

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
DEC 27 2018
SC Court of Appeals

APPEAL FROM LAURENS COUNTY
Court of General Sessions
Frank R. Addy, Jr., Circuit Court Judge

Appellate Case No. 2018-001684

The State,..... Respondent,

v.

Michael Cliff Eubanks, Appellant.

Petition for this Court to Take Possession of the Tapes of Mr. Eubank's Trial and Order Independent Review and Verification of the Trial Transcript

Michael Cliff Eubanks petitions this Court to take possession of the tapes of his trial and order an independent review and verification of the trial transcript. In the alternative, this Court should order that the trial transcript be transcribed by a disinterested court reporter. This petition is based on the following grounds.

I. FACTUAL AND PROCEDURAL BACKGROUND.

From July 31, 2018 to August 3, 2018, the Eighth Circuit Solicitor's Office prosecuted Mr. Eubanks before the Honorable Frank R. Addy, Jr. and a jury for first-degree criminal sexual conduct with a minor, second-degree criminal sexual conduct with a minor, and third-degree criminal sexual conduct with a minor. Tara Scott was the court reporter.¹

¹ See A. 17 and <https://www.sccourts.org/calendar/dspTermsCRCir.cfm> (last viewed December 22, 2018). Although the calendar continues to list Ms. Scott as the court reporter, the link to her contact information suggests that future transcript requests should be directed to Court Administration.

C. Dale Scott (no relation) and Julie Kate Keeney represented the State. C. Rauch Wise represented Mr. Eubanks. The jurors convicted Mr. Eubanks as charged. Judge Addy sentenced Mr. Eubanks to twenty-five years imprisonment for first-degree criminal sexual conduct with a minor, a concurrent sentence of fifteen years for third-degree criminal sexual conduct with a minor, and a consecutive sentence of fifteen years for second-degree criminal sexual conduct with a minor, suspended on the service of forty-five days, with probation for five years.

On August 13, 2018, Mr. Eubanks moved for a new trial. On August 17, 2018, while the new trial motion was still pending, Mr. Wise requested the court reporter produce the trial transcript. *See* Appendix (hereinafter “A.”) at 1-2.

Based on information provided in response to a Freedom of Information Act request,² on September 4, 2018, Sara Paris, who is a Victims’ Advocate for the Eighth Circuit Solicitor’s Office,³ asked Ms. Scott if she would be interested in “a position coming open as a Victim Advocate.” Later that day, Ms. Scott spoke to Jami Steifle, who is the Circuit Coordinator for the Eighth Circuit Solicitor’s Office, about the position. On September 18, 2018, Ms. Scott again spoke to Ms. Steifle and “expressed an interest in the position.” On September 21, 2018, Ms. Scott “spoke with Solicitor [David] Stumbo for the first time regarding the position, and he officially offered [Ms. Scott] the job.” Also on September 21, 2018, Ms. Scott submitted her “resignation letter to Desiree Allen in Court

² On November 28, 2018, undersigned counsel requested the Eighth Circuit Solicitor provide information about the announcement for the Victims’ Advocate position, Ms. Scott’s application for the position, and the dates of the interview(s), job offer, acceptance of the job offer, and first date of employment. A. 19.

³ The Eighth Circuit Solicitor’s Office staff directory is found at <http://www.scsolicitor8.org/staff-directory/> (last viewed December 23, 2018). A. 29-32.

Administration and asked to work a notice that would allow for coverage of court through the completed calendar.”⁴ A. 27. Ms. Scott did not disclose any of this information to Mr. Wise.

On October 17, 2018, Mr. Wise inquired about the status of the transcript. On October 18, 2018, Ms. Scott responded:

I'm working on it right now.

I had another week long trial requested the day before that I have been tied up with, but just finished it up. I can have it to you within the next week/week and a half, unless you need me to put a rush on that for a deadline. (Normal rate, of course, since it was ordered the last day of July). If I get it to you by Monday October 29, 2018 will that work?

A. 6. Mr. Wise informed Ms. Scott that undersigned counsel would be representing Mr. Eubanks on appeal and would be responsible for payment of the transcript. Undersigned counsel confirmed this arrangement with Ms. Scott on October 22, 2018. A. 5. Ms. Scott did not disclose that she had accepted a position with the Eighth Circuit Solicitor's Office during any of these communications.

Ms. Scott's "last date of employment with Court Administration was October 26, 2018." A. 27. Also on October 26, 2018, at 11:25 p.m., Ms. Scott wrote undersigned counsel:

I am writing to let you know that despite my best laid plans and efforts this week I've had to accept the fact that I am not going to be able to fulfill my Monday deadline. Realistically, it will likely be Wednesday Oct 31st or

⁴ By letter dated December 13, 2018, Court Administration declined to disclose Ms. Scott's resignation letter pursuant to the Freedom of Information Act. A. 22. By letter dated December 18, 2018, undersigned counsel requested Court Administration reconsider this position based on this Court's opinion in *Burton v. York Cty. Sheriff's Dep't*, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004). A. 24-25. This information is necessary to determine whether Court Administration was aware of the conflict of interest when granting Ms. Scott permission to continue preparing transcripts "just like normal," see A. 16, which includes matters prosecuted by the Eighth Circuit Solicitor's Office.

Thursday of next week before it's completed. Because I've gone over my allowed 60 days I have also filed a request for an extension with Court Administration. They should send a copy of that to you and to the Court of Appeals, but I will forward one to you also when I get it. It will indicate that I have until November 16th to complete the transcript, but it won't take that long.

A. 4. Ms. Scott did not disclose that October 26th was also her last date of employment with Court Administration or that she had accepted a position as a Victims' Advocate with the Eighth Circuit Solicitor's Office.

On October 27, 2018, Ms. Scott requested an extension to November 17, 2018 to complete the transcript. The extension request represented that 400 of 900 pages of the transcript had been completed at that point.⁵ A. 23. Based on information provided in response to a Freedom of Information Act request,⁶ Court Administration, "The extension was not granted at the time it was submitted due to the extension request procedure not being followed." A. 24.

Ms. Scott "began employment with the [Eighth Circuit] Solicitor's Office on October 29, 2018." A. 27.

By letter October 30, 2018, undersigned counsel updated this Court regarding the status of the transcript. A. 7.

⁵ Ultimately, the transcript, not including the court reporter's certification, turned out to be 792 pages, meaning approximately half of the transcript was complete at the time of this extension request. *See* A. 17.

⁶ On November 29, 2018, undersigned counsel wrote Court Administration requesting a copy of the extension to November 16, 2018, the court reporter's resignation letter, whether the court reporter disclosed the conflict of interest, the approval to continue preparing transcripts, and the policy that allows the court reporter to continue preparing transcripts after beginning new employment. A. 20-21.

On November 20, 2018, undersigned counsel emailed Ms. Scott to ask about the status of the transcript however, undersigned counsel received an email stating that Ms. Scott's sccourts.org email address was no longer valid. A. 8-11. Undersigned counsel next checked the roster of active court reporters on the Judicial Department website, where Ms. Scott was no longer listed. Undersigned counsel then emailed Court Administration:

I write to inquire about the status of the extensions regarding this transcript. When I tried to email Tara Scott, I got a message that her email address is no longer functioning.

A. 12. Later that day, undersigned counsel texted a colleague in the Public Defender's Office:⁷

What's going on with Tara Scott? I emailed her today to ask about status of transcript. Email bounced back. She's not listed on judicial website as court reporter.

The colleague responded, "She is a v advocate of sol in Abbeville now. Started I think 3 weeks ago." A. 14. This text message was the first time undersigned counsel learned Ms. Scott had accepted a position as a Victims' Advocate for the Eighth Circuit Solicitor's Office.

On November 25, 2018, the Ms. Scott responded to an inquiry from one of Mr. Eubank's relatives and stated:

I resigned from my position as a court reporter at the end of October. Prior to my resignation I was given permission by court administration to continue producing transcripts as the requests come in just like normal. Not knowing the policy of their IT department though, I did not make a backup of all my email contacts for transcript requests. The day after my resignation I immediately lost access to my tscott@sccourts.org email and all of that information was deleted from the system. I also lost access to all of my lists of requests. Unfortunately, I have had to wait until I am

⁷ As a former public defender (1996-2012), undersigned counsel is keenly aware that public defenders are often more aware than the private bar of day-to-day events in the circuit courts.

contacted, like you did, to be able to then get those transcripts completed and out to the people who ordered them.

A. 16.

On November 26, 2018, undersigned counsel learned about a Facebook post further confirming Ms. Scott had become a Victims' Advocate for the eight Circuit Solicitor's Office. A. 15. On November 26, 2018, undersigned counsel wrote Ms. Scott and inquired, "Do you know how this transcript will be handled now as you technically cannot certify it anymore?" A. 3. Later, on November 26, 2018, Ms. Scott provided a copy of the transcript, certifying that she does not have an "interest to any party." A. 3, 17. Ms. Scott again stated Court Administration approved her continuing to produce transcripts. Although confirming her certifications are current, Ms. Scott did not address the conflict of interest created by her preparing this transcript while employed by the office that prosecuted Mr. Eubanks. A. 3.

By letter dated November 27, 2018, undersigned counsel informed this Court:

On November 26, 2018, I received the trial transcript. The court reporter, however, became a Victims' Advocate with the Eighth Circuit Solicitor's Office while this transcript request was still pending, meaning the certification that she does not have an "interest to any party" is not accurate.

A. 18.

On December 6, 2018, Mr. Eubanks petitioned this Court to hold the briefing deadlines in abeyance until the Eighth Circuit Solicitor's Office and South Carolina Court Administration respond to Freedom of Information Act requests regarding the court reporter from Mr. Eubanks' trial preparing the trial transcript while employed by the Eighth Circuit Solicitor's Office. The South Carolina Attorney General's Office did not oppose

this request. That pleading, at p. 4, “anticipate[d] petitioning this Court to require an independent review of the transcript to confirm its accuracy.”

II. DISCUSSION.

Based on the information provided in response to a Freedom of Information Act request, the Eighth Circuit Solicitor’s Office began recruiting Ms. Scott to be a Victims’ Advocate on September 4, 2018. The process moved quickly, and Solicitor Stumbo offered Ms. Scott the position on September 21, 2018. Ms. Scott accepted the position the same day. A. 26-28. If this information had been disclosed to Mr. Wise, then he would have requested that another court reporter prepare the transcript. *See* Affidavit of C. Rauch Wise, A. 33-34.

Additionally, based on email correspondence with Mr. Wise dated October 17-18, 2018, it appears preparation of Mr. Eubanks’ transcript was delayed because of preparation of “another week long trial requested the day before” Mr. Wise requested Mr. Eubanks’ transcript.” On September 18, 2018, Ms. Scott had “just finished it up” (i.e. the other transcript) and was working on Mr. Eubanks’ transcript, meaning she likely had just started preparing Mr. Eubanks’ transcript. A. 6. This timeline, accordingly, strongly suggests Ms. Scott had an opportunity withdraw from preparing Mr. Eubanks transcript after she accepted employment with the Solicitor’s Office and before she started preparing Mr. Eubanks’ transcript.

Published policy requires court reporters to return records to Court Administration upon separation:

When a court reporter’s employment with the Department ends, all primary and back-up recordings, trial notes, and log sheets must be properly labeled, dated, and transmitted in person to Court Administration in Columbia, South Carolina, no later than the last day of employment.

See Section X (Return of Records and Equipment) of the Court Reporter Manual, at p. 13, as approved August 16, 2011, amended March 1, 2017, and updated May 1, 2018 (found at <https://www.sccourts.org/courtreporter/CourtReporterManual.pdf> (last viewed December 18, 2018)). October 26, 2018 was Ms. Scott's last date of employment with Court Administration. A. 27. When Ms. Scott requested an extension on October 27, 2018, she reported approximately half of Mr. Eubanks' transcript had been completed. A. 23. If Court Administration had followed its published policy, then Ms. Scott would have returned her records and tapes to Court Administration before the transcript was complete, meaning production of the transcript could have been turned over to a disinterested court reporter.

Once Ms. Scott acquired an interest in employment with the Eighth Circuit Solicitor's Office, she should have disclosed that conflict of interest and recused herself from working on any cases involving her future employer.⁸

III. CONCLUSION.

This Court, Mr. Eubanks, his family, and the general public should have confidence in the accuracy of the trial transcript.⁹ This Court, therefore, should take custody of the

⁸ Very arguably, Ms. Scott should have recused herself from proceedings involving the Eighth Circuit Solicitor's Office beginning as early as September 4, 2018 when that office began recruiting her for the Victims' Advocate position. That the Solicitor's Office did not advertise the position, *see* A. 26, strongly suggests Ms. Scott was the only candidate for the position at that time. Certainly, by September 18, 2018, Ms. Scott was actively pursuing the Victims' Advocate position. A. 27. According to the Judicial Department website, Ms. Scott was the court reporter for General Sessions Court in the Eighth Judicial Circuit on September 4-7, 12-14, 17-21, 2018 and October 1-5, 8-12, 2018.

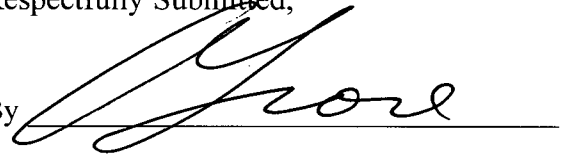
⁹ Undersigned counsel sincerely hopes the transcript is accurate; however, it is not enough for the transcript to be accurate. Our state's procedures contemplate avoiding conflicts of interest and ensuring confidence in the accuracy of transcripts. *See, e.g.* Rule

records of Mr. Eubanks' trial and order an independent review of the transcript to verify its accuracy. In the alternative, if an independent review of the transcript is not possible, then this Court should order that the trial transcript be transcribed by a disinterested court reporter.¹⁰

IT IS SO MOVED.

Respectfully Submitted,

By



E. Charles Grose, Jr.
S.C. Bar Number 66063
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466
(864) 538-4405 (fax)
Email: charles@groselawfirm.com

Attorney for Michael Cliff Eubanks

December 24, 2018
Greenwood, South Carolina

28(c), SCRCP (expressly providing, "No deposition shall be taken before a person who is a relative or employee or attorney or counsel of any of the parties, or is a relative or employee of such attorney or counsel, or is financially interested in the action) and Rule 508, SCACR (contemplating Court Administration regulating outside employment by court reporters employed by the Judicial Department).

¹⁰ As set forth in more detail in Mr. Eubanks Petition for this Court to Determine what Counsel Should Do Regarding Payment for the Trial Transcript, filed and served on October 18, 2018, while Mr. Eubanks and his family, who are paying Mr. Eubanks' legal fees and expenses, understand the obligation to pay for having the trial transcribed, they believe it would be unfair to require them to pay for this service twice.

LAW OFFICE OF
C. RAUCH WISE

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Greenwood, SC 29646
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C. Rauch Wise

Telephone
(864) 229-5010
Facsimile
(864) 229-2665

August 17, 2018

tscott@sccourts.org
Tara T. Scott
1849 Stevenson Rd.
Abbeville, SC 29620

Re: State vs. Michael C. Eubanks
Case No. 2017GS3001294, 3010100574, 2018GS3001205

Dear Ms. Scott:

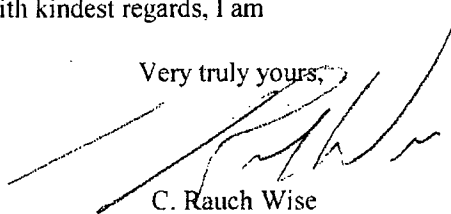
On July 31, 2018 to August 3, 2018, the trial in the case above referenced was tried before the Honorable Frank Addy, Jr, Circuit Court Judge, in Laurens County. My records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the entire trial, including the jury selection and closing arguments.

Please let me know the estimated charge for this transcript so that I can obtain the funds to cover this request. I agree to pay the per page charge for this transcript, as provided by Rule 607, SCACR.

With kindest regards, I am

Very truly yours,



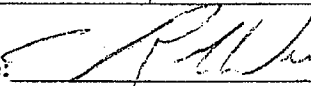
C. Rauch Wise

CRW/slt

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name C. Rauch Wise	Phone Number 864-229-5010	Email Address rauchwise@gmail.com	
Mailing Address 305 Main Street	City Greenwood	State SC	Zip Code 29646
Transcript Information			
Docket Number 2017GS3001294, 2018GS3001205, 2017A3010100574	Case Caption (i.e. State v. John Doe or Smith v. Smith) State v Michael C. Eubanks		
Presiding Judge Frank R. Addy Jr.	Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>	County Laurens	
Date(s) of Proceeding July 31, 2018 to August 3, 2018	Expedited Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Copy Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Requestor's Signature: 
(Typed name will serve as signature)

Date: 8/17/2018

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____	Date Received _____	Email Address _____	
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

Thursday, November 29, 2018 at 9:14:13 AM Eastern Standard Time

Subject: Re: Michael Eubanks
Date: Monday, November 26, 2018 at 10:57:56 PM Eastern Standard Time
From: Tara Scott
To: Charles Grose
Attachments: State of SC v Michael Cliff Eubanks Trial.pdf

Charles,
Good evening. Attached is the transcript of the trial of the State of SC v Michael Cliff Eubanks. Please let me know if I should address the invoice to you or Rauch and I'll send it back.

Also attached are my most sincere apologies for not being able to provide this transcript sooner. If you need anything from me explaining the delay or why there was not an extension filed even though one was requested by me, I will do my best to provide something. I can only assume that the time of my separation from the State coincided with my filing the extension. That, and the fact that producing an 800 page transcript is quite the part-time job. But I digress...

Not sure how it works between you and Rauch, and I don't need to, but will you please make sure that he gets this if he needs it as I do not have any contacts from before.

Concerning your question earlier... My credentials (CVR) as a certified court reporter are still in good standing with all entities, my national certification is up to date, and as I actually took the trial record can still certify the transcript. It's my understanding that the only time I could not certify is if I were not present ie. transcribing audio. Court Administration has given me permission to continue to produce transcripts of any record I took as an official. Does that answer your question?

Let me know if you need further.

Sincerely,
Tara

 Virus-free. www.avast.com

On Mon, Nov 26, 2018 at 2:00 PM Charles Grose <charles@groselawfirm.com> wrote:

Congratulations on your new job.

Do you know how this transcript will be handled now as you technically cannot certify it anymore?
Thanks for any guidance you can provide.

Best,
Charles

E. Charles Grose, Jr.
The Grose Law Firm, LLC

404 Main Street

Greenwood, SC 29646

Phone: 864-538-4466

Fax: 864-538-4405

Web: GroseLawFirm.com

Email: charles@groselawfirm.com

From: Charles Grose <charles@groselawfirm.com>

Date: Friday, October 26, 2018 at 11:35 PM

To: "Scott, Tara T." <tscott@sccourts.org>

Subject: Re: Michael Eubanks

No worries. Thanks for the update.

Get [Outlook for iOS](#)

From: Scott, Tara T. <tscott@sccourts.org>

Sent: Friday, October 26, 2018 11:24:47 PM

To: Charles Grose

Subject: Re: Michael Eubanks

Charles,

(Hope this doesn't disturb you at this hour)

I am writing to let you know that despite my best laid plans and efforts this week I've had to accept the fact that I am not going to be able to fulfill my Monday deadline. Realistically, it will likely be Wednesday Oct 31st or Thursday of next week before it's completed. Because I've gone over my allowed 60 days I have also filed a request for an extension with Court Administration. They should send a copy of that to you and to the Court of Appeals, but I will forward one to you also when I get it. It will indicate that I have until November 16th to complete the transcript, but it won't take that long.

I apologize for the delay and any inconvenience this causes.

Please know that I am working diligently to get it completed.

Tara

Tara T. Scott, CVR

Official Court Reporter

Eighth Judicial Circuit

tscott@sccourts.org

1849 Stevenson Road

Abbeville, SC 29620

(864) 992-9544

From: Charles Grose <charles@groselawfirm.com>
Sent: Monday, October 22, 2018 5:30 PM
To: Scott, Tara T.; Rauch Wise
Subject: Re: Michael Eubanks

Sorry for the slow response. I was working outside the office all day Friday and most of today. Yes, please send me the invoice. Your timetable suits me. I just needed to know what to tell the Court of Appeals.

Best,
Charles

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
Phone: 864-538-4466
Fax: 864-538-4405
Web: GroseLawFirm.com
Email: charles@groselawfirm.com

-----Original Message-----

From: "Scott, Tara T." <tscott@sccourts.org>
Date: Friday, October 19, 2018 at 8:02 PM
To: "C. Rauch Wise" <rauchwise@gmail.com>
Cc: Charles Grose <charles@groselawfirm.com>
Subject: Re: Michael Eubanks

Thank you.

When I get a little closer to completion I will send Charles an email and let him know the cost of the transcript. I will also send him the invoice unless you tell me otherwise.

Tara

Tara T. Scott, CVR
Official Court Reporter
Eighth Judicial Circuit
tscott@sccourts.org
1849 Stevenson Road
Abbeville, SC 29620
(864) 992-9544

From: Rauch Wise <rauchwise@gmail.com>
Sent: Thursday, October 18, 2018 5:58 PM
To: Scott, Tara T.; Charles Grose
Subject: Re: Michael Eubanks

Charles Grose is going to be handling the appeal. He has the money in his escrow account for you.

Rauch

On 10/18/2018 2:13 PM, Scott, Tara T. wrote:

> Hey, Rauch.

> I'm working on it right now.

> I had another week long trial requested the day before that I have been tied up with, but just finished it up. I can have it to you within the next week/week and a half, unless you need me to put a rush on that for a deadline. (Normal rate, of course, since it was ordered the last day of July). If I get it to you by Monday October 29, 2018 will that work?

> Tara

>

>

> Tara T. Scott, CVR

> Official Court Reporter

> Eighth Judicial Circuit

> tscott@sccourts.org

> 1849 Stevenson Road

> Abbeville, SC 29620

> (864) 992-9544

>

>

>

> From: Rauch Wise <rauchwise@gmail.com>

> Sent: Wednesday, October 17, 2018 3:34 PM

> To: Scott, Tara T.

> Subject: Michael Eubanks

>

> Do you know when the transcript will be completed?

>

> Rauch

>

> ~~~ 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.

The Grose Law Firm, LLC
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

October 30, 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

NOV 01 2018

SC Court of Appeals

Re: *State of South Carolina v. Michael Cliff Eubanks*
Case Numbers 2017-GS-30-01294, 01499, & 2018-GS-30-01205

Dear Ms. Kitchings:

In my letter dated September 24, 2018, I advised this Court that C. Rauch Wise, who was Mr. Eubanks trial counsel, previously ordered the trial transcript. At my request, Mr. Wise contacted the court reporter regarding the status of the transcript and "looped" me into the communications. Copies of those emails are enclosed.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,


E. Charles Grose, Jr.

cc: Mr. Cliff Eubanks
J. Benjamin Aplin, Esquire

Subject: Undeliverable: Re: Michael Eubanks
Date: Tuesday, November 20, 2018 at 2:35:08 PM Eastern Standard Time
From: Microsoft Outlook
To: Scott, Tara T.
Attachments: Re: Michael Eubanks.eml



Your message to tscott@sccourts.org couldn't be delivered.

tscott wasn't found at sccourts.org.

charles	Office 365	tscott
Action Required		Recipient
<hr style="border: 1px solid black;"/>		
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.1 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft](#).

More Info for Email Admins

Status code: 550 5.1.1

This error occurs because the sender sent a message to an email address outside of Office 365, but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 550 5.1.1 in Office 365](#).

Original Message Details

Created Date: 11/20/2018 7:35:06 PM
 Sender Address: charles@groselawfirm.com
 Recipient Address: tscott@sccourts.org
 Subject: Re: Michael Eubanks

Error Details

Reported error: 550 5.1.1 User Unknown
 DSN generated by: BN3PR04MB2226.namprd04.prod.outlook.com
 Remote server: mx0a-0019b901.pphosted.com

Message Hops

HOP	TIME (UTC)	FROM	TO	W
1	11/20/2018 7:35:06 PM	BN3PR04MB2228.namprd04.prod.outlook.com	BN3PR04MB2228.namprd04.prod.outlook.com	m
2	11/20/2018 7:35:06 PM	BN3PR04MB2228.namprd04.prod.outlook.com	BN3PR04MB2226.namprd04.prod.outlook.com	M cij

Original Message Headers

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Received: from BN3PR04MB2228.namprd04.prod.outlook.com ([fe80::5581:c4ee:8d28:66c]) by BN3PR04MB2228.namprd04.prod.outlook.com ([fe80::5581:c4ee:8d28:66c%5]) with mapi id 15.20.1339.027; Tue, 20 Nov 2018 19:35:06 +0000

From: Charles Grose <charles@groselawfirm.com>

To: "Scott, Tara T." <tscott@sccourts.org>

Subject: Re: Michael Eubanks

Thread-Topic: Michael Eubanks

Thread-Index: AQHUZy2wblOmECfYHUe0Zo7/kou0e6UnQfyAgARJjQCABu9UgIAMczyA

Date: Tue, 20 Nov 2018 19:35:06 +0000

Message-ID: <3DDBE754-1B55-4CFD-8316-344167EBFB2E@groselawfirm.com>

References: <b184d31c-ada9-4f55-0fd9-e42157590e43@gmail.com>

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<1539993736388.35005@sccourts.org>

<6CD72864-AF3E-4E97-9B68-F39BCE4EC3DE@groselawfirm.com>

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In-Reply-To: <1540610683650.90171@sccourts.org>

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designate permitted sender hosts)
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Subject: Re: State v. Michael Cliff Eubanks Case Numbers 2017-GS-30-01294, 01499, & 2018-GS-30-01205
Date: Thursday, November 29, 2018 at 10:25:29 AM Eastern Standard Time
From: Charles Grose
To: mowens@sccourts.org
CC: Laura Wingard, baplin@scag.gov
Attachments: 2018 11 29 Grose to D. Allen.pdf

Dear Ms. Ownes,

I apologize for the delay in responding to your voice mail regarding the completion of this transcript. I was working outside the office most of Tuesday and Wednesday. I did receive the transcript Monday evening. Thank you for your assistance.

Attached please find a copy of the letter that is being mailed today. Thank you for any assistance you can provide in answering these questions.

Best,
Charles

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
Phone: 864-538-4466
Fax: 864-538-4405
Web: GroseLawFirm.com
Email: charles@groselawfirm.com

From: Charles Grose <charles@groselawfirm.com>
Date: Tuesday, November 20, 2018 at 2:45 PM
To: "mowens@sccourts.org" <mowens@sccourts.org>
Subject: State v. Michael Cliff Eubanks Case Numbers 2017-GS-30-01294, 01499, & 2018-GS-30-01205

Dear Ms. Owens,

I write to inquire about the status of the extensions regarding this transcript. When I tried to email Tara Scott, I got a message that her email address is no longer functioning.

Thank you for any assistance you can provide.

Best,
Charles

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646

Phone: 864-538-4466

Fax: 864-538-4405

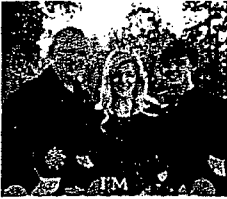
Web: GroseLawFirm.com

Email: charles@groselawfirm.com

Tue, Nov 20, 6:58 PM

What's going on with Tara Scott? I emailed her today to ask about status of transcript. Email bounced back. She's not listed on judicial website as circuit court reporter.

She is a v advocate for sol in Abbeville now. Started I think 3 weeks ago



Tara Thomson Scott



Tara Thomson Scott

Home

Photos

Photos of Tara Tara's Photos Albums

Following

Court Reporting

I'm 3 weeks into my new career as a Victim's Advocate at the Eighth Circuit Solicitor's Office and just missing all of these wonderful people so much. The last 5 years have been awesome, mostly because of these folks. Too many to name, but the best boss a girl could ever have, law clerks and administrative assistants that have become my lifelong friends, my amazingly talented and hardworking fellow court

reporters, and the best Judges, bailiffs, attorneys, and courtroom staff in the State (8th Circuit Yo!). Thankfully though I will continue to see most of them on a regular basis. The bright spot of leaving a career you love is going to another career that you know you will equally love, and I am so blessed to be doing just that!

1 post

Grid View

Feed View



Thursday, November 29, 2018 at 9:14:35 AM Eastern Standard Time

Subject: Fwd: Transcript Request

Date: Wednesday, November 28, 2018 at 7:27:37 PM Eastern Standard Time

From: Jessica Reece

To: Charles Grose

----- Forwarded message -----

From: "Tara Scott" [REDACTED]

Date: Nov 25, 2018 3:15 PM

Subject: Transcript Request

To: [REDACTED]

Cc:

Good afternoon. I received your voicemail on Tuesday, but it did not give your name or the name of the Defendant and case number.

I must explain that I resigned from my position as a court reporter at the end of October. Prior to my resignation I was given permission by court administration to continue producing transcripts as the requests come in just like normal. Not knowing the policy of their IT department though, I did not make a backup of all my email contacts for transcript requests. The day after my resignation I immediately lost access to my tscott@sccourts.org email and all of that information was deleted from the system. I also lost access to all of my lists of requests. Unfortunately, I have had to wait until I am contacted, like you did, to be able to then get those transcripts completed and out to the people who ordered them.

Please provide me with the information that you originally requested the transcript with and I will get it to you as soon as I possible. If you want to, just forward the email correspondence between us, if it exists. Please understand that I have so many requests that I cannot independently remember each one of them without lots of notes and email correspondence.

I apologize for this inconvenience, but will have your transcript to you ASAP.

Thank you in advance. This is my email address for all future correspondence, and you have my personal cell phone number.

Thank you,

Tara Scott



Virus-free. www.avast.com

Certificate of Reporter

I, the undersigned, Tara T. Scott, CVR, Official Court Reporter for the Eighth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial/hearing of the captioned case, relative to appeal, in the Circuit Court for Laurens County, South Carolina, on the 31st day of July, August 1st, 2nd, and 3rd, 2018

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

Tara T. Scott

Tara T. Scott, CVR

November 26, 2018

The Grose Law Firm, LLC

404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groslawfirm.com
Web: GroseLawFirm.com

November 27, 2018

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

NOV 29 2018

SC Court of Appeals

Re: *State of South Carolina v. Michael Cliff Eubanks*
Appellate Case No. 2018-001684

Dear Ms. Kitchings:

On November 26, 2018, I received the trial transcript. The court reporter, however, became a Victims' Advocate with the Eighth Circuit Solicitor's Office while this transcript request was still pending, meaning the certification that she does not have an "interest to any party" is not accurate. I have not encountered this situation. I will consult with Mr. Aplin with the goal of reaching an agreement about how to remove the appearance of unfairness.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

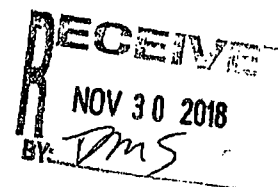
cc: Mr. Cliff Eubanks
J. Benjamin Aplin, Esquire

The Grose Law Firm, LLC

404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

November 28, 2018



The Honorable David M. Stumbo
Solicitor, Eighth Circuit Solicitor's Office
PO Box 516
Greenwood, SC 29649

Re: *State of South Carolina v. Michael Cliff Eubanks*
Appellate Case No. 2018-001684

Dear Solicitor Stumbo:

Pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-10, *et. seq.*, please provide the following documents and information about your employment of Tara Scott as a Victim's Advocate: announcement for the position, employment application, date of interview(s), date of the job offer, date of acceptance of job offer, and first date of employment. This request does not seek any information about salary or personal identification information, such as date of birth, social security number, or home address.

I agree to pay the cost of obtaining this information; however, if the cost exceeds \$50.00, please contact me for prior authorization.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,

A handwritten signature in black ink, appearing to read "E. Grose".

E. Charles Grose, Jr.

cc: Mr. Cliff Eubanks
J. Benjamin Aplin, Esquire

The Grose Law Firm, LLC

404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

November 29, 2018

Ms. Desiree Allen
Manager, Court Reporting and Court Interpreters
Calhoun Building
1220 Senate Street, Suite 200
Columbia, SC 29201-3739

Re: *State of South Carolina v. Michael Cliff Eubanks*
Appellate Case No. 2018-001684

Dear Ms. Allen:

Enclosed please find my email correspondence between me, Rauch Wise and Tara Scott from October 17 to November 26, 2018, Ms. Scott's email to one of Mr. Eubanks' relatives, and my letter to Solicitor David Stumbo dated November 28, 2018.

Pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-10, *et. seq.*, please provide Ms. Scott's application for an extension to November 16, 2018 to prepare this transcript, documentation showing the extension was granted, Ms. Scott's resignation as a court reporter, and documentation granting Ms. Scott permission to continue preparing transcripts. Your response should also include any information showing Ms. Scott disclosed she had accepted employment as a Victims' Advocate for the Eighth Circuit Solicitor's Office. This request does not seek any information about salary or personal identification information, such as date of birth, social security number, or home address.

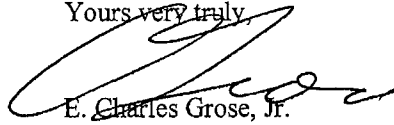
Additionally, please provide a copy of the policy or procedure allowing a court reporter to continue preparing transcripts after resigning as a court reporter. The only policy and procedure I am familiar with is found at page 13 in Section X (Return of Records and Equipment) of the Court Reporter Manual, as approved August 16, 2011, amended March 1, 2017, and updated May 1, 2018 (found at <https://www.sccourts.org/courtreporter/CourtReporterManual.pdf> (last viewed November 29, 2018)).

I agree to pay the cost of obtaining this information; however, if the cost exceeds \$50.00, please contact me for prior authorization.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,

A handwritten signature in cursive script, appearing to read "E. Charles Grose, Jr.", written in black ink.

E. Charles Grose, Jr.

cc: Mr. Cliff Eubanks
J. Benjamin Aplin, Esquire



South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina

TONNYA K. KOHN
DIRECTOR

KARAMA T. BAILEY
DEPUTY DIRECTOR

1220 SENATE STREET, SUITE
200
COLUMBIA, SOUTH CAROLINA
29201
TELEPHONE: (803) 734-1800
FAX: (803) 734-0269

December 13, 2018

E. Charles Grose, Jr.
404 Main Street
Greenwood, SC 29646

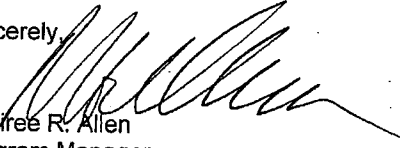
Dear Mr. Grose:

I am writing in response to your letter dated November 29, 2018, requesting Ms. Scott's application for an extension to November 16, 2018, to prepare an extension. The extension she submitted on October 27, 2018 requested an extension to November 17, 2018. It is attached. The extension was not granted at the time it was submitted due to the extension request procedure not being followed. When you called our office about the status of the transcript, Ms. Scott was contacted and assured me that the transcript would be delivered within a few days. Therefore, the requested extension was not granted. The email you have attached to your letter indicates that the transcript was delivered to you on November 26, 2018.

I am not at liberty to share Ms. Scott's resignation letter, as that involves a personnel issue. Ms. Scott was granted permission by me to continue preparing transcripts, since it is always preferred that the court reporter who takes the record prepare the transcript. There is no written policy allowing a court reporter to continue preparing transcripts after resigning. However, it has been our practice to ask the court reporter if they would be willing to prepare transcripts as requests for transcripts are received. There is no cost for this information.

I am in receipt of a copy of a letter you sent to the South Carolina Court of Appeals dated December 6, 2018. I am copying the Court on this correspondence so that they will be aware of your inquiry and my response. Of course, I am available to answer any other questions that the Court of Appeals or you may have. Thank you.

Sincerely,


Desirée R. Allen
Program Manager

Enclosure: Extension request submitted by Tara Scott

CC: Jenny Abbott Kitchings, Clerk, S.C. Court of Appeals
Karama T. Bailey, Deputy Director, S.C. Court Administration

NOTICE OF REQUEST FOR EXTENSION

(State of South Carolina,
 (2018-GS-30-001294
 (PLAINTIFF,
 TITLE OF (
 CASE (
 (-VS-
 (
 (Michael Cliff Eubanks
 (DEFENDANT.

In accordance with Section 2D of Rule 1 of the Supreme Court Rules of Practice, an extension for completion of the transcript of proceedings in the above-entitled action is requested.

Date Transcript was Ordered: August 17, 2018
Attorneys involved in the appeal: _____

For Appellant: Rauch Wise and Charles Grose
 CASE ON APPEAL YES
 Approved _____
 Not Approved _____

For Respondent: _____

Approximate Number of Pages: 900

Pages completed to date: 400

Estimated completion date: November 17, 2018

Reason for Extension: Transcript not complete

Date Submitted: October 27, 2018

BY: Tara T. Scott

Official Court Reporter

cc: Attorney for Appellant
Attorney for Respondent

The Grose Law Firm, LLC
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

December 18, 2018

Ms. Desiree Allen
Manager, Court Reporting and Court Interpreters
Calhoun Building
1220 Senate Street, Suite 200
Columbia, SC 29201-3739

Re: *State of South Carolina v. Michael Cliff Eubanks*,
Appellate Case No. 2018-001684

Dear Ms. Allen:

Thank you for your letter dated December 13, 2018, received on December 17, 2018, and the information you provided. Please allow me to bring three matters to your attention that I believe should to be addressed further.

First, you state, "I am not at liberty to share Ms. Schott's resignation letter, as that involves a personnel issue." The Freedom of Information Act, as interpreted by our courts, does not exempt all *personnel* matters from disclosure. *See, e.g., Burton v. York Cty. Sheriff's Dep't*, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004), a copy of which is enclosed for your convenient reference. I am not requesting *personal* information. In fact, my letter of November 29, 2018, specifically stated, "This request does not seek any information about salary or personal identification information, such as date of birth, social security number, or home address."

Second, you state you granted Ms. Scott permission to continue preparing transcripts. Please provide the contemporaneous documentation of this approval. If there is not any contemporaneous documentation, then please provide the date of that approval.

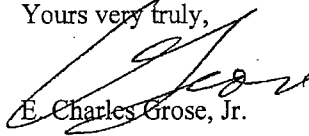
Third, my letter of November 29, 2018 expressly requested, "Your response should also include any information showing Ms. Scott disclosed she had accepted employment as a Victims' Advocate for the Eighth Circuit Solicitor's Office." Your letter of December 13, 2018 did not address this request.

The information requested above is necessary in order to determine the timeline of when Ms. Scott acquired an interest in working for the office that prosecuted Mr. Eubanks and whether that conflict of interest was disclosed to Court Administration.

Thank you for your attention to this matter. I hope we can resolve these issues without need to involve the Court of Appeals. In order to expedite matters, I am copying Ms. Scott with the hope that she will agree to allow you to release this information.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: The Honorable Jenny Abbott Kitchings, Clerk, South Carolina Court of Appeals
Ms. Tonnya K. Kohn, Director, South Carolina Court Administration
- Mr. Cliff Eubanks
C. Rauch Wise, Esquire
J. Benjamin Aplin, Esquire
Ms. Tara Scott

Saturday, December 22, 2018 at 12:19:03 PM Eastern Standard Time

Subject: Response to FOIA request - employment information for Tara Scott
Date: Friday, December 21, 2018 at 5:31:33 PM Eastern Standard Time
From: Demetri Andrews
To: Charles Grose
Attachments: FOIA request - employment of Tara Scott.pdf, E-mail conversation between DGA and Tara Scott.pdf

Good afternoon, Charles, hope you're doing well. In your attached letter, you requested "the following documents and information about your employment of Tara Scott as a Victim's Advocate: announcement for the position, employment application, date of interview(s), date of the job offer, date of acceptance of job offer, and first date of employment."

There was no announcement for the position of Victim Advocate. As to an employment application, there was no such submission to Solicitor's Office. As is the case with most of the employees of this office, Greenwood County handles payroll and related personnel matters. In the past, new hires for our office would complete a form that was an employment application for Greenwood County, and this form contained information that was used by Greenwood County for payroll administration. This form was not used by Solicitor's Office during the evaluation of the candidate, and this form would only be submitted by the new employee after acceptance of the job offer. Greenwood County has since moved to an electronic submission system, and I am in the process of getting a copy of this material.

I have attached a PDF file of an e-mail conversation that I had with Tara that answers your remaining questions. Please feel free to contact me if you have additional questions, and I hope you have a good weekend.

Thank you,
Demetri

—
Demetrios G. Andrews
Deputy Solicitor
Eighth Judicial Circuit

Find Greenwood County on social media:

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Demetri Andrews <dandrews@greenwoodsc.gov>

FOIA Request information

4 messages

Tara Scott <tscott@greenwoodsc.gov> Mon, Dec 3, 2018 at 11:21 AM
To: Demetri Andrews <dandrews@greenwoodsc.gov>

September 4, 2018: This is the first date that I had any information that there was a possible job opening with the Solicitor's Office. I spoke in person with Sarah Parris during court in Abbeville GS. She mentioned that there may possibly be a position coming open as a Victim Advocate and asked if I would be interested. She told me to give Jami Steifle a call and find out more information about the job. I called Jami that day after work and we spoke very briefly about the job and I told her that I would think about it, talk it over with my husband, and get back to her when I returned from Oregon on September 13th. That same night I called MaryAnn Stroup and spoke with her to get an idea of what the day-to-day would look like.

September 18, 2018 Spoke with Jami Steifle and expressed an interest in the position. This same day I also talked with Judge Addy and let him know that I was going to tell Jami I was interested in the job.

September 21, 2018 spoke with Solicitor Stumbo for the first time regarding the position and he officially offered me the job.

September 21, 2018 I submitted my resignation letter to Desiree Allen in Court Administration and asked to work a notice that would allow for coverage of court through the completed calendar. My last date of employment with Court Administration was October 26, 2018 and I began my first date of employment with the Solicitor's Office on October 29, 2018.

Tara

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Demetri Andrews <dandrews@greenwoodsc.gov> Fri, Dec 21, 2018 at 2:41 PM
To: Tara Scott <tscott@greenwoodsc.gov>

Do you mind if I give a copy of this e-mail to Charles as part of the response to his FOIA request?

Thanks,
Demetri

Demetrios-G. Andrews
Deputy Solicitor
Eighth Judicial Circuit
[Quoted text hidden]

Tara Scott <tscott@greenwoodsc.gov> Fri, Dec 21, 2018 at 4:11 PM
To: Demetri Andrews <dandrews@greenwoodsc.gov>

I do not mind at all. Please do!
Tara

[Quoted text hidden]

--

Tara T. Scott

Victim Advocate
Eighth Circuit Solicitor's Office
Post Office Box 516
Greenwood, South Carolina 29648
(864) 942-8825 Office
(864) 942-8830 Fax
tscott@greenwoodsc.gov
[Quoted text hidden]

Demetri Andrews <dandrews@greenwoodsc.gov>
To: Tara Scott <tscott@greenwoodsc.gov>

Fri, Dec 21, 2018 at 4:34 PM

Thanks, and Merry Christmas!

--

Demetrios G. Andrews
Deputy Solicitor
Eighth Judicial Circuit

[Quoted text hidden]

Staff Directory

David M. Stumbo , Solicitor	dstumbo@greenwoodsc.gov	(864) 942-8802
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Dale Allen , PTI Director	dallen@greenwoodsc.gov	(864) 942-8841
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Rhetta Christian , Victim Advocate (Laurens/Newberry)	rchristian@greenwoodsc.gov	(864) 681-3182
Angie Conklin , Victim Advocate	rchristian@greenwoodsc.gov	(864) 681-

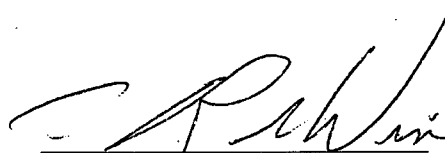
(Laurens/Newberry)		3194
Michael Cox , Investigator	mcox@greenwoodsc.gov	(864) 942-8819
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Blake Moore , Investigator	bmoore@greenwoodsc.gov	(864) 942-8806
Cam Morrow , Assistant Solicitor	cmorrow@greenwoodsc.gov	(864) 681-3186
Sarah Parris , Victim Advocate (Greenwood/Abbeville)	sparris@greenwoodsc.gov	(864) 942-8818
Failey Pasley , Greenwood Court Administrator	fpasley@greenwoodsc.gov	(864) 942-8808
Carson Penney , Assistant Solicitor	cpenney@greenwoodsc.gov	(864) 942-

Joey Pittman , Investigator (Laurens/Newberry)	jpittman@greenwoodsc.gov	8846 (864) 681-3192
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Tara Scott , Victim Advocate (Greenwood/Abbeville)	arowland@greenwoodsc.gov	(864) 942-8813
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Colie Stancile , Assistant Solicitor	cstancil@greenwoodsc.gov	(864) 681-3189
Jami Steifle , Circuit Manager, Drug/Veterans Court Director	jsteifle@greenwoodsc.gov	(864) 942-8826
Mary Ann Stroup , Victim Advocate (Greenwood/Abbeville)	mstroup@greenwoodsc.gov	(864) 942-8815
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Karissa O'Keefe-Young , Assistant Solicitor	kyoung@greenwoodsc.gov	(864) 942-8820

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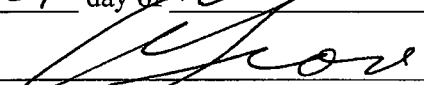
6) If I had known that Ms. Scott had been accepted as Victims' advocate for the Eighth Circuit Solicitor's Office, then I would have requested that a court reporter not employed with or about to become employed with the Solicitor's Office prepare the transcript. As an employee of the prosecuting agency in this matter she would not have been able to certify transcript as she was employed by a party to the action.

Further affiant sayeth naught.


C. Rauch Wise

Sworn to and subscribed before me

this 24th day of Dec, 2018


NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 5/31/2023

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
DEC 27 2018
SC Court of Appeals

APPEAL FROM LAURENS COUNTY
Court of General Sessions
Frank R. Addy, Jr., Circuit Court Judge

Appellate Case No. 2018-001684

The State,..... Respondent,

v.

Michael Cliff Eubanks, Appellant.

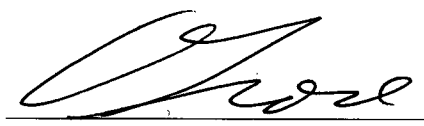
Certificate of Service

I certify that I have served this pleading on the State of South Carolina by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed to:

J. Benjamin Aplin, Esquire
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211

This petition is also being served on the court reporter by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed to:

Ms. Tara T. Scott
1849 Stevenson Road
Abbeville, South Carolina 29620



E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466
E-mail: charles@groselawfirm.com

December 24, 2018.

The Grose Law Firm, LLC

404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

December 24, 2018

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

DEC 27 2018

SC Court of Appeals

Re: *State of South Carolina v. Michael Cliff Eubanks*
Appellate Case No. 2018-001684

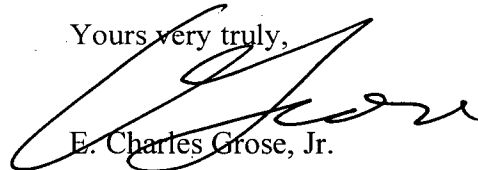
Dear Ms. Kitchings:

Enclosed please find the original and six copies of Mr. Eubanks Petition for this Court to Take Possession of the Tapes of his Trial and Order Independent Review and Verification of the Trial Transcript, along with a certificate of service.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: Mr. Cliff Eubanks
J. Benjamin Aplin, Esquire
The Honorable David M. Stumbo
Ms. Tonnya K. Kohn
Ms. Desiree Allen
Ms. Tara Scott
C. Rauch Wise, Esquire