

The Supreme Court of South Carolina

Bobby Joe Barton, Petitioner,

v.

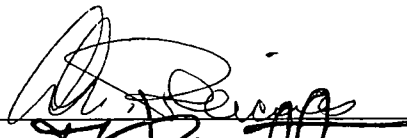
State of South Carolina, Respondent.

Appellate Case No. 2016-000995

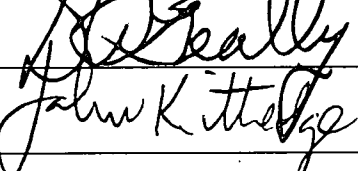
ORDER

This matter is before the Court by way of a notice of appeal of an order of the circuit court denying petitioner's application for post-conviction relief (PCR). Petitioner is proceeding *pro se*. Petitioner has notified this Court that he is challenging the accuracy of the transcript of the evidentiary hearing in this matter. He asserts the transcript "does not reflect the actual testimony that [] petitioner gave on the witness [stand] or the testimony given by other witnesses." Petitioner contends he has been unsuccessful in contacting the court reporter. However, the court reporter informed South Carolina Court Administration that she received one letter from petitioner, and she responded to the letter on October 6, 2016. The court reporter also reports that the audiotapes of the evidentiary hearing are no longer available. *See* Rule 607(i), SCACR.

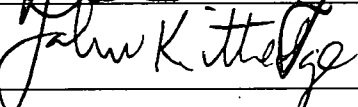
We remand this matter to the Honorable Daniel D. Hall to hold a hearing within forty-five (45) days of the date of this order to determine the accuracy of the transcript prepared in this matter. Judge Hall shall notify this Court of his findings within fifteen (15) days of the hearing on remand.



C.J.



J.



J.



Kaye G. Hearn J.
John Cannon Jr J.

Columbia, South Carolina

November 9, 2016

cc:

Karen Christine Ratigan, Esquire

Bobby Joe Barton, #163629

SC Appellate Defense

The Honorable Daniel B. Hall