

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

The Honorable Frank Addy, Circuit Court Judge

Case No.: 2018A3210200831, 832

RECEIVED

AUG 15 2019

SC Court of Appeals

The State of South Carolina,

Respondent,

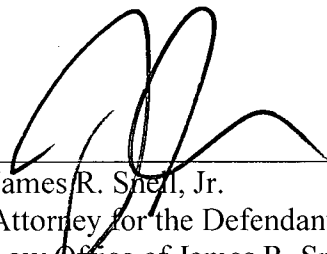
v.

Joseph Edward Swearingen, III,

Defendant.

MOTION TO BE EXEMPT FROM ORDERING THE TRANSCRIPT

The Defendant, Joseph Edward Swearingen, III, moves to be exempt from ordering the Transcript of the Plea and Sentencing Hearing in front of the Honorable Frank Addy on July 23, 2019. The Appellant subsequently filed a motion for reconsideration on August 2, 2019 that was then Denied by the court on August 12, 2019. Pursuant to Rule 203 (B) ((iii)) of the South Carolina Appellate Court rules, Counsel is unaware of any issues that could be reviewed and appealed and therefore believes the order of the transcript will not be necessary.



James R. Snell, Jr.
Attorney for the Defendant
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Lexington, SC 29072
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August 13, 2019
Lexington, South Carolina

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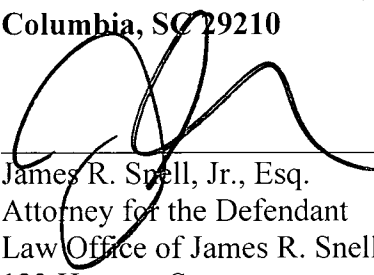
Defendant.

PROOF OF SERVICE

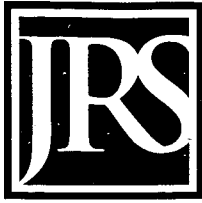
I hereby certify that I have served a copy of the *Notice of Appeal* and *Motion to be Exempt from Ordering the Transcript* in this case on Attorney Toff Wagoner, who is the Attorney for the Respondent with the 11th Circuit Solicitors Office, as well as the Defendant, Joseph Edward Swearingen, III, by depositing a copy of it in the United States mail, postage prepaid, on August 13, 2019, addressed to the following:

Todd Wagoner, Esq.
Attorney for the Respondent
11th Circuit Solicitors Office
205 East Main Street
Lexington, SC 29072

Joseph Edward Swearingen, III
Kirkland Correctional Institution
4344 Broad River Road
Columbia, SC 29210


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August 13, 2019
Lexington, South Carolina



LAW OFFICE OF
JAMES R. SNELL, JR.

LLC

James R. Snell, Jr. • Vicki Koutsogiannis

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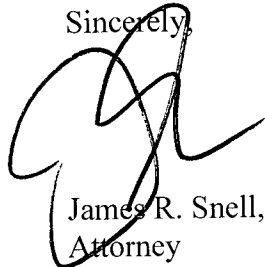
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: State of South Carolina vs. Joseph Edward Swearingen, III
Case No.: 2018A3210200831, 832

Dear Ms. Kitchings,

Enclosed for filing please find an original and two (2) copies of the Defendant's *Notice of Appeal* and an original and seven (7) copies of the Defendant's *Motion to be Exempt from the Ordering the Transcript*, as well as an original and copy of the proof of service. Also included is the sentencing sheets from the guilty plea along with the Order Denying the Defendant's Motion to Reconsider. We asked that a clocked copy of all provided, be returned to our office using the pre-stamped, pre-addressed envelope provided for your convenience. Please also find enclosed our transmittal letter to the Clerk of the Lower court with a copy of the Notice of Appeal. Should you have any questions concerning this information, please contact our office.

Sincerely,



James R. Snell, Jr.
Attorney

cc: Todd Wagoner, Esq.
Joseph Edward Swearingen, III



LAW OFFICE OF
JAMES R. SNELL, JR.
LLC

123 Harmon Street, Lexington, South Carolina 29072



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SC Court of Appeals

The Honorable Jenny Kitting
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Columbia, SC 29211