

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

Judge Markley Dennis, Circuit Court Judge

DOCKET #; 2019-GS-08-1040, 2019-GS-08-0623

State of South Carolina, Respondent.

v.

Jerald Howard,..... Appellant.

MOTION TO PROCEED WITHOUT COSTS IN THE APPELLATE COURT

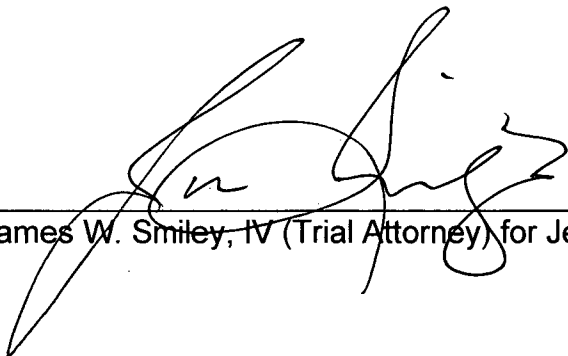
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SC Court of Appeals

Jerald Howard, moves for an order allowing him to proceed *in forma pauperis* in this appeal, on the following grounds.

Appellant is indigent. He appeals a verdict of guilty following a trial in the above referenced matter. Although he was able to nominally retain counsel for his trial, the appellant is unemployed and has been incarcerated since March 27, 2018.

Defendant is an indigent. Defendant therefore respectfully that he be allowed to proceed *in forma pauperis* in this appeal, taken under Ex Parte Cauthen, 291 S.C. 465, 354 S.E.2d 381 (1987).

Defendant additionally requests that the South Carolina be ordered to pay for the entire trial transcript costs.

 8-7-19
James W. Smiley, IV (Trial Attorney) for Jerald Howard

Other Counsel of Record:

9th Circuit Solicitor's Office
Attn: Bart Stegall, Esquire
300 California Ave.
Moncks Corner, SC 29461

The Law Office of James W. Smiley, IV



58 Broad Street, Suite 2E • Charleston, South Carolina 29401 • Phone: (843)744-6300 • Fax: 1(888)814-8678
E-Mail: james-smiley@me.com

Tuesday, August 13, 2019

Ms. Denise Lauder

300B California Ave.
Moncks Corner, South Carolina 29461

Re: State v. Jerald Howard

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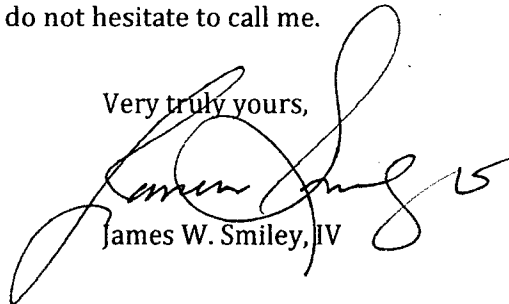
Dear Ms. Lauder:

Please be advised that I have filed a Notice of Appeal in the above referenced case. Therefore, the Defendant will need a transcript of the proceedings. This case was heard before Judge Markley Dennis on July 15-18, 2019 as a Trial in Berkley County General Sessions Court.

I have filed a Request for Representation on Appeal and Motion to Proceed without costs on behalf of Mr. Middleton with the Court of Appeals. In my motion, we have asked that the State be required to pay the costs of the full transcript.

Should you have any questions or require anything further from me in order to prepare this transcript, please do not hesitate to call me.

Very truly yours,



James W. Smiley, IV

Copy to: client

Clerk of Court, Court of Appeals
Bart Stegall, Esq. 9th Circuit Solicitor's Office

The Law Office of James W. Smiley, IV



58 Broad Street, Suite 2E • Charleston, South Carolina 29401 • Phone: (843)744-6300 • Fax: 1(888)814-8678
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Tuesday, August 13, 2019

The Honorable Kenneth A. Richstad
Clerk of Court, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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AUG 15 2019
SC Court of Appeals

Re: State of South Carolina v. Jerald Howard

INDICTMENT #; 2019-GS-08-1040, 2019-GS-08-0623

Dear Mr. Richstad:

Enclosed please find for filing two copies of our Notice of Appeal in the above referenced matter which was filed with the Clerk of Court for Berkeley County General Sessions on July 26, 2019 along with proof of service upon the 9th Circuit Solicitor's Office.

I have also enclosed a Motion to Proceed without costs in the Appellate Court on behalf of Mr. Howard.

Thirdly, I have enclosed a Request for Representation on Appeal. By copy of this letter, I am forwarding these documents to the South Carolina Commission of Appellate Defense, as well as to the Clerk of Court, Berkeley County Court of General Sessions and all parties of record.

Finally, I have requested a copy of the transcript in this matter and have enclosed for filing a copy of my letter to court reporter, in that regard. Should you have any questions or require further information, please do not hesitate to call me.

Very truly yours


James W. Smiley IV

Copy to: Clerk of Court, Berkeley County General Sessions Court
Bart Stegall, Esquire, 9th Circuit Solicitor's Office



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THE HONORABLE KENNETH RICHSTAD
CLERK OF COURT, SC COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA SC
29211

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