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October 10, 2017

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

RECEIVED  
OCT 10 2017  
SC Court of Appeals

Re: State v. Emory Roberts; Appellate Case No. 2017-001676

Dear Ms. Kitchings:

The initial brief of appellant and designation of matter in the above case is due to be served and filed on November 13, 2017. However, we have discovered that we need an additional transcript.

On July 31, 2017, we received notice of the filing of a notice of appeal in this case. On August 11, 2017, we contacted trial counsel to request the dates of the trial, sentencing, and any other hearings in the case. On that date, we received an email from trial counsel stating the trial lasted from July 24-28 and sentencing occurred on July 28. Further, trial counsel stated pre-trial motions occurred on July 24. Thereafter, we ordered the transcripts concerning July dates provided by counsel. We received the transcript on September 14, 2017.

On September 19, 2017, the case was assigned to me. On that date, I sent Mr. Roberts a letter explaining my representation and providing him with a copy of the transcript. On September 26, 2017, Mr. Roberts wrote to me stating he wanted transcripts of his pre-trial hearings. I wrote to Mr. Roberts on September 28, 2017, asking him to provide more information about those hearings so that I could determine if they were necessary for the appeal. Mr. Roberts and I spoke by phone on October 3, 2017, about this matter. I sent an email to trial counsel on October 3, 2017, to inquire about any additional transcripts. On October 4, 2017, trial counsel responded that there was a competency hearing on July 19, 2017. He also stated the judge entertained other motions at that time. Additionally, I contacted Joshua Underwood, Esquire, the attorney representing the state, by email on October 4, 2017, in an effort to confirm the dates and hearings and to inquire about any other transcripts. As of this writing, Mr. Underwood has not responded to my inquiry.

Using the calendar available on the Judicial Department's website, I have confirmed that the Honorable Deadra L. Jefferson was presiding over statewide grand jury matters on that date. In light of this information, I am requesting this case be held in abeyance so that I may obtain copies of the transcripts of the hearings held on July 19, 2017.

We have requested this transcript today and request that the time limits be held in abeyance pending receipt of it. A copy of our transcript request is attached. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



Susan B. Hackett  
Appellate Defender

SBH/smf

Enclosure: Copy of transcript request

cc: Joshua Underwood, Esquire (w/ enclosure)  
Emory Roberts (w/ enclosure)