FOR THE COURT

Columbia, South Carolina

cc:

Richard Alvin Sims, 273381

Justin James Hunter, Esquire

Alan McCrory Wilson, Esquire

John Benjamin Aplin, Esquire

Jackie S. Bowers

Robert Michael Dudek, Esquire

FILED

December 15, 2016