

June 05, 2018

Lisa M. Scott
Circuit Court Reporter
Post Office Box 4356
Anderson, S.C. 29622

RECEIVED
JUN 06 2018
SC Court of Appeals

Re: Transcript Challenge in re of State v. George Cleveland, III, case no (s) 2012-GS-23-07504-05,07

Dear Ms. Scott,

I'm challenging the *accuracy* of the transcript I received in the above captioned case on June 05, 2018 by mail *pursuant to Rule 607 (I)*, see attached copy marked as exhibits 1-2.

I will number the errors respectively:

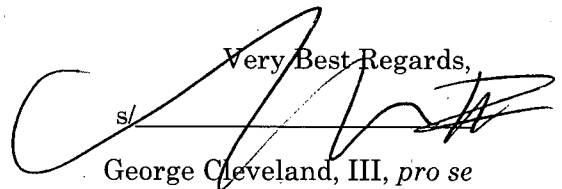
1. Page-3 of the transcript (List of Exhibits) is missing¹ my 401 pages of exhibits that I submitted to you during the hearing in this case, see exhibit 3; lines 12-25, see also exhibits 4; lines 20-25.
2. Also, on exhibit 4 at the top of the page, you did not put that you took the exhibits into custody.
3. On Page- 14 of the transcript, the correct spelling of the Federal Statute I referred to in Court is the Dyer Act, not "dire", see exhibit 5; line 25, and exhibit 6 line 1.
4. Finally, can you also change "Probation Officer" to "Mark Simmons" on every page where "Probation Officer is so stated because he was the Representative of the

¹ Section B ("Retention and Disposition of Exhibits") explicitly required you to mark, and record on the record the exhibits, and then turn them over to the Clerk at the conclusion of my hearing since it lasted around 15 minutes. See attached exhibit 7-8 (page 17-18 of the S.C. Court Reporter's Manual).

Probation Office, and the Hearing Officer for the Oconee, and Anderson County
Probation Offices.

I look forward to hearing from you soon with the corrected transcript.

Very Best Regards,

A handwritten signature in black ink, appearing to read 'George Cleveland, III', written over a horizontal line. The signature is stylized and cursive.

s/
George Cleveland, III, *pro se*

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleveland7475@gmail.com

cc: file

Mr. Matthew Buchanan, *General Counsel* for the SCDPPPS

Ms. Desiree Allen, Manager for the Court Reporting Division of the S.C. Court
Administration

Ms. Jenny Abbott Kitchings, Clerk of Court for the S.C. Court of Appeals

producing an original transcript.

(B) A fee of Seventy-Five Cents (\$.75) per page for furnishing a copy of a previously prepared transcript.

(C) A fee of One Dollar and Fifty Cents (\$1.50) per page for each person receiving Real-time output when a Real-time Request is signed by the requester.

(D) A fee of One Dollar and Fifty Cents (\$1.50) per page for unedited (rough copy) ASCII Disks when no request for an original transcript has been made.

(E) A fee of Thirty-Five Dollars (\$35) for edited ASCII disks. This service is only available to a requestor who has requested an original or a copy of the transcript.

(F) A fee of One Dollar (\$1) per page for condensed transcripts, which contain no more than four pages of text. This service is only available to a requestor who has requested an original or a copy of the transcript.

(G) A fee of Fifty Cents (\$.50) per page for Keyword Indexing. This service is only available to a requestor who has requested an original or a copy of the transcript.

(H) A fee of Thirty-Five Dollars (\$35) for e-mailed transcripts. This service is only available to a requestor who has requested an original or a copy of the transcript.

(I) A fee of One Dollar and Fifty Cents (\$1.50) per page for unedited (rough draft) e-mailed transcripts.

(J) The following per page costs apply to requests to produce a transcript on an expedited basis:

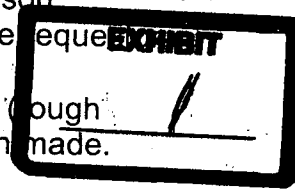
(i) A fee of Four Dollars and Twenty-Five Cents (\$4.25) for original transcripts delivered within seven days of the request and Seventy-Five Cents (\$.75) for a copy.

(ii) A fee of Five Dollars and Twenty-Five Cents (\$5.25) for original transcripts delivered overnight and One Dollar (\$1.00) for a copy.

(iii) A fee of Six Dollars and Twenty-Five Cents (\$6.25) for original transcripts delivered on a daily basis and One Dollar (\$1.00) for a copy.

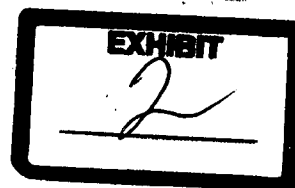
(2) By Private Court Reporter. In the event the court reporter is not an employee of the Judicial Department, the fees to be charged shall be that agreed upon by the court reporter and the parties. The transcript produced by the Judicial Department court reporter is the official transcript.

(i) Retention of Tapes. Except as provided below, a court reporter shall retain the primary and backup tapes of a proceeding for a period of at least five (5) years after the date of the proceeding, and the court reporter may reuse or destroy the tapes after the expiration of that period. If the proceeding was a hearing or trial which lasted for more than one day, the time shall be computed from the last day of the hearing or trial. In any proceeding which has been transcribed on or after March 1, 2017, the court reporter shall retain the primary and backup tapes which have been transcribed for a period of at least one (1) year after the original transcript is sent to the requesting party, to allow any



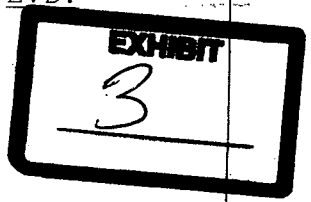
(j) **Failure to Comply.** The wilful failure of a court reporter to comply with the provisions of this Rule shall constitute contempt of court enforceable by order of the Supreme Court.

Last amended by Order dated May 1, 2018.



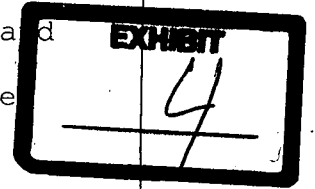
E X H I B I T S

NO. DESCRIPTION ID. EVD.



No Exhibits.

1 Both of them -- both of them were submitted -- were
2 submitted to the South Carolina Supreme Court, and
3 they wouldn't put them on the docket. They were
4 forged.



5 And my Oconee County PCR, Judge Sprouse denied
6 it and ordered the State to type up an order of
7 dismissal, which is illegal because the statute --
8 the PCR statute says the judge must make specific
9 findings of fact and conclusion of laws.

10 So that's all in these documents, so that's the
11 reason I can't pay.

12 THE COURT: Okay. Would you make those
13 exhibits for the Court, please, sir, for review?

14 THE DEFENDANT: And just for the record, it's
15 401 pages of PCR activity in Oconee County and
16 Greenville County, the Circuit Court, and also the
17 Supreme Court.

18 There's also some Federal documents -- Federal
19 documents in there from my Federal habeas corpus on
20 my Greenville County case.

21 THE COURT: Okay, sir.

22 THE DEFENDANT: Do you want me to take these
23 off?

24 THE COURT: It's your case. Do whatever you
25 need to do.

1 (Off-the-record discussion with the reporter.)

2 THE DEFENDANT: And another thing just for the
3 record, Judge, I draw taxes and I make -- I make
4 about \$350 a week.

5 Electric bill is \$100 a month. My car
6 insurance is 110. Dental insurance and short-term
7 disability and hos -- hospital department insurance
8 totals 130. My groceries is about 400. My gas is
9 about 400. And my legal fees -- the copies, ink,
10 papers, postage, envelopes -- average about \$300 a
11 month.

12 THE COURT: Who is your attorney?

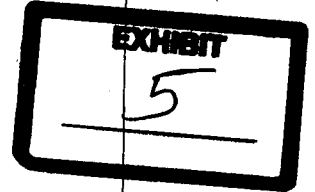
13 THE DEFENDANT: Me.

14 THE COURT: So you're charging yourself legal
15 fees?

16 THE DEFENDANT: I'm not charging myself.
17 That's the reason why I put in parentheses, copies,
18 ink, paper, postage and envelopes. It's very, very
19 expensive to fight your own case.

20 The 401 documents I just submitted was \$53 --
21 \$56 at the UPS when I sent these things. And he --
22 he -- they discounted \$53.

23 So the -- and I didn't put in there the extra
24 time it takes me to drive to Greenville County
25 Public Library because that's the closest library



1 THE DEFENDANT: I plead guilty with Judge
2 Miller, 2013. I also plead guilty with Judge Couch
3 in Oconee County.

4 THE COURT: And the question I have, you pled
5 guilty to possession of stolen bag of more than
6 \$10,000, correct?

7 THE DEFENDANT: Correct.

8 THE COURT: And you were ordered to pay
9 \$13,410.00 in restitution, correct?

10 THE DEFENDANT: On the Greenville County
11 charges, that's correct.

12 THE COURT: And that's on the stolen vehicle.
13 That's Judge Miller's case?

14 THE DEFENDANT: That's Judge Miller. Yes.

15 THE COURT: And you agreed to do that?

16 THE DEFENDANT: I agreed to do that at the
17 time.

18 THE COURT: Okay. All right.

19 THE DEFENDANT: Now, when I filed my
20 post-conviction relief, I alleged ineffective
21 assistance of counsel and depri -- deprivation of
22 subject matter of jurisdiction, because the vehicles
23 in question were stolen from Georgia.

24 I bought them in South Carolina across state
25 lines, so it's a Federal jurisdiction of the dire



EXHIBIT
6

1 act, so that's -- that's -- that's one of my biggest
2 arguments. So I'm fighting it Federally, even
3 though I pled guilty.

4 You know, I alleged that I involuntarily pled
5 guilty and unintelligibly pled guilty because of the
6 massive amount of fraud in this case, and that's why
7 I can't pay my restitution.

8 THE COURT: All right. Thank you. Is there
9 anything further?

10 PROBATION OFFICER: No, sir, Your Honor.

11 THE COURT: I find that Mr. Cleveland has
12 willfully violated the terms of his probation and
13 that he was willfully not paid the restitution since
14 he pled, roughly five years and paying about
15 \$250 ---

16 PROBATION OFFICER: Yes, sir.

17 THE COURT: --- out of 13,410.

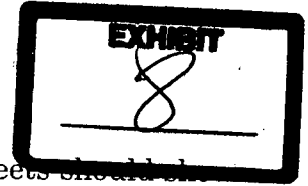
18 I find it credible the agent's statement that
19 he doesn't have jurisdiction -- the Court doesn't
20 have jurisdiction to make him pay the restitution.
21 I think that I do. I think that you willfully not
22 paid. I'm going to give you the chance to come back
23 and. I'll give you 90 days from today.

24 I'm tolling him while he's in. And hopefully
25 when you get out, you'll come back and start as best



EXHIBIT

7



All audio recordings should be numbered and dated. Log sheets should be corresponding audio recording dates. The court reporter should log all key events, speaker identifications, and clarification of any words or series of words which could be misunderstood by the transcriber. Trial notes serve as a detailed chronological guide to the electronic record, and are helpful in the effective and rapid use of that record (See Exhibit 1, Appendix 3). Marking Exhibits

Court reporters are responsible for marking exhibits. The court reporter should securely affix either a stamp or an adhesive label to identify exhibits. The stamp or label must contain the following information: identity of the party introducing the exhibit, *i.e.*, The State, plaintiff or defendant; exhibit number; court reporter's initials; and date of the hearing. When a stamp or label cannot be used, the court reporter should attach to the exhibit a tag which lists the required information.

B. Retention and Disposition of Exhibits

All exhibits, whether marked for identification or in evidence, shall remain in the custody of the court reporter throughout the proceedings.

In proceedings which last more than one day, it is the court reporter's responsibility to see that exhibits marked for identification or evidence are secure at the end of the day. Items such as weapons, drugs, cash, *etc.*, must be secured with the clerk of court for safekeeping if the court reporter exits the courtroom.

At the conclusion of the proceedings, the court reporter should **not** retain custody of any exhibits that have been marked for identification or received in



evidence. Unless otherwise directed by the court, the clerk of court shall retain possession of all exhibits admitted into evidence or marked for identification during a hearing or trial before the circuit or family court. (Rule 606(a), SCACR) (See Appendix 4). A receipt should be obtained from the clerk of court to acknowledge possession of exhibits. (See Appendix 3, Exhibit 3). Do not release any exhibit to any person other than the clerk of court unless directed by the court on the record.

XIII. CUSTODY AND CONTROL OF THE RECORD

A. Record Maintenance

All courtroom records including steno notes, backup materials, and logs should be kept in a secure and safe manner in chronological order. All court records in the courtroom must be kept in a secure place whenever the court reporter is not present.

All audio recordings, steno notes, trial logs, and jury lists should be filed and maintained together in chronological order on a weekly basis in an expandable folder. The cover and index tab of the folder should be clearly marked with the date, docket numbers, county and judge. All audio recordings must be dated.

In addition, voice writers must clearly label audio recordings as primary or backup and number each in chronological order.

In the case of computer assisted transcription, (CAT), all steno notes, along with all audio recordings, must be retained.

The following items should be left for court reporters assigned to replace you in court:

1. Case information sheet, witness list, docket sheet;

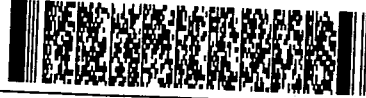
Appellate
Case No.
2018-000564

1

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