

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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JUL 09 2018

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas
Post Conviction Relief

S.C. SUPREME COURT

Honorable G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No.: 2018-000065

David Lee Meggett,

Petitioner,

vs.

State of South Carolina

Respondent.

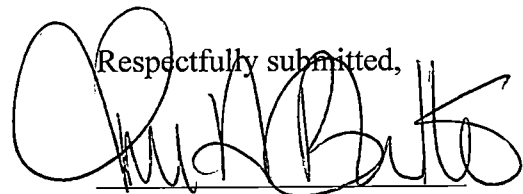
PETITION FOR INDIGENT FUNDS

Pursuant to the Memorandum of Chief Justice Toal, dated July 6, 2005, and S.C. Code Ann. Section 17-3-50(C) (2003), payment of attorneys fees in excess of the statutory amount is allowed if the circuit court “certifies, in a written order with specific findings of fact, that payment in excess of the rates is necessary to provide compensation adequate to ensure effective assistance of counsel.” Undersigned was appointed as appellate counsel by Order of this Court dated June 12, 2018 and would show the following in support of a request for a fee in excess of the statutory amount:

1. The PCR Application stemmed from a multi-day trial with a transcript totaling 465 pages.
2. A full day evidentiary hearing was held in Charleston County with a transcript totaling 143 pages.

3. A motion hearing was also held in Charleston County with a resulting order denying indigent funding for an expert, which will be an issue raised on appeal.
4. The Order of Dismissal totals 62 pages and addresses 10 allegations.
5. Petitioner is currently located at Lieber Correctional Institution, and counsel will need to meet with him in person to properly prepare his appeal.
6. Counsel handled the underlying PCR Application and attests to the complexity of the PCR appeal.
7. Counsel has solely handled PCR Applications and appeals since her admittance to the South Carolina Bar in 2006. Counsel does not have a support staff and completes the Appendix, Petition and Brief herself, with only the assistance of a copy company.

Therefore, based upon the foregoing, counsel would respectfully request the cap amount be increased from \$1,000.00 to the amount of \$3,500.00 without further Order of this Court. Counsel is not requesting an increase in the hourly fee paid (\$40.00) an hour. Counsel is requesting that the Court make the findings required by the Memorandum of Chief Justice Toal, dated July 6, 2005, and S.C. Code Ann. Section 17- 3-50(C) (2003) and further hold that the approval of said fee is backdated to the date of appointment to ensure that counsel is compensated for the hours invested while attempting to timely file the Petition and Appendix.

Respectfully submitted,


Tricia A. Blanchette
S.C. Bar No. 74904
PO Box 2147
Leesville, SC 29070
(803) 908-3266

July 3, 2018

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
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S.C. SUPREME COURT

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Respondent.

CERTIFICATE OF SERVICE

I, Tricia A. Blanchette, Attorney for Petitioner, hereby certify that I placed in the mail this 3rd day of July 2018 a Petition for Indigent Funds to Hervery Young, Esquire, of the South Carolina Commission of Indigent Defense, addressed as follows:

South Carolina Commission of Indigent Defense
Att: Hervery Young, Esquire
PO Box 11433
Columbia, SC 29211



Tricia A. Blanchette
PO Box 2147
Leesville, SC 29070
(803) 908-3266

July 3, 2018

LAW OFFICE OF
TRICIA A. BLANCHETTE

July 3, 2018

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

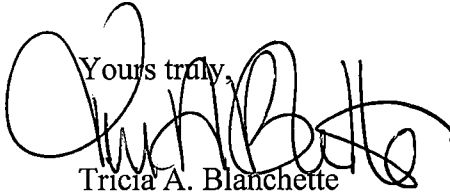
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JUL 09 2018
S.C. SUPREME COURT

RE: David Lee Meggett v. State; App. Case No.: 2018-000065

Dear Sir:

For filing in the above referenced appeal, please find an original, plus 6 copies, of an Petition for Indigent Funds, with Certificate of Service attached.

Please contact me if any additional information is needed. I appreciate your assistance with this matter.

Yours truly,

Tricia A. Blanchette
Attorney at Law

cc: Herverly Young, S.C. Commission of Indigent Defense
David Meggett