



ALAN WILSON  
ATTORNEY GENERAL

January 27, 2017

Ms. Desiree Allen  
S.C. Court Administration  
1220 Senate Street  
Columbia, SC 29201  
Via Email and Delivery

RECEIVED

JAN 27 2017

S.C. SUPREME COURT

**Re: Willie Richardson v. State of South Carolina**  
**2003-CP-32-0927**

Dear Ms. Allen:

Thank you very much for your time in taking Mr. Wise and my phone call earlier today. Thank you also for confirming the hard drive will not be destroyed during the pendency of this case.

As discussed, the original court reporter, Ms. Thueme, provided audio files to you when she retired. Her other backup method was stenography, but she did not turn over any stenography notes, digital or paper. You are going to ask Ms. Thueme if she has any of those records and request that she turn them over if she does.

Additionally, you have spoken to the court reporter, Ms. Harriett Bennett, who completed the first and only existing portion of the PCR hearing transcript in June of 2016. She has confirmed to you that she has checked the audio files and cannot locate any records from this PCR hearing. However, you are willing to reassign the audio files to another court reporter, along with the docket sheet we provided you from the day of the hearing, which lists all the PCR cases that were heard that day, to ensure the missing portion of the hearing has not been accidentally filed under another name or time slot.

As we explained on the phone, we think it is possible that the missing portion of the transcript can be found under another name because this PCR hearing was split in half that day with a portion of the testimony being taken in the morning and the rest of the testimony being taken in the afternoon.

We also explained the long history of this case. Applicant Willie Richardson filed his PCR in 2003. He had his PCR hearing in 2005 where his application was denied; however, his PCR attorney did not file a notice of appeal in the case. In 2008, Applicant had another PCR regarding

Page 1 of 2

the failure to appeal the original 2003 PCR. That PCR was granted and he was allowed to file a belated appeal on his original 2003 PCR; however, that attorney also failed to file the notice of appeal.

Applicant filed yet another PCR to try and get the appeal of his 2003 PCR, and in a 2010 order, he was granted another opportunity to file a belated notice of appeal of his original PCR. However, by this time, the transcript of his 2005 hearing had been destroyed. The Supreme Court ordered that Applicant get a new PCR hearing. His new PCR hearing was completed on January 22, 2014, and involved two witnesses testifying on his behalf from New York. The AAG who handled the case now lives out of state as well. It is this 2014 PCR transcript that we are trying to secure so we can finalize the appeal and get a final resolution to Mr. Richardson's case.

Again, we thank you for your time and your help in this case. If we don't hear from you before then, we will check in with you on February 13, 2017, for a status update so we can keep the Court informed.

Sincerely,



Johanna C. Valenzuela  
Senior Assistant Deputy Attorney General

cc: The Honorable Daniel E. Shearouse  
C. Rauch Wise, Esquire