

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
JUN 28 2018
SC Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
Hon. Edward W. Miller, Circuit Court Judge

Case No. 2015-CP-42-4699

John Garvin Petitioner/Appellant,

v.

State of South Carolina. Respondent/Appellee.

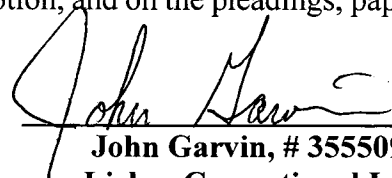
MOTION FOR AUTHORIZATION TO HAVE
THE EXPENSE OF OBTAINING TRANSCRIPT

Petitioner-Appellant, John Garvin, proceeding as pro-se moves this court for an Order granting the authorization to have the Expense of Obtaining the transcript of Petitioner-Appellant's PCR Motion hearing that was held on February 21, 2018, before the Honorable Michael G. Nettles, Circuit Court Judge, for the term of the Court of Common Pleas in Spartanburg County, pursuant to S.C. Code Ann. §§ 17-3-310(G), 330(A) and 360(C).

This said Motion will be made on the grounds that a copy of the February 21, 2018, PCR Motion Hearing transcript is needed to insure that the proposed order submitted by the Respondent's, covers all the facts raised at that motion hearing and that the Order ultimately entered by the Court is an accurate and complete statement of the facts. See Rule-52(a), SCRCP; also see *Marlar v. State*, 375 S.C. 407, 653 S.E.2d 266 (2007).

Petitioner-Appellant's Motion is made and based on this the attached motions, the affidavit of John Garvin, copies of which are served with this motion, and on the pleadings, papers, records, and files in this action.

DATED: June 25, 2018


John Garvin, # 355509, Pro-se.
Lieber Correctional Institution
136 Wilborn Avenue
Ridgeville, S.C. 29472

SHIRLEY G. BROOM
16TH CIRCUIT COURT REPORTER
502 UNITY STREET
FORT MILL, SC 29715

June 10, 2018

Mr. John Garvin - #355509
Lieber Correctional Inst.
136 Wilborn Ave.
Ridgeville, SC 29472.

Re: John Garvin vs. State of South Carolina
2015-CP-42-4699
Before: Honorable Michael Nettles

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This is to acknowledge that on June 9, 2018 I received your letter dated May 24, 2018 from South Carolina Court Administration which was dated June 5, 2018 requesting the transcript of record in the above-referenced matter.

Rule 607 provides that \$.75 per page shall be charged per page for a copy of a transcript. I have previously received a request for same from The Office of the Attorney General's office. Based on the current rate, the estimated cost for a copy could/will be \$37.50 plus priority fee of \$6.70. If knowing this information you still would like a copy, I will be able to provide same upon completion which I estimate to be on or before July 16th, 2018 upon receipt of a postal money order in the sum of \$44.20. Should the transcript be less than this, I will refund the difference. Should it be more the balance will be due prior to mailing same, also by way of postal money order.

Under our rules, I have sixty days in which to complete the transcript, after receipt of the deposit. In addition, I am allowed to request from Court Administration thirty days extensions, if necessary, to complete the transcript. You will be notified if extensions are granted.

If you desire to cancel the request for the transcript, a cancellation request must be made in writing. You will be responsible for payment of any portion of the transcript that has been completed.

Please forward all correspondence to the address referenced above.

Thank you for your request in this matter.

Shirley G. Broom
Official Court Reporter

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APPEAL FROM SPARTANBURG COUNTY
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Hon. Michael G. Nettles, Circuit Court Judge

Case No. 2015-CP-42-4699

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John Garvin Petitioner/Appellant,

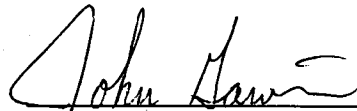
v.

State of South Carolina Respondant-Appellee.

CERTIFICATE OF SERVICE

I, John Garvin, certify that I have serve a **DECLARATION OF INMATE FILING, A NOTICE OF APPEAL, A MOTION TO PROCEED IN FORMA PAUPERIS UPON APPEAL, A MOTION FOR AUTHORIZATION TO HAVE THE EXPENSE OF OBTAINING TRANSCRIPT** on the Court by depositing a copy of it in the Institutional Mailbox to be delivered via United States First Class Postage Certified Mail on June 25, 2018, addressed to the Spartanburg County Clerk of Court, Hon. M. Hope Blackley, Clerk, 180 Magnolia Street, Spartanburg, South Carolina 29304; and United States First Class Postage mail addressed to the South Carolina Court of Appeals, Hon. Jenny A. Kitching, Clerk, 1015 Sumter Street, Columbia, S.C. 29201, and delivered via SCDC Intra-Agency Mail to the South Carolina States Attorney General Office, Ms. Jordan A. Cox, 1000 Assembly Street, Columbia, S.C. 29201

DATED: June 25, 2018
Ridgeville, South Carolina


John Garvin, # 355509, Pro-se.
Lieber Correctional Institution
136 Wilborn Avenue
Ridgeville, S.C. 29472

John Garvin
Lieber Correctional Institution
136 Wilborn Avenue
Ridgeville, S.C. 29472

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ATTN: Hon. Jenny A. Kitching, Clerk
The South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

RE: John Garvin v. State, 2015-CP-42-4699, Notice of Appeal

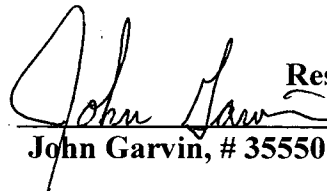
Dear Hon. Kitching:

Enclosed please find for filing a **DECLARATION OF INMATE FILING**, and a **NOTICE OF APPEAL**, in the above case, together with a copy and a self-postage paid stamped return envelope for returning a clock stamped copy. Also enclosed are the following:

- 1.) A Certificate of Service of the Notice of Appeal on Respondent.
- 2.) A copy of the Order that is to be challenged on Appeal.
- 3.) A Motion to Proceed Informa Pauperis on Appeal, with Supporting Affidavit.
- 4.) A Motion for Authorization to have the Expense of Obtaining the Transcript.

To be filed on the date as given to the institutional internal mailroom, pursuant to Rule-262(a)(2), SCACR and *Moses v. State*, 420 S.C. 500, 803 S.E.2d 718 (2017).

Dated: June 25, 2018

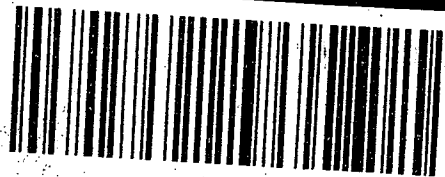
 Respectfully,
John Garvin, # 355509, Pro-se.

Enclosure

cc: Hon. M. Hope Blackley, Spartanburg County Clerk of Court
Jordan A. Cox, Asst. Att'y. General

John Garvin - #355509
Lieber Correctional Institution
136 Wilborn Ave.
Ridgeville, S.C. 29472

CERTIFIED MAIL



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LEGAL MATL

Attn: Hon. Jenny A. Kitching, Clerk
The South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201



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