



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

July 14, 2017

RECEIVED

JUL 14 2017

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Jackson, South Carolina 29831

Re: State v. Kelvin Jones
Appellate Case No. 2016-001835

Dear Ms. Kitchings:

I received your letter dated July 6, 2017, asking about the status of a requested transcript in the above case. In February of 2017, I discovered that I did not have a transcript of a motion to suppress and on February 28, 2017, I asked that the time limits be held in abeyance until I received the missing transcript. I believed that the motion to suppress was held on August 13, 2013, and requested the transcript from court reporter Brenda Sigwald on February 28, 2017. After Ms. Sigwald thoroughly researched her records, she advised that there was no transcript of a hearing on August 13, 2013. After further research, I determined that the motion to suppress was actually heard on August 11, 2014.

On April 18, 2017, I requested the August 11, 2014, transcript from court reporter Bethanie K. Creppon. On April 26, 2017, I received an e-mail from Ms. Creppon informing me that the transcript was no longer available. I have enclosed copies of all correspondence with both court reporters.

At this point in the process I am trying to determine if there is a way that both parties can agree on the substance of the motion to suppress in order to adequately address the issue on direct appeal without the need for a reconstruction hearing. I would respectfully request an additional thirty days in order to attempt to prepare a proposed consent order as to the substance of the motion to suppress in order to avoid the need to have to move for a remand to the circuit court to conduct a reconstruction hearing.

I would respectfully ask the Court to allow the case to remain in abeyance for an additional thirty days until August 13, 2017, in order to attempt to enter into a consent agreement as to the substance of the motion to suppress. I appreciate any consideration you can give in this matter. As always, if you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Kathrine H. Hudgins
Appellate Defender

KHH:lms

Encl.

cc: Benjamin Aplin, Esquire
Desiree Allen, South Carolina Court Administration



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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

February 28, 2017

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED

FEB 28 2017

SC Court of Appeals

Re: State v. Kelvin Jones

Dear Ms. Kitchings:

The initial brief of appellant and designation of matter in the above case are due to be served and filed April 7, 2017. However, in preparing the filing we have discovered that we need an additional transcript. We have requested this transcript today and would request that the time limits be held in abeyance pending receipt of it. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Kathrine H. Hudgins
Appellate Defender

KHH:css

cc: Benjamin Aplin, Esquire

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FEB 28 2017

APPELLATE DEFENSE



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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

February 28, 2017

Brenda W. Sigwald
Circuit Court Reporter
P. O. Box 206
Jackson, SC 29831

Dear Ms. Sigwald:

Please provide us with the following transcript:

The State v. Kelvin Jones
Appellate Case No. 2016-001835
County: Aiken
Presiding Judge: Doyet A. Early

Case #:

Date of Trial: August 13, 2013

Pursuant to the SC Court Reporter's Manual, please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Consecutive numbering of pages must be used throughout all volumes regardless of the number of volumes involved. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments, and include the jury strike sheet. Please be sure to include Headers and a complete index including a listing of exhibits.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

To ensure prompt payment, please sign and complete the enclosed form and include the original criminal case number (indictment number) where the space is provided.

Sincerely,

Chris Swenski
Administrative Assistant

cc: S.C. Court of Appeals
Attorney General's Office

**SCCID**

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

**COURT REPORTERS' REQUEST FOR PAYMENT FOR
TRANSCRIPT IN CRIMINAL INDIGENCY CASE****TO: SC COMMISSION ON INDIGENT DEFENSE
PO BOX 11589
COLUMBIA, SC 29211-1589**

SIGNATURE OF APPROVING OFFICIAL AT APPELLATE DEFENSE:

FORWARD THIS SIGNED AND COMPLETED FORM ALONG WITH THE REQUESTED TRANSCRIPT TO THE SC COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION. THE SC COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION WILL APPROVE THIS REQUEST FOR PAYMENT AND FORWARD THE REQUEST TO THE S.C. COMMISSION ON INDIGENT DEFENSE FOR PAYMENT. ALL QUESTIONS REGARDING PAYMENT SHOULD BE MADE TO THE S.C. COMMISSION ON INDIGENT DEFENSE, P.O. BOX 11433, COLUMBIA, SC 29211-1433, PHONE: 803.734.1343, e-mail: executive@sccid.sc.gov.

CASE NAME:

CRIMINAL CASE (INDICTMENT) NO.(s):

DATE TRANSCRIPT REQUESTED BY APPELLATE DEFENSE:

DATE TRANSCRIPT PROVIDED TO APPELLATE DEFENSE:

PLEASE NOTE THAT THE DEFENSE OF INDIGENTS FUND WILL REIMBURSE THE REQUESTING PARTY FOR EITHER THE ORIGINAL TRANSCRIPT OR ONE COPY, BUT NOT FOR BOTH.**RULE 607 (H)(1), SCACR, PROVIDES THAT IN ALL CRIMINAL INDIGENCY CASES, INCLUDING POST-CONVICTION AND SEXUAL VIOLENT PREDATOR PROCEEDINGS, THE FEE FOR THE ORIGINAL TRANSCRIPT IS THREE DOLLARS AND TWENTY-FIVE CENTS (\$3.25) PER PAGE AND THE FEE FOR A COPY OF THE TRANSCRIPT IS SEVENTY-FIVE CENTS (.75) PER PAGE.****PURSUANT TO THE REQUEST OF THE S.C. COMMISSION ON INDIGENT DEFENSE, APPELLATE DIVISION, THE TRANSCRIPT IN THE ABOVE MATTER WAS PROVIDED TO THAT OFFICE. REIMBURSEMENT IN THE FOLLOWING AMOUNT IS HEREBY REQUESTED:** ORIGINAL TRANSCRIPT OF _____ PAGES: \$ _____ COPY OF ORIGINAL TRANSCRIPT OF _____ PAGES: \$ _____ OTHER (Please specify): _____: \$ _____**TOTAL PAYMENT REQUESTED:**\$

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SIGNATURE OF COURT REPORTER:

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A SC VENDOR IDENTIFICATION NUMBER, WHICH IS ISSUED BY THE SC COMPTROLLER GENERAL'S OFFICE, AND IS NEITHER A FEDERAL EMPLOYER IDENTIFICATION NUMBER NOR AN INDIVIDUAL SOCIAL SECURITY NUMBER, IS REQUIRED FOR PAYMENT PROCESSING. (SCCID DOES NOT REQUIRE A FEI OR SSN)

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State of South Carolina
The Circuit Court of the Eleventh Judicial Circuit

Brenda J. Sigwald
Court Reporter for
The Honorable
R. Knox McMahon

P.O. Box 206
Jackson, SC 29831
bsigwald@sccourts.org

March 7, 2017

Chris Swenski
SCCID
P.O. Box 11589
Columbia, SC 29211-1589

RE: State of South Carolina v Kelvin Jones

Dear Mr. Swenski,

I have received your letter dated February 28, 2017 wherein you request the Transcript of Record in the above-referenced matter.

I have checked my records for that entire week and have determined I did not take this case. I was assigned to Aiken on that day with Judge Early, but there is no such case in my records.

I apologize for any inconvenience this causes. If I can be of further assistance, please do not hesitate to call.

Sincerely,

Brenda J. Sigwald

Brenda J. Sigwald
Court Reporter

bjs

cc: Desiree Allen



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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

April 18, 2017

RECEIVED

APR 18 2017

SC Court of Appeals

Bethanie K. Creppon
Court Reporter
Post Office Box 85411
Lexington, South Carolina 29073

Re: State v. Kelvin Jones

Dear Ms. Creppon:

Please provide us with the following transcript:

State v. Kelvin Jones

Indictments #2014-GS-02-1182,
#2012-GS-02-0133

Aiken County
Judge Edgar Dickson
August 11, 2014

I have the first 13 pages of this transcript where Judge Dickson granted the defense motion for a change of venue. According to trial counsel, however, on that same day, after hearing the change of venue motion, Judge Dickson also held a suppression hearing. I am requesting the transcript of the suppression hearing held on August 11, 2014. I do not need the 13 pages of transcript for the change of venue motion.

I appreciate your assistance in this matter. If you have any questions or concerns, please do not hesitate to contact me by phone or e-mail – khudgins@sccid.sc.gov.

Sincerely,

Kathrine H. Hudgins
Appellate Defender

KHH:css

cc: South Carolina Court of Appeals
Benjamin Aplin, Esquire
Desiree Allen, South Carolina Court Administration

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APR 18 2017

APPELLATE DEFENSE

Hudgins, Kathrine

From: Creppon, Bethanie <bcreppon@scccourts.org>
Sent: Wednesday, April 26, 2017 5:54 PM
To: Hudgins, Kathrine
Subject: State v Kelvin Jones
Attachments: Official Letter.doc

Ms. Hudgins,

I have received your letter dated April 18, 2017 requesting the transcript of the suppression hearing held August 11, 2014 in the case of State vs. Kelvin Jones. I will be unable to provide you with that transcript as it is, unfortunately, no longer available. Please see the attached letter that was sent to Court Administration and others dated June 12, 2015.

Best,

?

Bethanie K. Creppon
Circuit Court Reporter to
The Honorable Doyet A. Early, III
PO Box 85411
Lexington, SC 29073

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.



State of South Carolina  
The Circuit Court of the Second Judicial Circuit

Bethanie K. Creppon  
Circuit Court Reporter

June 12, 2015

P.O. Box 85411  
Lexington, SC 29073  
bcreppon@sccourts.org

Dear Judicial Department:

I regret to inform you all that I will be unable to provide any transcripts of any hearings or trials held before June 9, 2015. My car was broken into on June 3, 2015, and all of my court reporting equipment was stolen, including my laptop containing transcript and audio files, as well as my backup external hard drives.

I apologize for any inconvenience this may cause.

Sincerely,

Bethanie K. Creppon  
Official Court Reporter

CC: SC Court Administration