



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

April 25, 2012

RECEIVED

APR 25 2012

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

S.C. Supreme Court

Re: The State v. Stephen C. Stanko (capital case)

Dear Mr. Shearouse:

The record on appeal in the above referenced case is due to be served and filed today. However, we are missing one designated document for the record on appeal. This document has been requested and we are awaiting receipt of it. In addition, since this record consists of eight volumes, printing has not yet been completed. I am requesting a one week extension, **until May 2, 2012** in which to file and serve the record on appeal.

By copy of this letter, I am informing J. Anthony Mabry, Esquire, of the Attorney General's Office, of my request.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD:lec

cc: J. Anthony Mabry, Esquire

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from Horry County

Honorable Steven H. John, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

---

ORDER

---

On motion of Robert M. Dudek, attorney for appellant, it is hereby

ORDERED that Defendant's Exhibits 2-19 (Normal brain/Stanko brain), be released to the Office of the Attorney General, or its designee, for transporting to the Supreme Court of South Carolina for purposes of review by the Court for the above-captioned case.

JEAN H. TOAL, CHIEF JUSTICE

By



CLERK

Columbia, South Carolina

April 20, 2012

Copies to: The Honorable Melanie Huggins  
Robert M. Dudek, Esquire  
Donald J. Zelenka, Esquire



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

April 19, 2012

RECEIVED

APR 19 2012

The Honorable Daniel E. Shearouse  
Clerk, S.C. Supreme Court  
PO Box 11330  
Columbia, SC 29211

S.C. Supreme Court

Re: The State v. Stephen Christopher Stanko

Dear Mr. Shearouse:

Enclosed is a proposed order in the above case. By copy of this letter, we are also forwarding a copy of this proposed order to Donald J. Zelenka. Thank you for your assistance in this matter.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD/lec

cc: Donald J. Zelenka

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from Horry County  
Steven H. John, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

STEPHEN CHRISTOPHER STANKO,

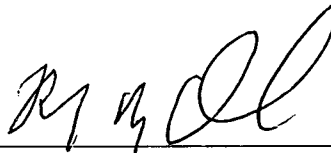
APPELLANT

---

CERTIFICATE OF SERVICE

---

The undersigned attorney hereby certifies that a true copy of the Initial Reply Brief of Appellant in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 26th day of March, 2012.

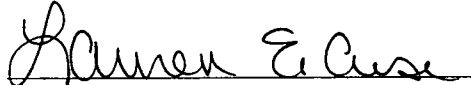


---

Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT.

SUBSCRIBED AND SWORN TO before me  
this 26th day of March, 2012.

 (L.S.)  
Notary Public for South Carolina  
My Commission Expires: August 23, 2014.

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

For good cause shown, the request for an extension to serve and file the Initial Reply Brief of Appellant is granted and extended until March 26, 2012. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY Aronda J. Shealy  
CLERK  
*Chief Deputy*

Columbia, South Carolina

March 16, 2012

cc: Chief Appellate Defender Robert M. Dudek  
Appellate Defender Robert Pachak  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Horry County

Steven H. John, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

MAR 15 2012

S.C. Supreme Court

THE STATE,

RESPONDENT,

v.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

\_\_\_\_\_  
PETITION FOR EXTENSION TO FILE  
INITIAL REPLY BRIEF  
\_\_\_\_\_

The undersigned counsel respectfully requests a **final ten day extension, until March 26, 2012** in which to file the initial reply brief in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

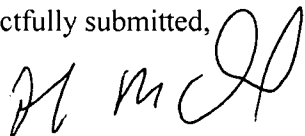
1. The initial reply brief in this case is due to be served and filed today.
2. Counsel had an oral argument in State v. Christopher Heller before the Court of Appeals on March 13, 2012. Counsel will file the petition for rehearing in State v. Garvin Duvall with the Court of Appeals on March 15, 2012. Counsel also plans to file the initial brief of appellant and designation of matter in State v. Donald Petty with the Court of Appeals today, March 15, 2012. Counsel and co-counsel are also having a further meeting on State v. Richard Gagnon on March 15, 2012. Counsel filed the return to the petition for writ of certiorari in Michael A. Hough v. State with this Court on March 8, 2012. Counsel filed the initial brief of

appellant and designation of matter in State v. Charles Berlin Pennell with the Court of Appeals on March 5, 2012. Counsel also filed the brief of petitioner in State v. Miama Kromah with this Court on March 5, 2012. Counsel is currently working on the death penalty case of Richard Bernard Moore v. State with co-counsel Susan B. Hackett. Counsel filed the five issue death penalty brief in the case of State v. Steven Barnes on February 22, 2012, with this Court. Counsel argued part of the case of State v. Kathy Salley along with Matt Bogan of the Nelson-Mullins firm before this Court on February 22, 2012 after the Court of Appeals sought certification. On February 23, 2012, counsel argued part of the case of State v. Chris Anthony Liverman before this Court, also along with Matt Bogan. Counsel filed a petition of for writ of certiorari with the United States Supreme Court in the death penalty case State v. William O. Dickerson on February 15, 2012. Counsel argued State v. Gavin Duvell before the Court of Appeals on February 16, 2012. Counsel argued part of, along with Reid Sherard of the Nelson-Mullins firm, the murder case of State v. Richard Bill Niles, Jr. with the Court of Appeals on Tuesday, February 14, 2012. Counsel is working on the initial reply brief in the death penalty case of State v. Steven Stanko. Counsel also is working on the brief of petitioner with co-counsel in the death penalty case of State v. Brad Sigmon. In addition to the above, counsel has very extensive administrative duties on a daily basis as the Chief Appellate Defender.

3. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

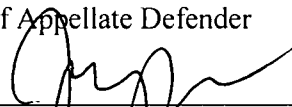
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final ten day extension, until March 26, 2012**. Counsel respectfully requests that the time limits for filing the initial reply brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,  


---

Robert M. Dudek  
Chief Appellate Defender

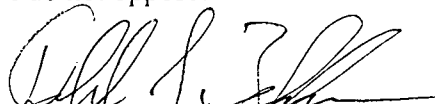


---

T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

March 15, 2012

I do not oppose:



---

Donald J. Zelenka

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

For good cause shown, the request for an extension to serve and file the Initial Reply Brief is granted and extended until March 15, 2012. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY

*Arenda J. Shealy*

CLERK

*Chief Deputy*

Columbia, South Carolina

March 6, 2012

cc: Chief Appellate Defender Robert M. Dudek  
Appellate Defender Robert Pachak  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry



STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

ORIGINAL

RECEIVED

\_\_\_\_\_  
Appeal from Horry County

MAR 5 2012

Steven H. John, Circuit Court Judge  
\_\_\_\_\_

S.C. Supreme Court

THE STATE,

RESPONDENT,

v.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

\_\_\_\_\_  
PETITION FOR EXTENSION TO FILE  
INITIAL REPLY BRIEF  
\_\_\_\_\_

The undersigned counsel respectfully requests a ten day extension, until March 15, 2012 in which to file the initial reply brief in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

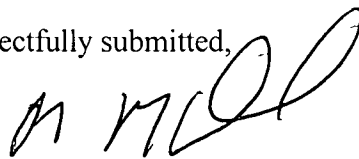
1. The initial reply brief in this case is due to be served and filed today.
2. Counsel is filing the initial brief of appellant and designation of matter in State v. Charles Berlin Pennell with the Court of appeals today, March 5, 2012. Counsel is also filing the brief of petitioner in State v. Miama Kromah with this Court today, March 5, 2012. Counsel is currently working on the petition for writ of certiorari and accompanying appendix in the death penalty case of Richard Bernard Moore v. State with co-counsel Susan B. Hackett. Counsel presented at the Best Practices Seminar sponsored by the South Carolina Commission on Indigent Defense and the Charleston Law School in Charleston on February 24, 2012. Counsel filed the five issue death penalty brief in the case of State v. Steven Barnes on February 22, 2012, with this Court. Counsel argued part of the case of State v. Kathy Salley along with Matt Bogan Nelson-Mullins firm before this Court on February 22, 2012 after the Court of Appeals sought certification. On February 23, 2012, counsel argued part of the case of State v. Chris

Anthony Liverman before this Court, also along with Matt Bogan. Counsel filed a petition of for writ of certiorari with the United States Supreme Court in the death penalty case State v. William O. Dickerson on February 15, 2012. Counsel argued State v. Gavin Duvell before the Court of Appeals on February 16, 2012. Counsel argued part of, along with Reid Sherard of the Nelson-Mullins firm, the murder case of State v. Richard Bill Niles, Jr. with the Court of Appeals on Tuesday, February 14, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Jason Will Williams with the Court of Appeals on February 8, 2012. Moreover, two other major cases have just arrived in this office that require attention: Marion Lindsey v. State, a death penalty PCR case, and Steven Beckham v. State, which originally was a death penalty case at the trial level. In addition to the above, counsel has very extensive administrative duties on a daily basis as the Chief Appellate Defender.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a ten day extension, until March 15, 2012. Counsel respectfully requests that the time limits for filing the initial reply brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



---

Robert M. Dudek  
Chief Appellate Defender

March 5, 2012

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

Appeal from Horry County

Steven H. John, Circuit Court Judge

THE STATE,

RESPONDENT,

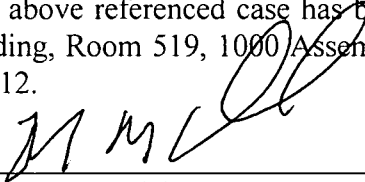
V.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

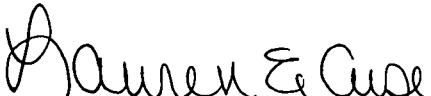
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension of time in which to file the initial reply brief in the above referenced case has been served upon J. Anthony Mabry, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 5th day of March, 2012.

  
Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this 5th day of March, 2012.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: August 23, 2014.

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

The request for an extension to serve and file the initial reply brief is granted and extended until March 5, 2012. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

February 24, 2012

cc: Chief Appellate Defender Robert M. Dudek  
Assistant Attorney General J. Anthony Mabry



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

February 22, 2012

RECEIVED

FEB 23 2012

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

S.C. Supreme Court

Re: The State v. Steven Stanko(Capital case)

Dear Mr. Shearouse:

The initial reply brief of appellant in the above referenced case is due to be served and filed today. However, because of my current caseload, I have been unable to complete this brief for service. Therefore, I am requesting a ten day extension, **until March 5, 2012** in which to file and serve the initial reply brief of appellant.

By copy of this letter, I am informing J. Anthony Mabry, Esquire, of the Attorney General's Office, of my request. Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD:lec

cc: J. Anthony Mabry, Esquire



ALAN WILSON  
ATTORNEY GENERAL

February 13, 2012

RECEIVED

FEB 13 2012

S.C. Supreme Court

Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P. O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Christopher Stanko

Dear Mr. Shearouse:

Enclosed please find the *Initial Brief of Respondent and Designation of Matter* in the above-referenced case for filing. By copy of this letter, I am serving opposing counsel with same.

Sincerely,


Lonetta B. Brawley  
Legal Assistant to Anthony Mabry  
Assistant Attorney General

/lbb  
Enclosure

cc: Robert M. Dudek, Esquire  
Robert M. Pachak, Esquire  
J. Gregory Hembree, Solicitor  
Sandi Wofford, Victims Assistance

## CERTIFICATE OF SERVICE

I, **J. Anthony Mabry**, hereby certify that I have served the *Initial Brief of Respondent and Designation of Matter* in the foregoing action by depositing copies in the Interagency Mail to Robert M. Dudek, Chief Appellate Defender, and Robert M. Pachak, Appellate Defender, Division of Appellate Defense, 1330 Lady Street, Suite 401, Columbia, SC 29201 this 13<sup>th</sup> day of February, 2012.



---

**J. ANTHONY MABRY**  
Assistant Attorney General

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

Respondent seeks an extension to serve and file the Initial Brief of Respondent and Designation of Matter, and asserts that extraordinary circumstances justify this extension. The opposing party consents to the extension. The request for an extension is granted until February 13, 2012. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.

  
C.J.  
FOR THE COURT

Columbia, South Carolina

January 13, 2012

cc: Chief Appellate Defender Robert M. Dudek  
Appellate Defender Robert M. Pachak  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

January 13, 2012

RECEIVED

JAN 13 2012

S.C. Supreme Court

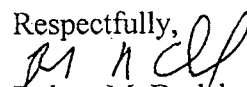
The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Stanko (capital case)

Dear Mr. Shearouse:

This is in response to the state's latest extension petition in this case. I do not oppose the extension with the reservations below. I have informed Anthony Mabry that I believe the last Stanko *PCR* appointment transcript he asked us to order, which was before Judge Baxley, from his first death penalty trial, which we ordered for Mr. Mabry, and which he agreed to pay for is not a proper transcript for this appeal because whatever information this transcript contains was not properly before the trial judge, Judge John. I therefore informed Mr. Mabry that I intend to move to strike it if he designates it as an exhibit when he files his initial brief of respondent.

Further, even if there is another transcript of an appointment hearing before Judge Baxley in this second death penalty trial, I similarly plan to move to strike it as Judge John did not have access to it at the time he made his ruling that Bill Diggs could represent Mr. Stanko at his second trial even though he was the subject of a *PCR* from the first death penalty trial. If the extension is granted, which I do not oppose with the above reservations, I will order the expedited transcript, and Mr. Mabry has agreed to pay for it. I also informed Mr. Mabry I will move to strike this hearing, if it was held, if he designates it in his initial brief of respondent. Please do not hesitate to contact me if you have any questions.

Respectfully,  
  
Robert M. Dudek  
Chief Appellate Defender

cc: Anthony Mabry, Esquire



ALAN WILSON  
ATTORNEY GENERAL

January 12, 2012

RECEIVED

JAN 12 2012

S.C. Supreme Court

Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P. O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Christopher Stanko

Dear Mr. Shearouse:

Enclosed please find a *Petition for Extension of Time to File Initial Brief of Respondent and Designation of Matter* in the above-referenced case for filing. By copy of this letter, I am serving opposing counsel with same.

Sincerely,

Lonetta B. Brawley  
Legal Assistant to Anthony Mabry  
Assistant Attorney General

/lbb  
Enclosure

cc: Robert M. Dudek, Esquire  
Robert M. Pachak, Esquire

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

The Honorable Steven H. John, Circuit Court Judge  
Appeal from Horry County

---

RECEIVED

JAN 12 2012

S.C. Supreme Court

THE STATE,

Respondent,

vs.

STEPHEN CHRISTOPHER STANKO,

Appellant.

---

**PETITION FOR EXTENSION OF TIME TO  
FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

---

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. This is Respondent's fourth extension request. Respondent has consulted with opposing counsel, Robert Dudek, and he consents *to this extension request*, reserving his right to object to the inclusion of any other transcript in the record on appeal.<sup>1</sup> Respondent requests the extension for the following reasons:

Respondent has completed the vast majority of the Initial Brief of Respondent; however, Appellant has raised in Ground Two of his initial brief an issue regarding the appointment of counsel

---

<sup>1</sup>Mr. Dudek will file a letter response to this Petition.

William “Bill” Diggs in this Horry County capital case.<sup>2</sup> The Honorable Michael Baxley was the original Circuit Judge assigned to this capital case. At a later hearing before the Honorable Stephen H. John, who was subsequently appointed as the trial judge in this case, Judge John made the following statement on the record with regard to the issue now raised by Appellant:

Well it actually is the third time because Judge Baxley conducted an extensive hearing that’s, you know, of record where Judge Baxley extensively questioned Mr. Stanko about Mr. Diggs representation because Judge Baxley was aware of the post conviction relief filing an application and Judge Baxley at that point in time found that it was proper for Mr. Diggs to continue his representation of Mr. Stanko..”

**(June 5, 2009 hearing, the Honorable Stephen H. John, p. 8, ll. 8-15).** (Attached). Respondent has also requested from Judge Baxley’s court reporter a transcript of any other hearings before Judge Baxley regarding this case.<sup>3</sup> Respondent has received the initial appointment of counsel hearing in the Horry County capital case from November of 2006, which was before the filing of the PCR application in Georgetown County, and the December 8, 2008 appointment of counsel hearing in the Georgetown PCR case, where there is some limited discussion of this issue.<sup>4</sup> However, on information and belief, Respondent believes there may be an additional hearing before Judge Baxley on this issue.<sup>5</sup> Respondent has contacted Judge Baxley’s court reporter and she attempted to locate the hearing, if it exists, and has been unable to locate the same and informed counsel that without

---

<sup>2</sup>Diggs also represented Appellant in his Georgetown capital case. Appellant subsequently filed a PCR application in Georgetown County alleging Diggs was ineffective in the Georgetown capital case.

<sup>3</sup>Mr. Dudek also made this request at Respondent’s request.

<sup>4</sup>Judge Baxley was and is the judge appointed to preside over the Georgetown County PCR.

<sup>5</sup>This is based on Judge John’s statement quoted above and a bench conference with Judge Baxley at the conclusion of the December 8, 2008 hearing.

a specific date it would be almost impossible to locate. As a result, Respondent e-mailed Judge Baxley regarding whether this hearing occurred and whether he remembers a specific time period it may have occurred. (See Attached e-mail). Judge Baxley responded that he remembers a hearing where he questioned Stanko on this issue and has asked his administrative assistant to review his records from that time period and determine a possible date. (See attached e-mail). At this time, Judge Baxley's assistant has not concluded her search. Respondent has also inquired of the DOC regarding a specific date this hearing might have occurred, and at this time has not been able to locate any other date than the December 8, 2008 hearing, but is continuing to investigate. Respondent's attorney has also contacted attorney Diggs and the Solicitor, and they are searching their records to determine if and when this hearing took place.

Respondent's attorney has also been engaged in other matters that have prevented Respondent from completing the Initial Brief of Respondent:

(A) Return to Petition for Writ of Certiorari in the United States Supreme Court (State v. Kenneth Justus) (**Death Penalty**) filed December 14, 2011;

(B) Proposed Order of Dismissal (Freddie Owens v. State) **Capital PCR** before the Honorable Edward Miller (in process);

(C) Proposed Order Denying Rule 59 Motion in Capital PCR Charles Shuler v. State *submitted* to the Honorable Casey Manning *last week*;

(D) Donald Hughes v. State (Federal Habeas Return) filed January 11, 2012;

(E) Cedric Davis v. State (Federal Habeas Return) filed December 22, 2011 ;

(F) Charles Grayton v. State (Federal Habeas Return) to be filed January 17, 2012;

(G) State v. Hill (Return to Motion to Appoint outside counsel) filed last week in the

Court of Appeals;

(H) Billy Lisenby aka Malik Al-Shabazz v. State, (Federal Habeas Return) to be filed tomorrow;  
and other matters.

Wherefore, for good cause shown, and based on extraordinary circumstances, Respondent requests that this Court grant it a thirty (30) day extension to file the Initial Brief of Respondent and Designation of Matter up to and including February 11, 2012..

Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

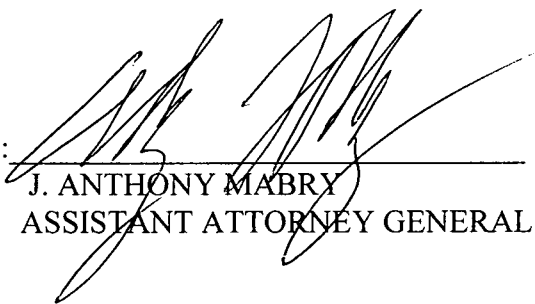
DONALD J. ZELENKA  
Assistant Deputy Attorney General

J. ANTHONY MABRY  
Assistant Attorney General

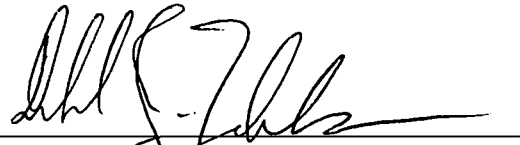
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

**ATTORNEYS FOR RESPONDENT**

BY:



J. ANTHONY MABRY  
ASSISTANT ATTORNEY GENERAL



---

DONALD J. ZELENKA  
ASSISTANT DEPUTY ATTORNEY GENERAL



---

JOHN W. McINTOSH  
CHIEF DEPUTY ATTORNEY GENERAL

January 12, 2011.



1 IN ANY WAY; IS THAT RIGHT?

2 MR. DIGGS: THAT'S CORRECT, IT HAS NOT.

3 THE COURT: ALL RIGHT, VERY GOOD, YES, MA'AM?

4 MS. WILLIAMS: YOUR HONOR, FIRST LET ME SAY  
5 THAT, I WOULD RESPECTFULLY SAY THAT THIS IS THE GROUND THE  
6 COURT COVERED IN THE LAST MEETING MOTION HEARING THAT WE  
7 HAD WITH REWARD TO THIS, YOUR HONOR.

8 THE COURT: WELL IT ACTUALLY IS THE THIRD TIME  
9 BECAUSE JUDGE BAXLEY CONDUCTED AN EXTENSIVE HEARING THAT'S,  
10 YOU KNOW, OF RECORD WHERE JUDGE BAXLEY EXTENSIVELY  
11 QUESTIONED MR. STANKO ABOUT MR. DIGGS REPRESENTATION  
12 BECAUSE JUDGE BAXLEY WAS AWARE OF THE POST CONVICTION  
13 RELIEF FILING AN APPLICATION AND JUDGE BAXLEY AT THAT POINT  
14 IN TIME FOUND THAT IT WAS PROPER FOR MR. DIGGS TO CONTINUE  
15 HIS REPRESENTATION OF MR. STANKO AND THEN I CONDUCTED A  
16 HEARING IN WHICH I QUESTIONED MR. STANKO ABOUT ALL OF THESE  
17 MATTERS AND THE COURT FOUND AT THE POINT IN TIME THAT BASED  
18 UPON WHAT MR. STANKO HAD TOLD ME AND HIS KNOWLEDGE OF HIS  
19 RIGHTS UNDER THE SIXTH AMENDMENT TO THE U. S. CONSTITUTION  
20 AND THE NUMEROUS U. S. SUPREME COURT CASES AND SOUTH  
21 CAROLINA CASES LIKE THE STATE V. SANDERS, THAT HE WAS AWARE  
22 OF THE ISSUES, THAT HE INDICATED THAT HE WANTED MR. DIGGS  
23 TO CONTINUE THE REPRESENTATION SO ALL THAT IS, IS  
24 BACKGROUND.

25 HAS ANYTHING IN YOUR MIND THAT YOU KNOW OF, AND

## Anthony Mabry - RE: State v. Stanko (Stanko II) Direct Appeal

---

**From:** "Baxley, J. Michael" <JBaxleyJ@sccourts.org>  
**To:** Anthony Mabry <AMabry@scag.gov>  
**Date:** 1/6/2012 4:36 PM  
**Subject:** RE: State v. Stanko (Stanko II) Direct Appeal  
**CC:** "Baxley, J. Michael Secretary (Jamie L. Capell)" <JBaxleySC@sccourts.org>

---

Anthony,

I remember the hearing, it occurred in Horry, but have absolutely no idea as to the date. I also remember specifically questioning Mr. Stanko in detail about the potential conflict, and receiving his specific affirmations that he waived any such conflict. By copy of this email I am asking my admin assistant Jamie to check and see whether one of our internal calendars and files may have the date of that hearing. One other thought—I have often reviewed SCDC inmate records that show the various movements of an inmate, perhaps SCDC can help you as well. Jamie, if you are unable to find any information, please let Anthony know that as well.

Mike Baxley

---

**From:** Anthony Mabry [mailto:AMabry@scag.gov]  
**Sent:** Tuesday, January 03, 2012 3:45 PM  
**To:** Baxley, J. Michael  
**Cc:** stuart@gotaxelrod.com  
**Subject:** RE: State v. Stanko (Stanko II) Direct Appeal

Dear Judge Baxley:

This e-mail is in regard to State v. Stanko (Horry County death penalty case)(2005-GS-26-2927)[Turner murder], not the capital PCR case arising out of Georgetown County to which you are now assigned. As you will recall, you were originally appointed as the presiding judge in the Horry County Death Penalty case and subsequently Judge John was substituted as the trial judge.

Mr. Stanko's conviction and death sentence in the **Horry County case** is on direct appeal to the S.C. Supreme Court. I am handling the direct appeal. In this direct appeal, Mr. Stanko is raising an issue regarding William "Bill" Diggs appointment to represent him in the **Horry County DP case** on direct appeal. Stanko is claiming there was a conflict of interest in Diggs representing him in the Horry County DP case after he filed a PCR action in the Georgetown capital case.

I am trying to locate a transcript, if it exists, of a hearing where you questioned Mr. Stanko and possibly Diggs about the possibility of a conflict or potential conflict of interest in Diggs representing Stanko in the Horry County DP case [Turner murder], after Stanko had filed a PCR action in the Georgetown County DP case [Ling murder].

Judge John mentions in a later hearing [June 5, 2009] when the issue came up before him that "...Judge Baxley conducted an extensive hearing that's you know, of record where Judge Baxley extensively questioned Mr. Stanko about Mr. Diggs representation because Judge Baxley was aware of the post conviction relief filing an

application and Judge Baxley at that point in time found that it was proper for Mr. Diggs to continue his representation of Mr. Stanko..." (June 5, 2009 hearing, p. 8, ll. 9-15, the Honorable Stephen H. John). I cannot locate this referenced hearing.

My inquiry to the Court is whether you have any idea when this referenced hearing took place? I already have the initial appointment of counsel hearing transcript [in the Horry County DP case], which was long before the filing of the PCR application in Georgetown, and I have the Georgetown PCR appointment of counsel hearing (at which I was present along with your Honor), at which there was some limited discussion of this issue. However, based on Judge John's statement reference above, it appears there may have been another hearing.

I have already consulted with your court reporter, and she was unable to locate the same after an extensive search of the materials she had and talking to several court personnel. She has indicated to me, that without the specific date, she will not be able to locate the same.

Since this issue is being raised to the South Carolina Supreme Court, I am attempting to locate any record of any hearings regarding this issue. Are you aware of a hearing, perhaps in the days or weeks after the appointment of counsel hearing in the Georgetown PCR [which took place in Conway], where you discussed this issue with Stanko and Diggs. If so, I would respectfully request and would greatly appreciate that you write me informing me of the date or approximate date. Perhaps your law clerk can locate the same in your notes.

I apologize for any inconvenience. Thank you for your assistance in this matter.

Respectfully requested,

Anthony Mabry  
Assistant Attorney General  
(Capital Litigation Section).

>>> "Baxley, J. Michael" <[JBaxleyJ@sccourts.org](mailto:JBaxleyJ@sccourts.org)> 11/8/2011 11:37 AM >>>

Anthony, thank you for this inquiry. I met with Stuart and signed multiple funding requests he had on different issues. I assume he is moving forward on all fronts. May I suggest that you talk with him about a scheduling order, if there is no response or you can't come to an agreement, please include me in a phone conference and we will take care of it? I am copying my staff so that they will be listening for your contact, if necessary. That should be a good way to start forward movement.

Mike Baxley

---

**From:** Anthony Mabry [mailto:[AMabry@scag.gov](mailto:AMabry@scag.gov)]  
**Sent:** Friday, November 04, 2011 5:17 PM  
**To:** Baxley, J. Michael  
**Cc:** [stuart@gotaxelrod.com](mailto:stuart@gotaxelrod.com)  
**Subject:** Stanko v. State

Dear Judge Baxley:

This is just a reminder. You were going to get back with me at the end of October after ex parte funding meeting with Stuart Axelrod. What is the status of this case? I will be in on Monday.

I hope you have a great weekend.

Thanks

Anthony Mabry  
Assistant Attorney General

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

RECEIVED

JAN 12 2012

The Honorable Steven H. John, Circuit Court Judge  
Appeal from Horry County

---

S.C. Supreme Court

THE STATE,

Respondent,

vs.

STEPHEN CHRISTOPHER STANKO,

Appellant.

---

**CERTIFICATE OF SERVICE**

---

I, J. Anthony Mabry, do hereby certify that on this date, I served the *Petition for Extension of Time to File Initial Brief of Respondent and Designation of Matter* in the foregoing action on counsel for the Petitioner by depositing two (2) copies of the same in the United States mail, first-class, postage prepaid, and addressed as follows:

Robert M. Dudek, Esq.  
SCCID/Division of Appellate Defense  
1330 Lady St., Ste. #401  
Columbia, SC 29201

Robert M. Pachak, Esq.  
SCCID/Division of Appellate Defense  
1330 Lady St., Ste. #401  
Columbia, SC 29201

This 12<sup>th</sup> day of January, 2012.

  
\_\_\_\_\_  
ANTHONY MABRY  
ATTORNEY FOR RESPONDENT

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

For good cause shown, the request for an extension to serve and file the Initial Brief of Respondent and Designation of Matter is granted and extended until January 12, 2012. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

December 12, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Appellate Defender Robert Pachak  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry



ALAN WILSON  
ATTORNEY GENERAL

December 9, 2011

Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P. O. Box 11330  
Columbia, SC 29211

RECEIVED

DEC - 9 2011

S.C. Supreme Court

Re: The State v. Stephen Stanko

Dear Mr. Shearouse:

Enclosed please find a Motion to Enlarge Time to File Initial Brief of Respondent in the above-referenced case for filing. By copy of this letter, I am serving opposing counsel with same.

Sincerely,

Lonetta B. Brawley  
Legal Assistant to Anthony Mabry  
Assistant Attorney General

/lbb  
Enclosure

cc: Robert M. Dudek, Esquire  
Robert M. Pachak, Esquire

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

The Honorable Steven H. John, Circuit Court Judge  
Appeal from Horry County

---

THE STATE,

**RECEIVED**

Respondent, DEC - 9 2011

vs.

**S.C. Supreme Court**

STEPHEN CHRISTOPHER STANKO,

Appellant.

---

**PETITION FOR EXTENSION OF TIME TO  
FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

---

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. This is Respondent's third extension request. Respondent has consulted with opposing counsel, Robert Dudek, and he consents to this extension request. Respondent requests the extension for the following reasons:

Respondent has completed a majority of the Initial Brief of Respondent; however, Respondent recently obtained on Wednesday of this week, December 7, 2011, an additional transcript (Appointment of Counsel Hearing before the Honorable Michael W. Baxley<sup>1</sup>) that

---

<sup>1</sup>Judge Baxley was initially appointed by this Court to be the trial judge in this capital case. Judge Stephen John was later substituted as the trial judge in this case. Judge Baxley remains the judge assigned to Stanko's capital PCR arising out of Georgetown County. (*Stanko*

Respondent believes is relevant to the second (2<sup>nd</sup>) appellate ground raised in Stanko's Initial Brief of Appellant. Additionally, Appellant's appellate counsel has requested an additional transcript, at Respondent's insistence, which Respondent believes is relevant to this same ground (Appellate Ground 2) from Judge Baxley's Court Reporter and has not received the same from the Court Reporter at this time.<sup>2</sup> Respondent has also requested from Judge Baxley's Court Reporter a transcript of any other hearings before Judge Baxley regarding this case. Respondent has not received the same, if it exists at this time.

Respondent's attorney has also had some difficulty understanding the trial transcript because the pages of this capital trial are not in sequential order because different court reporters were involved in recording this trial. This has caused some delay in the completion of the Initial Brief of Respondent. Opposing counsel has confirmed that his office encountered similar difficulty in assembling the trial transcript due to the page numbering as a result of different court reporters.

Respondent's attorney has also been engaged in other matters that have prevented Respondent from completing the Initial Brief of Respondent:

(A) Return to Petition for Writ of Certiorari in the United States Supreme Court (State v. Kenneth Justus) (**Death Penalty**) to be filed December 14, 2011;

(B) Proposed Order of Dismissal (Freddie Owens v. State) **Capital PCR** before the

---

I.)

<sup>2</sup>Judge John indicates in later transcripts of hearings that Judge Baxley previously addressed the issue involved in Appellate Ground 2 at a previous hearing with Appellant. Respondent is therefore attempting to locate and identify this particular transcript. Respondent has requested the PCR appointment of counsel hearing (Georgetown County) and any other hearing Judge Baxley conducted regarding this case (Horry County). Opposing counsel will object to the inclusion of any PCR hearing transcript in the Record on Appeal.

Honorable Edward Miller (in process);

(C) Rule 59 Hearing on Order of Dismissal (Charles Shuler v. State) **Capital PCR** before the Honorable Casey Manning;

(D) Return to PCR Application (Kenneth Justus v. State) **Capital PCR**, filed with Dorchester County Clerk of Court;

(E) Federal Habeas Return (Joseph Johnson v. State) filed December 1, 2011;

(F) Federal Habeas Return (Donald Hughes v. State) in process (currently 32 pages);

(G) Federal Habeas Return (Cedric Davis v. State) in process (currently 31 pages);

(H) Federal Habeas Return (Shameen Coker v. State) filed November 18, 2011;

(I) Return to Motion to Strike (State v. Richard Deas) filed in Court of Appeals last week;

(J) Preparation for Rule 59 hearing scheduled for Friday, December 9, 2011 (Binney v. State)

**Capital PCR;**

and other matters.

Respondent's attorney is also scheduled to attend the Rule 59 Motion (by conference call), on Friday, December 9, 2011, regarding Binney v. State (**Capital PCR**) before the Honorable Michael Baxley.

Wherefore, for good cause shown, Respondent requests that this Court grant it a thirty (30) day extension to file the Initial Brief of Respondent and Designation of Matter up to and including January 8, 2012.

Respectfully submitted,

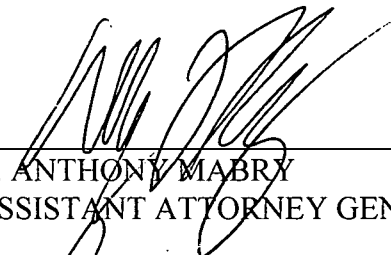
ALAN WILSON  
Attorney General

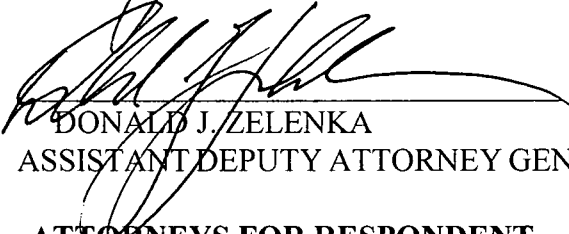
JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Assistant Deputy Attorney General

J. ANTHONY MABRY  
Assistant Attorney General

Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

BY:   
\_\_\_\_\_  
J. ANTHONY MABRY  
ASSISTANT ATTORNEY GENERAL

  
\_\_\_\_\_  
DONALD J. ZELENKA  
ASSISTANT DEPUTY ATTORNEY GENERAL  
**ATTORNEYS FOR RESPONDENT**

December 9, 2011.

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

The Honorable Steven H. John, Circuit Court Judge  
Appeal from Horry County

---

RECEIVED

DEC - 9 2011

S.C. Supreme Court

THE STATE,

Respondent,

vs.

STEPHEN CHRISTOPHER STANKO,

Appellant.

---

**CERTIFICATE OF SERVICE**

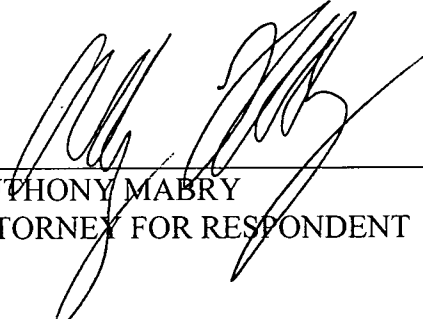
---

I, J. Anthony Mabry, do hereby certify that on this date, I served the *Petition for Extension of Time to File Initial Brief of Respondent and Designation of Matter* in the foregoing action on counsel for the Petitioner by depositing two (2) copies of the same in the United States mail, first-class, postage prepaid, and addressed as follows:

Robert M. Dudek, Esq.  
SCCID/Division of Appellate Defense  
1330 Lady St., Ste. #401  
Columbia, SC 29201

Robert M. Pachak, Esq.  
SCCID/Division of Appellate Defense  
1330 Lady St., Ste. #401  
Columbia, SC 29201

This 9<sup>th</sup> day of December, 2011.

  
\_\_\_\_\_  
ANTHONY MABRY  
ATTORNEY FOR RESPONDENT



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

December 5, 2011

RECEIVED

DEC 5 2011

S.C. Supreme Court

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

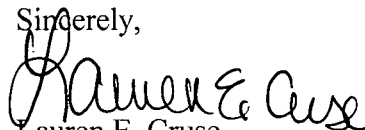
Re: State v. Steven Stanko (capital case)

Dear Mr. Shearouse:

Our office is in receipt of the November 15, 2006 that we requested December 2, 2011.

Should you have any questions please do not hesitate to contact our office.

Sincerely,

  
Lauren E. Cruse  
Legal Assistant

/lec



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

December 2, 2011

RECEIVED

DEC - 2 2011

Ms. Grace L. Hurley  
Circuit Court Reporter  
PO Box 30878  
Myrtle Beach, South Carolina 29588

S.C. Supreme Court

Dear Ms. Hurley:

Please provide us with the following transcript:

The State v. Steven Christopher Stanko      Case#: 2005-GS-22-918

County: Georgetown      Date of Appointment Hearing: November 15, 2006

Presiding Judge: J. Michael Baxley

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

This is a hearing was approximately fifteen minutes wherein Bill Diggs was appointed as Mr. Stanko's lead counsel. We are requesting that this transcript be expedited in seven days.

Should you have any questions, please do not hesitate to contact me directly (803) 734-1234 or you may email me: [lcruse@sccid.sc.gov](mailto:lcruse@sccid.sc.gov). Thank you for you assistance in this matter.

Sincerely,

Lauren E. Cruse  
Legal Assistant

/lec

cc: S.C. Supreme Court  
Attorney General's Office

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

For good cause shown, the request for an extension to serve and file the Initial Brief of Respondent and Designation of Matter is granted and extended until December 9, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

November 10, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Appellate Defender Robert Pachak  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry



ALAN WILSON  
ATTORNEY GENERAL

November 9, 2011

RECEIVED

NOV -9 2011

S.C. Supreme Court

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

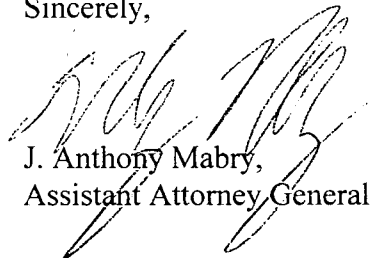
Re: Second Extension Request  
Initial Brief of Respondent  
*The State vs. Stephen Christopher Stanko*

Dear Mr. Shearouse:

I hereby request an extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be served and filed today, November 9, 2011. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Initial Brief.

Therefore, I am enclosing an original and six (6) copies of a Petition for Extension of Time to File Initial Brief of Respondent and Designation of Matter. I have obtained the consent of opposing counsel to this request.

Sincerely,



J. Anthony Mabry,  
Assistant Attorney General

AM:dmd

Enclosures

cc: Robert M. Dudek, Esq.  
Robert M. Pachak, Esq.

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

RECEIVED

NOV -9 2011

The Honorable Steven H. John, Circuit Court Judge  
Appeal from Horry County

---

S.C. Supreme Court

THE STATE,

Respondent,

vs.

STEPHEN CHRISTOPHER STANKO,

Appellant.

---

**PETITION FOR EXTENSION OF TIME TO  
FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

---

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. This is Respondent's second extension request. Respondent's Brief is due to be served and filed today, November 9, 2011, this Court having granted Respondent's first request for an extension filed on October 11, 2011.

The South Carolina Supreme Court's *Order Re Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings* provides, in pertinent part, that: "(2) [a] second extension request may be granted upon a showing of good cause. The facts supporting good cause shall be set forth in the motion. The signature of the attorney on the motion shall be a

certification that the attorney believes that the extension is warranted and that there is good cause to seek the extension.” In compliance with that Order and in support of this motion, counsel would respectfully show the Court the following:

1. The attorney for the Respondent has completed approximately one-half of the Initial Brief of Respondent; however, Respondent has had and is scheduled to have a number of State and Federal matters to attend to;

A. Post-trial brief Freddie Owens v. State (Capital PCR)(filed October 17, 2011 with the Honorable “Ned” Miller) approximately 235 pages;

B. Marcus Thompson v. State (Federal Habeas Corpus)(Return filed in United States District Court;

C. State v. Richard Deas (Murder)(Initial Brief of Respondent)(filed with the Court of Appeals on or about October 31, 2011) ;

D. Cedric Davis v. State (Federal Habeas Corpus)(Return in process);

E. Shameen Coker v. State (Federal Habeas Corpus)(Return in process);

F. Donald Hughes v. State (Federal Habeas Corpus) (Return in process);

G. Reginald Croft v. State (Federal Habeas Corpus)(Return filed in United States District Court);

H. Joseph Johnson v. State (Federal Habeas Corpus) (Return in process);

I. Fredrick Evins v. State (Capital PCR)(Preparation for Trial/Investigation);

and other matters.

2. The attorney for Respondent has spoken with opposing counsel Robert Dudek, and he does not object to the extension request.

Respectfully submitted,

ALAN WILSON  
Attorney General

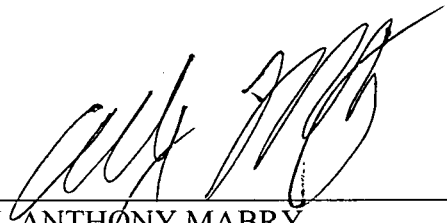
JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Assistant Deputy Attorney General

J. ANTHONY MABRY  
Assistant Attorney General

Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

BY:



---

J. ANTHONY MABRY  
ATTORNEYS FOR RESPONDENT

November 9, 2011.

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

The Honorable Steven H. John, Circuit Court Judge  
Appeal from Horry County

---

THE STATE,

Respondent,

vs.

STEPHEN CHRISTOPHER STANKO,

Appellant.

---

**PROOF OF SERVICE**

---

I, J. Anthony Mabry, do hereby certify that on this date, I served the *Petition for Extension of Time to File Initial Brief of Respondent and Designation of Matter* in the foregoing action on counsel for the Petitioner by depositing two (2) copies of the same in the United States mail, first-class, postage prepaid, and addressed as follows:

Robert M. Dudek, Esq.  
SCCID/Division of Appellate Defense  
1330 Lady St., Ste. #401  
Columbia, SC 29201

Robert M. Pachak, Esq.  
SCCID/Division of Appellate Defense  
1330 Lady St., Ste. #401  
Columbia, SC 29201

This 9<sup>th</sup> day of November, 2011.

By:   
ATTORNEYS FOR RESPONDENT

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

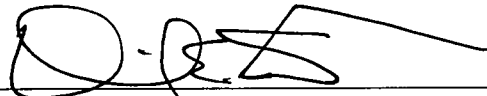
---

The request for an extension to serve and file the Initial Brief of Respondent and Designation of Matter is granted and extended until November 9, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

October 11, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Appellate Defender Robert Pachak  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry





ALAN WILSON  
ATTORNEY GENERAL

RECEIVED

OCT 10 2011

October 10, 2011

S.C. Supreme Court

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

Re: *State v. Stephen C. Stanko*

Dear Mr. Shearouse:

The Initial Brief of Respondent in the above-referenced case is due to be filed on the above date. I am requesting an extension of thirty (30) days to file and serve Respondent's Brief. Due to counsel's heavy caseload and other court commitments, counsel has been unable to prepare the brief. By copy of this letter I am informing opposing counsel of this request.

Sincerely,

Donald J. Zelenka,  
Assistant Deputy Attorney General on behalf of  
J. Anthony Mabry,  
Assistant Attorney General

AM/lbb

cc: Robert M. Dudek, Esquire  
Robert M. Pachak, Esquire

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Horry County

Steven H. John, Circuit Court Judge

RECEIVED

AUG 26 2011

S.C. Supreme Court

THE STATE,

RESPONDENT,

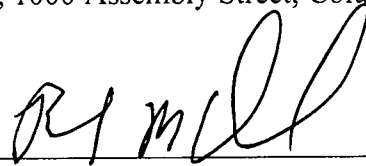
V.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

CERTIFICATE OF SERVICE

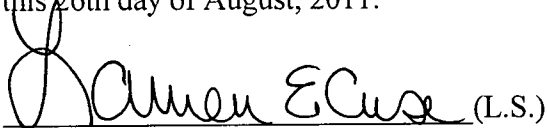
The undersigned attorney hereby certifies that a true copy of the Initial Brief of Appellant and Designation of Matter in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 26th day of August, 2011.



Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me  
this 26th day of August, 2011.



Notary Public for South Carolina  
My Commission Expires: August 23, 2014.

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

Appellant seeks a fifth extension of time to serve and file the Initial Brief of Appellant and Designation of Matter, and asserts that extraordinary circumstances justify this extension. The opposing party consents to the extension. The request for an extension is granted until August 26, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.

  
C.J.  
FOR THE COURT

Columbia, South Carolina

July 29, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

---

Appeal from Horry County

Steven H. John, Circuit Court Judge

---

ORIGINAL

RECEIVED

JUL 28 2011

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

---

PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

---

The undersigned counsel respectfully requests a **final twenty-five day extension from August 1, 2011 until August 26, 2011** in which to file the initial brief of appellant and designation of matter in the above-referenced **death penalty case**. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case is due to be served and filed on August 1, 2011. The transcripts in this case are 3,439 pages long and the initial brief of appellant will consist of six issues, three of which are novel issues. Counsel and co-counsel filed the petition for writ of certiorari in death penalty case Bayan Aleksey v. State with this Court on June 22, 2011. That certiorari petition was 90 pages long, included 9 issues, and had an accompanying appendix in excess of 6,000 pages. Counsel also must file a brief in opposition to the state's certiorari petition from this Court's opinion in State v. Jack Edward Earl Parker in the United States Supreme Court on August 10, 2011.

2. Counsel filed the petition for writ of certiorari in State v. Juan Orozco with this Court on July 22, 2011. Counsel filed the brief of petitioner in State v. Chris Anthony Liverman with this Court on July 19, 2011. Counsel filed the petition for rehearing in State v. Aurelio Vincent Ottey with the Court of Appeals on June 29, 2011. Counsel went to Greenville to handle the remand hearing on a motion for a new trial based on after-discovered evidence in State v. Gerald Pitts before Judge J. Derham Cole on Tuesday, June 28, 2011 in Spartanburg. Counsel filed the initial brief and designation of matter in State v. Norman Stoudenmire with the Court of Appeals on June 24, 2011. Counsel filed the brief of respondent in State v. Charles Q. Jackson with this Court on June 24, 2011. Counsel filed the initial brief and designation of matter in State v. Richard Deas with the Court of Appeals on June 15, 2011. Counsel on June 8, 2011 argued the murder case of State v. Ottey before the Court of Appeals. In addition to the above, counsel has very extensive daily administrative duties as the Chief Appellate Defender, and oversight of all death penalty cases.

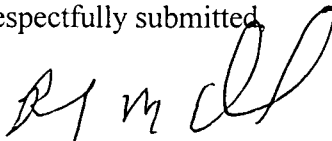
3. This request is made in good faith, and not for purposes of delay. Counsel respectfully appreciates this Court not making his previous request for an extension a final one given the above. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future which will result in less extension requests.

4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request **a final twenty-five day extension, from August 1, 2011 until August 26, 2011**, in which to file the initial brief and designation of matter in this case with this Court. In the alternative counsel requests such lesser time as this Court would be willing to grant given counsel's caseload, the extensive work being done on this case, and his administrative responsibilities as Chief Appellate Defender. Counsel

respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



---

Robert M. Dudek  
Chief Appellate Defender



---

T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

July 27, 2011

I DO NOT OPPOSE:



---

Donald J. Zelenka

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

Appellant seeks a fourth extension of time to serve and file the Initial Brief of Appellant and Designation of Matter, and asserts that extraordinary circumstances justify this extension. The opposing party consents to the extension. The request for an extension is granted until August 1, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.

  
C.J.  
FOR THE COURT

Columbia, South Carolina

July 6, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Horry County

Steven H. John, Circuit Court Judge

RECEIVED

JUL 01 2011

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case is due to be served and filed today.
2. The transcript in this case is over 3,400 pages long. Counsel and co-counsel just finished and filed a ninety page, nine issue petition for a certiorari in the death penalty case of Bayan Aleskey which was filed with this Court on June 22, 2010. Counsel filed the petition for rehearing in State v. Aurelio Vincent Ottey with the Court of Appeals on June 29, 2011. Counsel was in Greenville for a remand motion for a new trial based on after-discovered evidence hearing in State v. Gerald Pitts before the Honorable J. Derham Cole on Tuesday, June 28, 2011. Counsel filed the initial brief and designation of matter in State v. Norman Stoudenmire with the Court of

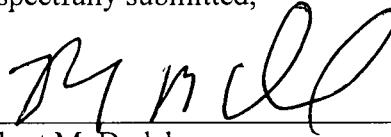
Appeals on June 24, 2011. Counsel filed the brief of respondent in State v. Charles Q. Jackson with this Court on June 24, 2011. Counsel filed the initial brief and designation of matter in State v. Richard Deas with the Court of Appeals on June 15, 2011. Counsel on June 8, 2011 argued the murder case of State v. Ottey before the Court of Appeals. On Thursday, June 2, 2011, while on death row counsel's client in death penalty case of State v. Jerry Buck Inman informed counsel he wished to resume his appeal, and counsel had to file a motion to resume mandatory appeal with this Court the next morning, Friday, June 3, 2011. Counsel also had to arrange to cancel the evaluation session with Dr. Richard Frierson and DMH scheduled for June 6, 2011. The motion was granted by this Court on Friday afternoon, June 3, 2011. Counsel also has assisted co-counsel Charles Grose in preparing for the oral argument in State v. Roy Otis Tennant before this Court on June 8, 2011. Counsel also has extensive administrative duties as the Chief Appellate Defender

3. This request is made in good faith, and not for purposes of delay. Counsel respectfully requests that this Court give strong consideration to not making this a final extension given counsel's current caseload and the fact the Bayan Aleksey v. State certiorari petition was recently filed. Counsel will make every effort to file the brief and designation of matter with this Court but this case involves motions and arguments on mental state, and challenges to the constitutionality of statutes. These issues are novel and involve extensive research. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

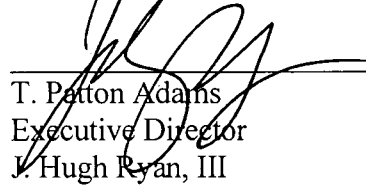
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel most respectfully asks for this Court's consideration in not making this a "no further extensions" order. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek  
Chief Appellate Defender



T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

July 1, 2011

I DO NOT OPPOSE:



Donald J. Zelenka

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

Appellant seeks a third extension of time to serve and file the Initial Brief of Appellant and Designation of Matter in the above entitled matter. The request for an extension is granted and extended until July 1, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

June 2, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry

 ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Horry County  
Steven H. John, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

JUN 1 2011

S.C. Supreme Court

THE STATE,

RESPONDENT,

v.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

\_\_\_\_\_  
PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER  
\_\_\_\_\_

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case is due to be served and filed today.

2. Counsel is currently working on the petition for writ of certiorari and accompanying appendix in State v. Bayan Aleksey, that has an appendix of 6,592 pages, and about 97 exhibits. The index and the Appendix had to be redone because of continuous problems with obtaining PCR trial level documents. Counsel *is also working on the present death penalty case*. Counsel yesterday, May 31, 2011 filed a petition for writ of certiorari to the Court of Appeals with this Court in the murder case of State v. Dominic Gallman, and a petition for writ of certiorari with this Court in the murder case of Bruce Thomas v. State with this Court. Counsel argued the death penalty case of State v. William Dickerson before this Court on Tuesday, May 24, 2011. Counsel also has met with the client twice on death row recently in the death penalty case of State v. Jerry Buck Inman, and is meeting with him again tomorrow, Thursday. This case was remanded for a competency to waive appeals and be executed hearing by this Court. As stated, counsel will meet with Mr. Inman again in advance of the first evaluation session on Monday, June 6, 2011 which counsel will attend. Counsel

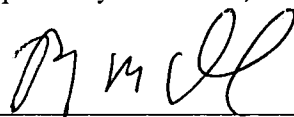
presented on record preservation at the Capital Litigation Initiative seminar on May 3, 2011 at Litchfield Beach. Counsel submitted a draft of the performance standards to the Performance Standards Committee of the Commission on Indigent Defense, of which the undersigned is a member on the appellate subcommittee, on April 29, 2011, and had a meeting with that committee on May 25, 2011. Counsel filed a petition for writ of certiorari in the murder case of State v. Darrell Burgess and a petition for writ of certiorari in the murder case of In the Interest of Tracy B. on April 29, 2011 with this Court. Counsel filed the brief of appellant and designation of matter in State v. Thomas Hilliard on April 20, 2011 with the Court of Appeals. Counsel filed the petition for rehearing in State v. Raymondeze L. Rivera on April 20, 2011 with the Court of Appeals. Counsel filed a return to the state's motion for panel review of the order of denying the state's motion to strike in State v. Casey Ray Perkins on April 12, 2011 with the Court of Appeals. Counsel filed a petition for rehearing in State v. Beulah Butler on April 12, 2011 with the Court of Appeals. In addition to the above, counsel has very extensive administrative duties as the Chief Appellate Defender.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

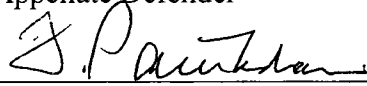
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



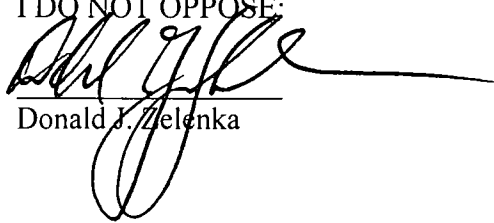
Robert M. Dudek  
Chief Appellate Defender



T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

June 1, 2011

I DO NOT OPPOSE:

A handwritten signature in black ink, appearing to read 'D. J. Zelenka', with a long horizontal flourish extending to the right. The signature is written over a horizontal line.

Donald J. Zelenka

# The Supreme Court of South Carolina

The State, Respondent,  
v.  
Stephen Christopher Stanko, Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

Appellant seeks a second extension of time to serve and file the Initial Brief of Appellant and Designation of Matter in the above entitled matter. The request for an extension is granted and extended until June 1, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

May 3, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Assistant Deputy Attorney General Donald J. Zelenka  
Assistant Attorney General J. Anthony Mabry

 ORIGINAL

RECEIVED

MAY - 2 2011

S.C. Supreme Court

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from Horry County  
Steven H. John, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

STEPHEN CHRISTOPHER STANKO,

APPELLANT

---

PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

---

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case is due to be served and filed today.
2. Counsel submitted a draft of the performance standards to the Performance Standards Committee of the Commission on Indigent Defense, of which the undersigned is a member on the appellate subcommittee April 29, 2011. Counsel filed a petition for writ of certiorari in this Court in the murder cases of State v. Darrell Burgess and a petition for writ of certiorari in the murder case of In the Interest of Tracy B. April 29, 2011. Counsel is reading the appendix, conducting research, and consulting with co-counsel in the death penalty case of Bayan Aleksey v. State, which is over 6,000 pages, and includes over 95 exhibits. Counsel has also been consulting with the Department of Corrections and his client, Jeffrey Motts, regarding the protocol for the execution scheduled for Friday, May 6, 2011. Counsel's death penalty case of State v. Jerry Buck Inman was remanded for a competency to waive appeals and be executed hearing causing counsel to devote his immediate attention to that case. Counsel is finishing his preparation for his presentation at the Capital Case Ligation Institute seminar on Tuesday, May 3, 2011 at Litchfield Beach. Counsel filed the brief of

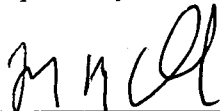
appellant and designation of matter in State v. Thomas Hilliard on April 20, 2011 in the Court of Appeals. Counsel filed the petition for rehearing in State v. Raymondeze L. Rivera on April 20, 2011 in the Court of Appeals. Counsel filed return to the motion for panel review of this Court's order denying respondent's motion to strike, or in the alternative, motion for leave to amend in State v. Casey Ray Perkins on April 12, 2011 in the Court of Appeals. Counsel filed a petition for rehearing in State v. Beulah Butler on April 12, 2011 in the Court of Appeals. Counsel had an oral argument in State v. Jose Herrera on April 5, 2011 before the Court of Appeals, and an oral argument in State v. Anthony D. Wilder on April 6, 2011 before the Court of Appeals, and April 7, 2011 in State v. Theodore Cobbs before the Court of Appeals in Charleston, South Carolina. In addition to the above, counsel has very extensive administrative duties as the Chief Appellate Defender.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



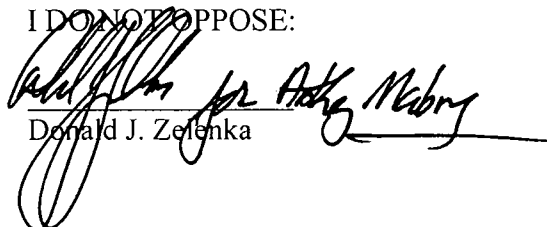
Robert M. Dudek  
Chief Appellate Defender



T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

May 2, 2011

I DO NOT OPPOSE:



Donald J. Zelenka

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

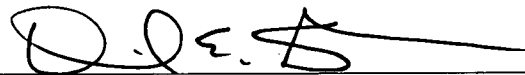
The request for an extension to serve and file the Initial Brief of Appellant and Designation of Matter is granted and extended until May 2, 2011.

Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

April 4, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Assistant Deputy Attorney General Donald J. Zelenka



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

**ORIGINAL**

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

**RECEIVED**

APR 1 2011

**S.C. Supreme Court**

April 1, 2011

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

Re: The State v. Stephen Stanko (Capital case)

Dear Mr. Shearouse:

The initial brief of appellant and designation of matter in the above referenced case are due to be served and filed today. However, because of my current caseload, I have been unable to complete this brief. For that reason, I would respectfully request an extension of thirty days in which to serve and file this petition.

By copy of this letter, I am informing Donald J. Zelenka, Esquire, of the Attorney General's Office, of my request.

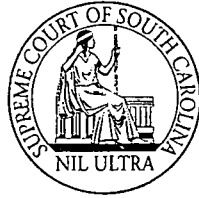
Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD:lec

cc: Donald J. Zelenka, Esquire



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

March 2, 2011

Mr. Stephen Christopher Stanko, #6022  
Lieber Correctional Institution  
P. O. Box 205  
Ridgeville, SC 29472

Re: The State v. Stanko, Stephen Christopher

Dear Mr. Stanko:

Enclosed is the order issued in the above entitled matter.

By copy of this letter, we are advising counsel of record the initial brief of appellant and designation of matter should be served and filed within thirty (30) days of the date of this letter.

Very truly yours,

CLERK

DES/dmh

Enclosure

cc: Chief Appellate Defender Robert M. Dudek  
Appellate Defender Kathrine H. Hudgins  
Assistant Deputy Attorney General Donald J. Zelenka

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

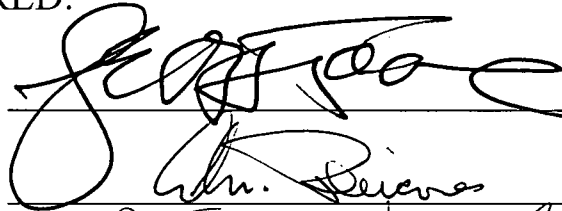
---

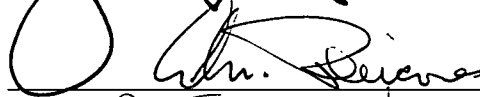
## ORDER

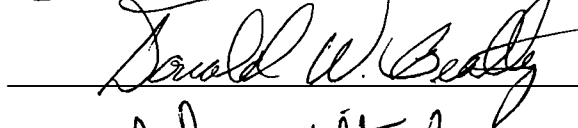
---

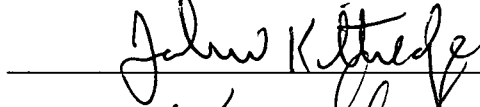
Appellant has filed a motion for the appointment of substitute counsel. Therein, appellant asserts the Commission on Indigent Defense, Division of Appellate Defense, has a conflict of interest and therefore substitute counsel should be appointed to represent him in this matter. The State has filed a return in opposition to the motion. Chief Appellate Defender Robert M. Dudek has also filed a return in which he submits the "better procedure" would be for this Court to appoint substitute counsel. We disagree. State v. Jones, 270 S.C. 587, 243 S.E.2d 461 (1978). The motion for the appointment of substitute counsel is denied. However, Mr. Dudek shall not assign Katherine H. Hudgins to represent appellant in this matter, nor shall Ms. Hudgins communicate with assigned counsel regarding this matter.

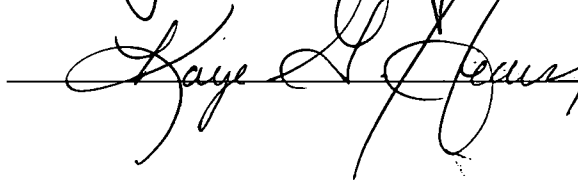
IT IS SO ORDERED.

  
C. J.

  
J.

  
J.

  
J.

  
J.

Columbia, South Carolina

March 2, 2011

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Horry County

Honorable Steven H. John, Circuit Court Judge  
\_\_\_\_\_

STEPHEN CHRISTOPHER STANKO,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

\_\_\_\_\_  
RETURN TO MOTION FOR APPOINTMENT  
OF OUTSIDE COUNSEL  
\_\_\_\_\_

The undersigned respectfully shows the Court:

1. In August of 2005, a Georgetown County Grand Jury returned a six count indictment (05-GS-22-918) charging Petitioner Stephen Stanko with murder, assault and battery with intent to kill, criminal sexual conduct first degree, two counts of kidnapping and armed robbery.
2. The State sought the death penalty relying on numerous aggravating circumstances.
3. On August 7 through August 11, 2006, Judge Deadra L. Jefferson presided at Petitioner's jury trial. Petitioner was represented by William Issac Diggs.
4. The jury returned verdicts of guilty on all counts and recommended a death sentence.

**ORIGINAL**

**RECEIVED**

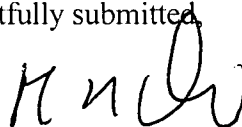
FEB - 2 2011

S.C. Supreme Court

7. The judge affirmed their verdict and sentenced Petitioner to death.
8. Former Chief Appellate Defender Joseph L. Savitz, III, and Appellate Defender Katherine H. Hudgins, both of South Carolina Commission on Indigent Defense, Appellate Division represented Petitioner in appealing his convictions and sentence.
9. On appeal this Court affirmed Petitioner's convictions and sentence. State v. Stanko 376 S.C. 571, 658 S.E.2d 94 (2008).
10. In his present post-conviction relief action, Petitioner alleged, *inter alia*, that appellate attorneys Joseph L. Savitz, III, and Kathrine H. Hudgins of the South Carolina Commission on Indigent Defense, Appellate Division, ineffectively represented him on his mandatory direct appeal to this Court. He specifically complains of the refusal by appellate counsel to brief an issue on insanity he wanted to raise before this Court.
11. Petitioner Stanko had a second murder trial where he was also convicted of an unrelated murder and sentenced to death in Horry County. That trial was held November 16 -19, 2009 and William Isaac Diggs again represented petitioner during this second capital trial. That case is now on appeal within this office. Petitioner Stanko has now moved this Court to appoint outside counsel *in that direct appeal* alleging a conflict of interest on the part of the Appellate Division because Joseph Savitz, III and Kathrine Hudgins allegedly ineffectively represented him on his *first capital direct appeal* before this Court.
12. Opposing counsel, Assistant Attorney General J. Anthony Mabry, in his return states that since Mr. Savitz "is no longer head of the Office of Appellate Defense," and Ms. Hudgins is not Petitioner Stanko's present attorney that another attorney from this office should be appointed to represent Petitioner Stanko. Respectfully, one problem with this assertion is that opposing counsel should not attempt to choose his opposition, and even the appearance of attempting to

do so is very problematic. Since there is a *pending post-conviction relief action* wherein Petitioner Stanko alleges *present* Appellate Defender Kathrine Hudgins and former Chief Appellate Defender Joseph L. Savitz, III ineffectively represented him during his first capital direct appeal -- and that this office therefore has a conflict of interest in handling his second capital direct appeal -- undersigned counsel respectfully submits the better procedure would be for this Court to appoint death penalty qualified appellate counsel outside of the Appellate Division to represent Petitioner Stanko during his present direct appeal before this Court.

Respectfully submitted,



---

Robert M. Dudek  
Chief Appellate Defender

This 2nd day of February, 2011

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from Horry County

Honorable Steven H. John, Circuit Court Judge

---

STEPHEN CHRISTOPHER STANKO,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

---

CERTIFICATE OF SERVICE

---

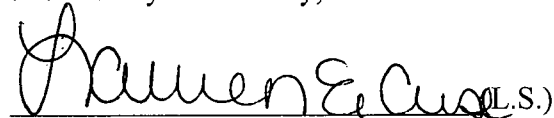
The undersigned attorney hereby certifies that a true copy of the Motion for Appointment of Outside Counsel in the above referenced case has been served upon opposing counsel, Donald J. Zelenka, Esquire and Stephen Christopher Stanko, #6022 at Lieber Correctional Institution this 2nd day of February, 2011.



---

Robert M. Dudek  
Chief Appellate Defender

SUBSCRIBED AND SWORN TO before me  
this 2nd day of February, 2011.



(L.S.)  
Notary Public for South Carolina

My Commission Expires: August 23, 2014



ALAN WILSON  
ATTORNEY GENERAL

January 28, 2011

RECEIVED

JAN 28 2011

S.C. Supreme Court

Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P. O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen C. Stanko

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the *Return to Motion for Appointment of Substitute Counsel* for filing. By copy of this letter, I am serving opposing counsel with same.

Sincerely,

Lonetta B. Brawley  
Legal Assistant to Anthony Mabry  
Assistant Attorney General

/lbb  
Enclosure

cc: Robert M. Dudek, Esquire - Office of Appellate Defense  
Stephen C. Stanko, #6022

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from Horry County  
Stephen H. John, Circuit Court Judge

---

THE STATE,

Respondent,

v.

STEPHEN C. STANKO,

Appellant.

---

RECEIVED

JAN 28 2011

S.C. Supreme Court

RETURN TO MOTION FOR APPOINTMENT OF SUBSTITUTE COUNSEL

---

This case involves a direct appeal arising from Horry County. Appellant was convicted of murder and sentenced to death by a jury before the Honorable Stephen H. John in Conway, S.C. On January 17, 2011, Stephen C. Stanko served the State with a Motion For Appointment of Substitute [Appellate] Counsel. The State opposes the Motion For Appointment of Substitute [Appellate] Counsel for the following reasons:

Appellant is currently under two (2) different death sentences, one from Georgetown County (*Ling* murder) and one from Horry County (*Turner* murder). Appellant's convictions and death sentence from Georgetown County (*Ling* murder) were previously affirmed by this Court. State v. Stanko, 376 S.C. 571, 658 S.E.2d 94 (2008)(*Stanko I.*). Appellant was represented in his direct appeal from the Georgetown County convictions and death sentence by Joseph L. Savitz and Katherine Hudgins of the S.C. Office of Appellate Defense. In his current capital PCR arising out of the Georgetown County murder conviction and death sentence (*Ling* murder), appellant is

alleging, among other things, ineffective assistance of appellate counsel against Mr. Savitz and Ms. Hudgins.

Appellant's convictions and death sentence from Horry County (*Turner* murder) are now on direct appeal. (*Stanko II*.) Appellant is currently represented on appeal by the Office of Appellate Defense. Mr. Savitz does not represent appellant in this direct appeal and has retired from the Office of Appellate Defense. Additionally, appellant has not alleged he is represented by Ms. Hudgins in this direct appeal. In fact, Ms. Hudgins is not representing appellant in the current direct appeal, *Stanko II*. The current direct appeal has not been assigned to anyone in the Office of Appellate Defense as of this date. (Per Respondent's conversation with Robert M. Dudek this date).

Respondent submits each attorney in the Office of Appellate Defense is an individual attorney, and there is no conflict in another attorney at the Office of Appellate Defense representing Mr. Stanko in his current direct appeal, *Stanko II*. Additionally, the issues arising in this direct appeal, *Stanko II*, arise from a completely different trial record and involve a different victim. Furthermore, Mr. Savitz is no longer head of the Office of Appellate Defense; Mr. Dudek is.

The Motion For Appointment of Substitute [Appellate] Counsel should be denied.

Respectfully submitted,

HENRY D. McMASTER  
Attorney General

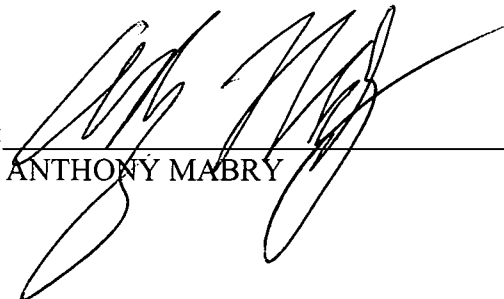
JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Assistant Deputy Attorney General

J. ANTHONY MABRY  
Assistant Attorney General

**ATTORNEYS FOR RESPONDENT**

By:

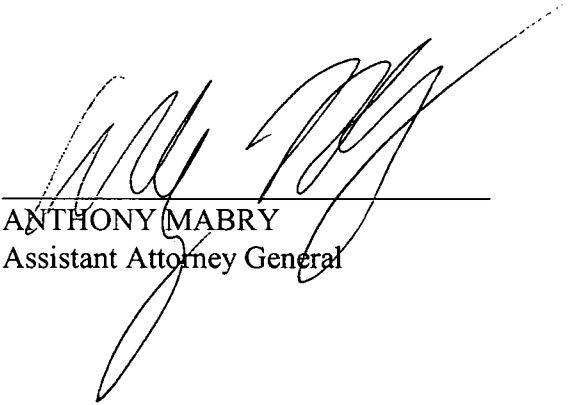
  
ANTHONY MABRY

P.O. Box 11549  
Columbia, SC 29211

January 28, 2011

**CERTIFICATE FOR SERVICE**

I, **Anthony Mabry**, hereby certify that I have served the *Return to Motion for Appointment of Substitute Counsel* in the foregoing action by depositing copies in the InterAgency Mail to Robert M. Dudek, Chief Attorney, Division of Appellate Defense, 1330 Lady Street, Suite 401, Columbia, SC 29201 this 28<sup>th</sup> day of January, 2011.



---

ANTHONY MABRY  
Assistant Attorney General

**RECEIVED**

JAN 28 2011

**S.C. Supreme Court**



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

February 2, 2011

**RECEIVED**  
FEB - 2 2011  
S.C. Supreme Court

The Honorable Daniel E. Shearouse  
Clerk, S.C. Supreme Court  
PO Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Christopher Stanko

Dear Mr. Shearouse:

Enclosed are an original and six copies of the Return to Motion for Appointment of Outside Counsel in the above-captioned case. Thank you for your assistance in this matter.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD/cms

Enclosure

cc: Donald J. Zelenka, Esquire  
Mr. Stephen Christopher Stanko

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

APPEAL FROM Horry County  
Court of General Sessions

---

Steven H. John, Circuit Court Judge  
November 16, 2009 (Guilty Phase) November 19, 2009 (Sentencing)

---

THE STATE,

Respondent

v.

STEPHEN CHRISTOPHER STANKO,

Appellant

RECEIVED

---

MOTION FOR APPOINTMENT OF  
SUBSTITUTE COUNSEL

---

JAN 20 2011

S.C. SUPREME COURT

COMES NOW THE APPELLANT, who makes this Motion for Appointment of Substitute Counsel before this Most Honorable Court, thereby relieving current counsel, South Carolina Commission on Indigent Defense (SCCID), in the above-referenced appeal.

The Appellant herein states that a Conflict of Interests now exists in this matter which both warrants and mandates said Appointment of Substitute Counsel in the interest of justice and fundamental fairness.

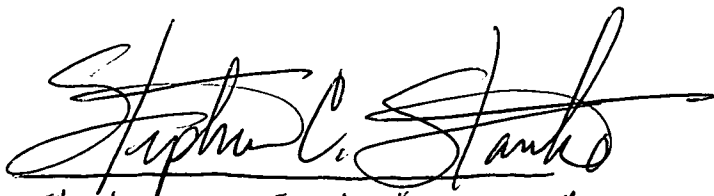
In support of said Motion, the Appellant submits the following:

- (1) This case (hereafter "STANKO II") is the second of two (2) capital litigations brought by the State against the Appellant. The first (STANKO I) was in Georgetown County and brought before this Most Honorable Court on appeal. The result was an opinion of February 25, 2008, rehearing denied March 19, 2008;
- (2) The Appellant was represented by the SCCID in STANKO I;
- (3) In multiple telephonic and written communication between the Appellant and SCCID, specifically Joseph L. Savitz, III and Katherine H. Hudgins, the Appellant made specific requests of counsel to present certain issues preserved via motion and/or objection at trial surrounding the defense of insanity which was presented at trial. Subsequent to all of the communications, counsel failed to present said issues;
- (4) The Appellant filed a MOTION TO SUPPLEMENT BRIEF OF APPELLANT with REQUEST FOR EXTENSION in said appeal (STANKO I) which was given "no action" per the June 28, 2007 letter of the CLERK;
- (5) This Court denied STANKO I on February 25, 2008, rehearing denied March 19, 2008;
- (6) The Appellant subsequently filed a Post Conviction Relief Application (PCR 2008-CP-22-1446) in the Georgetown County Court of Common Pleas;
- (7) Included in the Appellant's allegations of said PCR are issues alleging the SCCID's ineffectiveness in failure to present numerous issues, failure to argue the Court's wrongful denial

- of extensions routinely granted to every other capital case litigant, and failure to give the Appellant a complete appeal and true one-bite at the apple in this case;
- (8) In the current case on appeal (STANKOFF), the Appellant will be seeking presentment of the same issues currently under dispute, as the insanity defense presented in both trials were essentially identical; and
- (9) With existing PCR matters at issue, an obvious conflict now exists.

THESE FACTS AND ISSUES PRESENTED, the Appellant herein respectfully MOTIONS FOR APPOINTMENT OF SUBSTITUTE COUNSEL in the above-referenced case.

IT IS SO MOTIONED.



Stephen C. Stanko #6022 - APPELLANT  
Lieber C.I.

P.O. Box 205 (RB #218)

Ridgerville, S.C. 29472

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

APPEAL FROM HORRY COUNTY  
Court of General Sessions

---

Steven H. John, Circuit Court Judge  
Nov. 16, 2009 (Litt Phase) Nov. 19, 2009 (Sentencing)

---

The State,	v.	Respondent
Stephen L. Stanko,		Appellant

---

CERTIFICATE OF SERVICE

---

This is to certify that I have this 17<sup>th</sup> of ~~December~~<sup>January</sup>, 2010, deposited in the U.S. Postal Service one copy of the MOTION FOR APPOINTMENT OF SUBSTITUTE COUNSEL in the above case with postage prepaid and addressed to each of the following:

Chief Attorney Joseph L. Savitz, III  
SCLID  
P.O. Box 11589  
Columbia, S.C. 29211

Office of Attorney General  
Asst. Dep. Atty Gen. Zelenka  
P.O. Box 11549  
Columbia, S.C. 29211

Page 2 of MOTION FOR APPOINTMENT'S CERTIFICATE OF SERVICE

Proper CERTIFICATE OF SERVICE has been made as stated above.

Stephen C. Stanko

Stephen C. Stanko #6022

Lieber C.I.

P.O. Box 205 (RB #218)

Ridgerville, S.C. 29472

Dated: ~~December~~ 17<sup>th</sup>, 2010  
January



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

 ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

February 15, 2011

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

RECEIVED

FEB 15 2011

S.C. Supreme Court

Dear Mr. Shearouse:

The following case falls under the 60 day rule for appeals, and the date we received the transcript is listed to the side.

The State v. Steven Christopher Stanko

1/25/2011

I would appreciate you setting our time limits, and if you need additional information, or have any questions, please contact me.

Thank you for your assistance in this matter.

Sincerely,

Lauren E. Cruse  
Legal Assistant

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Stephen Christopher Stanko,

Appellant.

The Honorable Steven H. John  
Horry County  
Trial Court Case No. 2005-GS-22-00918

---

## ORDER

---

For good cause having been shown, the time for the South Carolina Commission on Indigent Defense to serve and file a Return to the Motion for Appointment of Substitute Counsel in the above entitled matter is hereby extended until February 2, 2011.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY *Brenda J. Shealy*  
CLERK

*Chief Deputy*

Columbia, South Carolina

February 1, 2011

cc: Chief Appellate Defender Robert M. Dudek  
Mr. Stephen Christopher Stanko, #6022  
Assistant Deputy Attorney General Donald J. Zelenka



ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

January 31, 2011

RECEIVED

JAN 31 2011

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

S.C. Supreme Court

Re: State of South Carolina v. Stephen Christopher Stanko

Dear Mr. Shearouse:

The return to motion for appointment of substitute counsel in the above-referenced case is due to be served and filed today. Because of my present workload, I respectfully request a **two-day** extension, until **February 2, 2011**, of this deadline. Counsel is still fact checking in this case. No prior extensions have been requested in this case.

By copy of this letter, I am informing Donald J. Zelenka, Esquire, of the Office of the Attorney General, of this extension request.

Thanking you for your cooperation and assistance in this matter.

Sincerely,

Robert M. Dudek  
Chief Appellate Defender

RMD/kam

cc: Donald J. Zelenka



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

January 20, 2011

Mr. Stephen Christopher Stanko, #6022  
Lieber Correctional Institution  
P. O. Box 205  
Ridgeville, SC 29472

Re: The State v. Stanko, Stephen Christopher

Dear Mr. Stanko:

This will acknowledge receipt of your Motion for Appointment of Substitute Counsel in the above entitled matter.

By copy of this letter, the South Carolina Commission on Indigent Defense, Division of Appellate Defense and opposing counsel are requested to file an original and six (6) copies of a return to this motion no later than January 31, 2011, pursuant to Rule 240(e). Upon receipt of the returns, the matter will be taken under consideration and you will be notified as soon as action has been taken.

The time limits for perfecting the appeal will be held in abeyance pending the Court's decision.

Very truly yours,

*Daniel E. Shearouse*  
CLERK 55

DES/dmh

cc: Chief Appellate Defender Robert M. Dudek (w/copy of motion)  
Assistant Deputy Attorney General Donald J. Zelenka (w/copy of motion)



# The Supreme Court of South Carolina

( State  
(  
(  
(  
TITLE OF ( V. 2005GS220918  
CASE ( ( ( ( ( Steven Christopher Stanko  
(  
(

---

## Notice

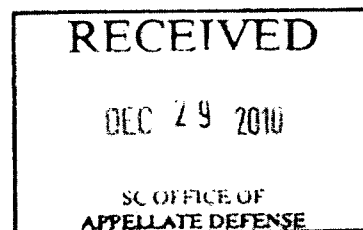
---

Upon request and for good cause shown, H. Eugene Buckner, Court Reporter, is hereby granted an extension up to and including January 23, 2011 to prepare and deliver the Transcript of Record in the above case.

*Desiree Allen*  
Court Services Manager  
South Carolina Court Administration

Columbia, South Carolina  
12/21/2010

cc: Division of Appellate Defense/L. Cruse  
Office of Attorney General  
H. Eugene Buckner





# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

January 6, 2011

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Mr. H. Eugene Buckner	12/23/10	Stephen Christopher Stanko

Trial Date: November 13, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office

RECEIVED

JAN 06 2011

S.C. Supreme Court

ORIGINAL



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

December 17, 2010

RECEIVED

DEC 17 2010

S.C. Supreme Court

The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Stanko (Capital Case)

Dear Mr. Shearouse:

This is to inform your office that we have received the following transcripts:

November 9, 2009	Received December 10, 2010
November 10, 2009	Received December 10, 2010
November 11, 2009	Received December 10, 2010
November 12, 2009	Received December 10, 2010
November 14, 2009	Received December 10, 2010
November 15, 2009	Received December 10, 2010
November 16, 2009	Received December 10, 2010
November 18, 2009	Received December 10, 2010
November 19, 2009	Received December 10, 2010

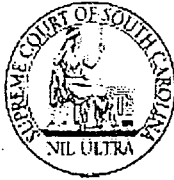
I will notify this Court when I receive the additional transcripts that were requested. Please contact me if you have any questions or require further information.

Sincerely,

Lauren E. Cruse  
Legal Assistant

:lec

cc: Donald J. Zelenka, Esquire



The Supreme Court of South Carolina

RECEIVED  
DEC - 2 2010  
S.C. Supreme Court

( State  
(  
(  
(  
TITLE OF ( V. 2005GS220918  
CASE ( ( ( ( ( Steven Christopher STanko  
(  
(

Notice

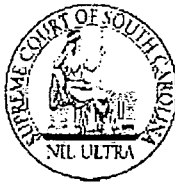
Upon request and for good cause shown, H. Eugene Buckner, Court Reporter, is hereby granted an extension up to and including December 23, 2010 to prepare and deliver the Transcript of Record in the above case.

*Desiree Allen*  
Court Services Manager  
South Carolina Court Administration

Columbia, South Carolina  
11/24/2010

cc: Division of Appellate Defense/L. Cruse  
Office of Attorney General  
H. Eugene Buckner

RECEIVED  
NOV 29 2010  
SC OFFICE OF  
APPELLATE DEFENSE



05-260

# The Supreme Court of South Carolina

( State  
 (  
 (  
 (  
 TITLE OF ( V. 2005GS2602927  
 CASE (  
 (  
 (  
 ( Stephen Christopher Stanko  
 (  
 (

**RECEIVED**

DEC - 2 2010

S.C. Supreme Court

**Notice**

Upon request and for good cause shown, Dixie Eubank, Court Reporter, is hereby granted an extension up to and including December 10, 2010 to prepare and deliver the Transcript of Record in the above case.

*Desiree Allen*  
 Court Services Manager  
 South Carolina Court Administration

Columbia, South Carolina  
11/18/2010

cc: Division of Appellate Defense  
Office of Attorney General  
Dixie Eubank

**RECEIVED**  
 NOV 29 2010  
 SC OFFICE OF  
 APPELLATE DEFENSE



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

November 17, 2010

RECEIVED

NOV 17 2010

S.C. Supreme Court

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	11/10/10	Stephen Christopher Stanko

Trial Date: November 17 and 18, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

November 17, 2010

**RECEIVED**

NOV 17 2010

**S.C. Supreme Court**

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	11/10/10	Stephen Christopher Stanko

Trial Date: November 9, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

November 17, 2010

**RECEIVED**

NOV 17 2010

S.C. Supreme Court

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	11/10/10	Stephen Christopher Stanko

Trial Date: November 15, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

November 17, 2010

**RECEIVED**

NOV 17 2010

**S.C. Supreme Court**

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	11/10/10	Stephen Christopher Stanko

Trial Date: November 4, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

November 17, 2010

**RECEIVED**

NOV 17 2010

**S.C. Supreme Court**

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	11/10/10	Stephen Christopher Stanko

Trial Date: October 23, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

November 17, 2010

**RECEIVED**

NOV 17 2010

**S.C. Supreme Court**

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	11/10/10	Stephen Christopher Stanko

Trial Date: November 10 - 13, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

November 17, 2010

**RECEIVED**

NOV 17 2010

**S.C. Supreme Court**

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	11/10/10	Stephen Christopher Stanko

Trial Date: February 5, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

November 17, 2010

**RECEIVED**

NOV 17 2010

**S.C. Supreme Court**

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Janet M. Rich	8/23/10	Stephen Christopher Stanko

Trial Date: August 30, 2007

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Lauren E. Cruse  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

SEP 23

S.C. SUPREME COURT

September 23, 2010

Mr. H. Eugene Buckner  
Circuit Court Reporter  
PO Box 1462  
Conway, SC 29528-1462

Dear Mr. Buckner:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 13, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

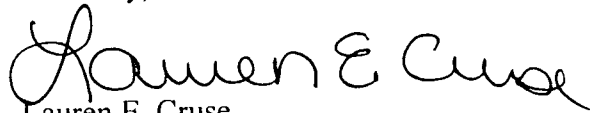
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Mr. H. Eugene Buckner  
September 23, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

  
Lauren E. Cruse  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office

Mr

**Lauren E. Cruse**

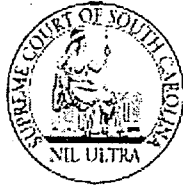
**From:** Lauren E. Cruse  
**Sent:** Wednesday, September 22, 2010 2:09 PM  
**To:** 'gbuckner@sccourts.org'  
**Subject:** FW: STATE V. STEPHEN CHRISTOPHER STANKO

Mr. Buckner:

My name is Lauren Cruse and I have replaced death penalty assistant Melinda Long at the South Carolina Commission on Indigent Defense, Appellate Division. I have received an email from Dixie C. Eubank notifying me that have ordered all of the trial transcripts in this case. However, she notified me that you transcribed November 13, 2009 as her replacement that day, and she understood that you have not received a request for that day from Melinda. Please accept this email as a formal request to order the transcript of that day of the trial. We will get a billing invoice in the mail for you today. Thank you,

*Lauren E. Cruse*

Legal Assistant  
South Carolina Commission on Indigent Defense  
Appellate Division  
1330 Lady Street, Suite 401  
PO Box 11589  
Columbia, South Carolina 29211  
Telephone: (803) 734-1330  
Fax: (803) 734-1397  
website: [www.sccid.sc.gov](http://www.sccid.sc.gov)



RECEIVED

SEP 22 2010

The Supreme Court of South Carolina

S.C. SUPREME COURT

( State  
 (  
 (  
 (  
 TITLE OF ( V. 2005GS2600918  
 CASE (  
 (  
 (  
 ( Stephen Christopher Stanko  
 (  
 (

---

Notice

---

Upon request and for good cause shown, Dixie Eubank, Court Reporter, is hereby granted an extension up to and including October 10, 2010 to prepare and deliver the Transcript of Record in the above case.

*Desiree Allen*  
 Court Services Manager  
 South Carolina Court Administration

Columbia, South Carolina  
 09/21/2010

cc: Division of Appellate Defense/M. Long  
 Office of Attorney General  
 Dixie Eubank

*Supreme Court - Debbie Hopkins*



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

September 9, 2010

RECEIVED

SEP - 9 2010

S.C. SUPREME COURT

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Janet M. Rich	8/23/10	Stephen Christopher Stanko

Trial Date: August 30, 2007

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

SEP - 9 2010

S.C. SUPREME COURT

September 9, 2010

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Pamela Ozment-Cartee	8/23/10	Stephen Christopher Stanko

Trial Date: May 2, 2007

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

September 9, 2010

RECEIVED

SEP - 9 2010

S.C. SUPREME COURT

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	8/10/10	Stephen Christopher Stanko

Trial Date: November 9, 2009

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1343  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

September 9, 2010

RECEIVED

SEP - 9 2010

S.C. SUPREME COURT

Ms. Desiree Allen  
S.C. Court Administration  
1015 Sumter Street, 2nd Floor  
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Dixie C. Eubank	8/10/10	Stephen Christopher Stanko

Trial Date: ber 15, 2009  
*November*

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

*Melinda W. Long*  
Melinda W. Long  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

**ORIGINAL**

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

August 16, 2010

**RECEIVED**

AUG 16 2010

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Stanko (Capital Case)

Dear Mr. Shearouse:

This is just to inform your office that we have received the following transcripts:

March 4, 2009	Received August 10, 2010
August 24, 2009	Received August 10, 2010
October 8, 2009	Received August 10, 2010
October 30, 2009	Received August 10, 2010
November 4, 2009	Received August 10, 2010
November 6, 2009	Received August 10, 2010

I will let you know when I receive the other transcripts that were requested. Please contact me if you have any questions or need any other information.

Sincerely,

Melinda W. Long  
Legal Assistant

/mwl

cc: Donald J. Zelenka, Esquire



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

June 24, 2010

RECEIVED

JUN 24 2010

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Stanko (capital case)

Dear Mr. Shearouse:

I ordered the May 2, 2007, August 30, 2007, and February 5, 2009 hearings in the above-captioned death penalty case from court reporter Dixie Cox Eubanks on April 9, 2010. On June 20, 2010 I received an email from Ms. Eubanks stating that she did not have anything in her records for these days. Therefore, I contacted trial counsel Bill Diggs, who indicated, that the May 2, 2007 was before Judge Baxley in Conway and the August 30, 2007 was before the Honorable Stephen John. I have re-requested these hearings from the appropriate court reporters today based on this information. Dixie Eubanks also stated in her email that the February 5, 2009 was not placed on the record. I am waiting on William Diggs, trial counsel, to confirm that the February 5, 2009 hearing was not on the record. I have enclosed copies of the email and the transcript request with this letter for your records. I will keep the Court updated on the February 5, 2009 hearing.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Melinda W. Long  
Legal Assistant

/mwl

Enclosure

cc: William I. Diggs, Esquire



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

June 24, 2010

RECEIVED

JUN 24 2010

S.C. SUPREME COURT

Ms. Pamela Ozment-Cartee  
Circuit Court Reporter  
531 East Carolina Avenue  
Hartsville, SC 29550

Dear Ms. Ozment-Cartee:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: May 2, 2007

Presiding Judge: J. Michael Baxley

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

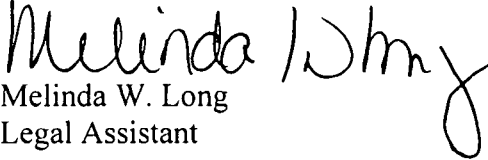
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Pamela Ozment-Cartee  
June 24, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

  
Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

June 24, 2010

Ms. Janet M. Rich  
Circuit Court Reporter  
1992 Downey Street  
Rock Hill, SC 29732

Dear Ms. Rich:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: August 30, 2007

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

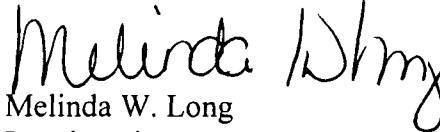
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Janet M. Rich  
June 24, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

  
Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office

**Melinda W. Long**

---

**From:** Eubank, Dixie C. [DEubanks@sccourts.org]  
**Sent:** Sunday, June 20, 2010 9:42 AM  
**To:** Melinda W. Long  
**Subject:** RE: STATE VS. STEPHEN C. STANKO

Melinda,

MAY 2, 2007: I have again looked at my index for the week of May 2, 2007 and have determined that I was with Judge John and there was nothing placed on the record in the above captioned case during that week of court with Judge John.

AUGUST 30, 2007: I have again looked at my index for the week of August 30, 2007 and have determined that I was not with Judge John, therefore, if this hearing was heard before Judge John you would need to check the State website to determine who was assigned to him. I do not know if he was even holding court that week.

FEBRUARY 5, 2009: I have again looked at my index for the week of February 5, 2009, and have determined that I was with Judge John and there was nothing placed on the record during that week of court with Judge John concerning this case.

If I can be of further help please let me know.

Thanks.

Dixie Cox Eubank  
Circuit Court Reporter  
15th Judicial Circuit  
Horry/Georgetown Counties

---

**From:** Melinda W. Long [MLong@sccid.sc.gov]  
**Sent:** Wednesday, June 16, 2010 12:10 PM  
**To:** Eubank, Dixie C.  
**Subject:** RE: STATE VS. STEPHEN C. STANKO

Dixie - - can you send me a letter stating that you did not take these hearings (May 2, 2007; August 30, 2007, and February 5, 2009). I emailed Bill Diggs regarding these hearings to see if anything was ever on the record.

Thanks,  
Melinda W. Long  
Legal Assistant

S.C. Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211

803-734-1330



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

 ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

May 12, 2010

RECEIVED

MAY 12 2010

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Stanko (capital case)

Dear Mr. Shearouse:

I ordered the August 30, 2007 hearing in the above-captioned death penalty case from court reporter Grace L. Hurley on April 9, 2010. Our information was that the hearing was held in Georgetown County before Judge Stephen John that day. On May 10, 2010 I received an email from Ms. Hurley stating that she did not have anything in her records for that day. Therefore, I contacted trial counsel Bill Diggs again, and he indicated that he thought the August 30, 2007 hearing was in Horry County before the Honorable J. Michael Baxley. I have re-requested this hearing from court reporter Dixie Eubanks today based on this information. I have enclosed copies of the email and the transcript request with this letter for your records.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Melinda W. Long  
Legal Assistant

/mwl  
Enclosure

**Melinda W. Long**

---

**From:** William Diggs [william.diggs@myrtlebeachlaw.com]  
**Sent:** Wednesday, May 12, 2010 6:43 AM  
**To:** Melinda W. Long  
**Subject:** RE: State v. Stephen Christopher Stanko

I can't confirm that it was on the record. My schedule notes that I have quick access to shows a status conference to address issues not covered by the Scheduling order. I am thinking it was in Conway in front of Judge Baxley. Does that make sense?

Bill Diggs  
843-626-4243

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

**From:** Melinda W. Long [mailto:MLong@sccid.sc.gov]  
**Sent:** Tuesday, May 11, 2010 4:13 PM  
**To:** William Diggs  
**Subject:** FW: State v. Stephen Christopher Stanko  
**Importance:** High

Can you tell me if the August 30, 2007 hearing was actually on the record?

Thanks,  
Melinda W. Long  
Legal Assistant

S.C. Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211

803-734-1330

[mlong@sccid.sc.gov](mailto:mlong@sccid.sc.gov)

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

**From:** Hurley, Grace L. [mailto:GHurley@sccourts.org]  
**Sent:** Monday, May 10, 2010 11:38 AM  
**To:** Melinda W. Long  
**Subject:** State v. Stephen Christopher Stanko  
**Importance:** High

I have reviewed my records and do not have anything taken in this case for the entire week:

State v. Stephen Christopher Stanko  
2005-GS-22-918  
August 30, 2007  
Georgetown County  
Honorable Steven H. John

If you could provide me with another possible date I will be more than happy to review my records.

Thanks,

Grace L. Hurley



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

May 12, 2010

MAY 12 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: August 30, 2007

Presiding Judge: J. Michael Baxley

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

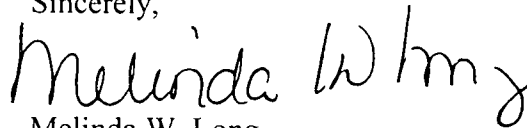
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
May 12, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W Long". The signature is written in a cursive, slightly slanted style.

Melinda W. Long  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 28, 2010

RECEIVED

APR 29 2010

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: The State v. Stephen Christopher Stanko (Capital Case)

Dear Mr. Shearouse:

This is just to inform your office that we have received the June 5, 2009 hearing from Court Reporter Brenda Babb on Tuesday, April 20, 2010.

I will let you know when I receive the other transcripts that were requested. Please contact me if you have any questions or need any other information.

Sincerely,

Melinda W. Long  
Legal Assistant

/mwl

cc: Donald J. Zelenka, Esquire



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 28, 2010

The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

RECEIVED

APR 29 2010

S.C. SUPREME COURT

Re: The State v. Stephen C. Stanko (Capital Case)

Dear Mr. Shearouse:

On April 5, 2010 we requested the transcript from the February 10, 2010 hearing. Attached is a letter from court reporter Linda McCall stating that she found no record of a hearing on February 10, 2010. After contacting trial attorney William "Bill" Diggs, he has confirmed that there was nothing on the record on February 10, 2010. I have attached a copy of the court reporter's letter that was sent to our office.

Please let me know if you have any questions.

Sincerely,

Melinda W. Long  
Legal Assistant

/mwl

Enclosure

cc: Donald J. Zelenka, Esquire



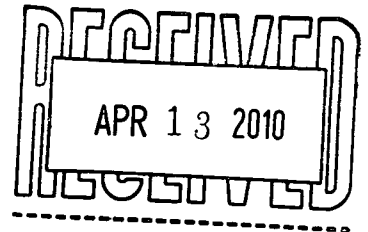
The Circuit Court of South Carolina  
Fifteenth Judicial Circuit

Linda W. McCall  
Circuit Court Reporter  
South Carolina Court Administration

Post Office Box 187  
North Myrtle Beach, S.C.  
(843) 361-4496

April 8, 2010

Melinda W. Long, Legal Assistant  
Division of Appellate Defense  
South Carolina Commission on Indigent Defense  
Post Office Box 11589  
Columbia, South Carolina 29211-1589



Re: Transcript Request - State of South Carolina  
v Stephen Christopher Stanko  
Indictment #: 05-GS-22-918 Date of Trial: 2/10/10  
Presiding Judge: Honorable Steven H. John

Dear Ms. Long:

This is to acknowledge receipt of your request for the above transcript. I was the court reporter for Judge John for the week including February 10, 2010, but after reviewing my notes, I find no proceedings on the record regarding the above referenced case.

If I can be of further assistance, please do not hesitate to contact me.

Very truly yours,

*Linda W. McCall*

Linda W. McCall  
Circuit Court Reporter

4/7/10

Pw

Bill Diggs there was  
NO hearing on this date.



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

APR 09 2010

S.C. SUPREME COURT

April 9, 2010

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 10 - 13, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

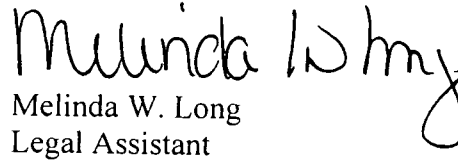
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 9, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

  
Melinda W. Long  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

APR 09 2010

April 9, 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 17 and 18, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

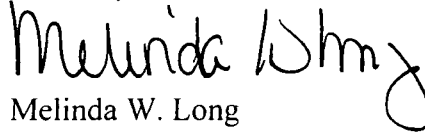
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 9, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looping "y" at the end.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 8, 2010

RECEIVED

APR 09 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: August 24, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

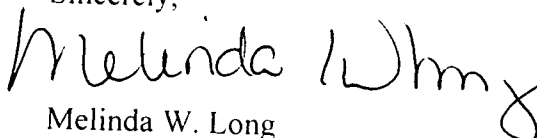
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, stylized initial "M".

Melinda W. Long  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 8, 2010

RECEIVED

APR 09 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: October 30, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looped "M" and a long, sweeping "y" at the end.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

April 8, 2010

APR 09 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 6, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

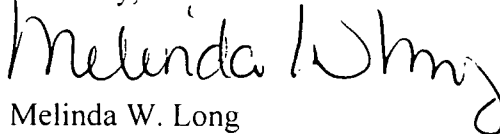
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looped "M" and a long, sweeping "L".

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 8, 2010

RECEIVED

APR 09 2010

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

S.C. SUPREME COURT

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: March 4, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

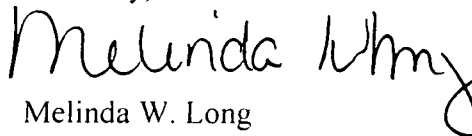
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive, flowing style.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

APR 09 2010

April 8, 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: February 5, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

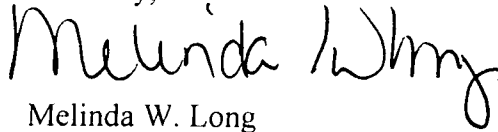
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looped "M" and a long, sweeping "y" at the end.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 8, 2010

RECEIVED

APR 09 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: May 2, 2007

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

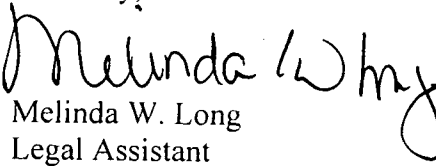
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Melinda W. Long". The signature is written in black ink and is positioned to the right of the typed name.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 8, 2010

RECEIVED

APR 09 2010

S.C. SUPREME COURT

Ms. Brenda R. Babb  
Circuit Court Reporter  
4668 River Road  
Little River, SC 29566-7927

Dear Ms. Babb:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: June 5, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

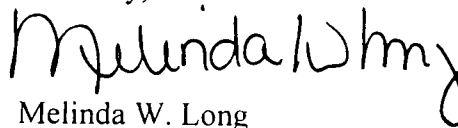
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Brenda R. Babb  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive, flowing style.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 8, 2010

RECEIVED

APR 09 2010

S.C. SUPREME COURT

Ms. Grace L. Hurley  
Circuit Court Reporter  
PO Box 30878  
Myrtle Beach, SC 29588

Dear Ms. Hurley:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Georgetown                      Date of Trial: August 30, 2007

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Grace L. Hurley  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looped "M" and "L".

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

APR 08 2010

S.C. SUPREME COURT

April 8, 2010

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 15, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 8, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looping "y" at the end.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 7, 2010

RECEIVED

APR 07 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko

Case #:

2005-GS-22-918

County: Horry

Date of Trial: October 8, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 7, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely, 1

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looping "L" and "W".

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 7, 2010

RECEIVED

APR 07 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko

Case #:

2005-GS-22-918

County: Horry

Date of Trial: October 23, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.


If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 7, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

  
Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

APR 07 2010

April 7, 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 4, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

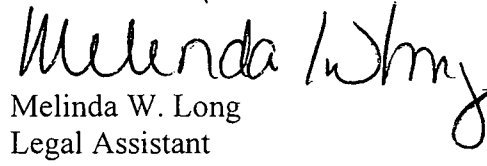
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 7, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

  
Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

APR 07 2010

S.C. SUPREME COURT

April 7, 2010

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 9, 2009

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

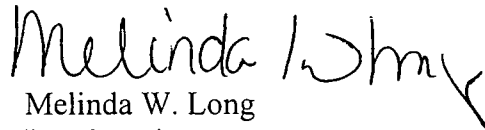
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 7, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive, slightly slanted style.

Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 5, 2010

RECEIVED

APR 05 2010

S.C. SUPREME COURT

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko                      Case #:                      2005-GS-22-918

County: Horry    Date of Trial: November 16, 2009 (Guilt Phase)

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 5, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

  
Melinda W. Long  
Legal Assistant

cc: S.C. Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

April 5, 2010

Ms. Dixie C. Eubank  
Circuit Court Reporter  
P O Box 2194  
Murrells Inlet, SC 29576-2194

RECEIVED

APR 05 2010

S.C. SUPREME COURT

Dear Ms. Eubank:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko

Case #:

2005-GS-22-918

County: horry

Date of Trial: November 19, 2009 (Sentencing Phase)

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

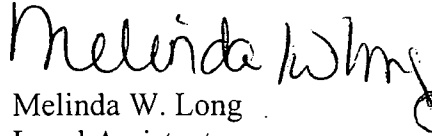
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Dixie C. Eubank  
April 5, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Melinda W. Long". The signature is written in black ink and is positioned to the right of the typed name.

Melinda W. Long  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office



Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender  
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

April 5, 2010

APR 05 2010

S.C. SUPREME COURT

Ms. Linda McCall  
Circuit Court Reporter  
PO Box 187  
North Myrtle Beach, SC 29597-0187

Dear Ms. McCall:

Our office has been requested to perfect the appeal arising out of:

The State v. Stephen Christopher Stanko

Case #:

2005-GS-22-918

County: Horry

Date of Trial: February 10, 2010 (Order denying post-trial motions)

Presiding Judge: Steven H. John

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

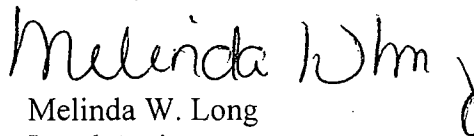
If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Ms. Linda McCall  
April 5, 2010  
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Melinda W. Long". The signature is written in a cursive style with a large, looped initial "M".

Melinda W. Long  
Legal Assistant

cc: S.C Supreme Court  
Attorney General's Office



State of South Carolina  
The Circuit Court of the Fifteenth Judicial Circuit

STEVEN H. JOHN  
RESIDENT JUDGE

1301 SECOND AVENUE, 3A30  
CONWAY, SOUTH CAROLINA 29526  
(843) 915-6696  
FAX: (843) 915-5859

March 19, 2010

The Supreme Court of South Carolina  
Daniel E. Shearouse, Clerk of Court  
P. O. Box 11330  
Columbia, South Carolina 29211

Re: *The State of South Carolina v. Stephen C. Stanko*  
Indictment # 2005-GS-26-2927

Dear Mr. Shearouse:

I have enclosed on the above referenced matter the Death Penalty Sentencing Report you requested.

With kindest personal regards, I remain

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steven H. John".

STEVEN H. JOHN  
Resident Circuit Judge  
Fifteenth Judicial Circuit

RECEIVED

MAR 23 2010

S.C. SUPREME COURT

SHJ/mc

Enclosures

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA,

vs.

STEPHEN C. STANKO,

Defendant.

## Death Penalty Sentencing Report

Indictment (s) 2005-GS-26-2927

A. Name of Trial Judge: Steven H. John

B. Name of Defendant Stephen C. Stanko

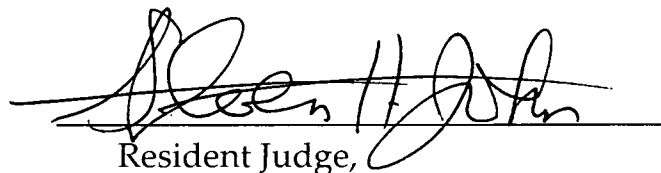
C. Names of Defense Attorneys: 1. William I. Diggs

2. Brana J. Williams

D. Date Sentenced: November 19, 2009

E. Aggravation circumstances(s) found or a copy of the verdict form is attached: See Attached.

1. The Murder was committed while in the commission of armed robbery.
2. The Murder was committed while in the commission of larceny with use of a deadly weapon.

  
Resident Judge,

March 19, 2010  
Conway, South Carolina

**RECEIVED**

MAR 23 2010

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
COUNTY OF HORRY

IN THE COURT OF GENERAL SESSIONS  
FIFTH JUDICIAL CIRCUIT  
2005-GS-26-2927

STATE OF SOUTH CAROLINA,

v.

STEPHEN C. STANKO,

Defendant.

**VERDICT FORM**

*Instructions: Mark the appropriate response to the following questions. Each response must be unanimous.*

**I. MURDER**

On the charge of Murder, we, the Jury, by unanimous consent find the Defendant Stephen C. Stanko (*Check only one of the following boxes*):

Not Guilty.

OR

Not Guilty by Reason of Insanity.

OR

Guilty But Mentally Ill.

OR

Guilty.

**PLEASE CONTINUE TO CHARGE II ON THE FOLLOWING PAGE.**

II. ARMED ROBBERY

On the charge of Armed Robbery, we, the Jury, by unanimous consent find the Defendant, Stephen C. Stanko (*Check only one of the following boxes*):

Not Guilty.

OR

Not Guilty by Reason of Insanity.

OR

Guilty But Mentally Ill.

OR

Guilty.

  
FOREPERSON'S SIGNATURE

November ~~11/16~~, 2009  
Conway, South Carolina

NOTE: WHEN THE JURY HAS REACHED A VERDICT, PLEASE KNOCK ON THE DOOR AND LET THE BAILIFF KNOW.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT  
2005-GS-26-2927

STATE OF SOUTH CAROLINA,

Plaintiff,

vs.

STEPHEN C. STANKO,

Defendant.

AGGRAVATING CIRCUMSTANCES

WE, THE JURY IN THE ABOVE ENTITLED CASE, FIND BEYOND A REASONABLE DOUBT

THE FOLLOWING STATUTORY AGGRAVATING CIRCUMSTANCE(S):

① The murder was committ while in the Commission of ~~larceny~~ <sup>Armed Robbery G.C.</sup> with use of

a Deadly Weapon. ② The murder was committed while in the commission of

Johnny Marvin Chestnut

FOREPERSON

Waverly Stanley

JUROR

Johnnie S. Jordan

JUROR

Stephens D. Williams

JUROR

Brandon Boyd

JUROR

Margaret M. Bartomeo

JUROR

Beverly Pitman

JUROR

[Signature]

JUROR

Terida C. Morrison

JUROR

[Signature]

JUROR

Bonnie O'Brien

JUROR

Jannie E. Bury

JUROR

11/19, 2009  
Conway, South Carolina

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Horry )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT  
2005-GS-26-2927

STATE OF SOUTH CAROLINA,

Plaintiff,

vs.

STEPHEN C. STANKO,

Defendant.

**RECOMMENDATION OF  
DEATH SENTENCE**

WE, THE JURY IN THE ABOVE ENTITLED CASE, HAVING FOUND BEYOND A  
REASONABLE DOUBT THE EXISTENCE OF THE FOLLOWING STATUTORY

AGGRAVATING CIRCUMSTANCE(S), TO WIT: <sup>①</sup>The murder was committed while in the  
commission of armed robbery. <sup>②</sup>The murder was committed while  
in the commission of larceny with use of a deadly weapon.

NOW RECOMMEND TO THE COURT THAT THE DEFENDANT, STEPHEN C. STANKO, BE  
SENTENCED TO DEATH.

Johnny Marvin Chester

FOREPERSON

Bruce Gunn

JUROR

Waverly Stanley

JUROR

Katherine Jordan

JUROR

Sept Williams

JUROR

Brandon Boyd

JUROR

Margaret M. Barton

JUROR

Beverly Pitman

JUROR

[Signature]

JUROR

Linda C. Morrison

JUROR

[Signature]

JUROR

James E. Dwyer

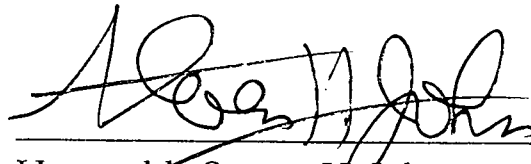
JUROR

11/19, 2009

Conway, South Carolina



11/19 the 12<sup>th</sup> day of February, 2010, between the hour of 1:00 o'clock in the forenoon thereof and the hour of 1:00 o'clock in the afternoon thereof, upon which day and between which hours you, the prisoner at the bar, Stephen C. Stanko, shall suffer death by Lethal Injection at the hands of the officers of the law and in the manner provided by the laws of the State of South Carolina. May God have mercy upon your soul.



Honorable Steven H. John  
Resident Circuit Judge  
Fifteenth Judicial Circuit

11/19/ 2009  
Conway, South Carolina

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT  
2005-GS-26-2927

STATE OF SOUTH CAROLINA,

Plaintiff,

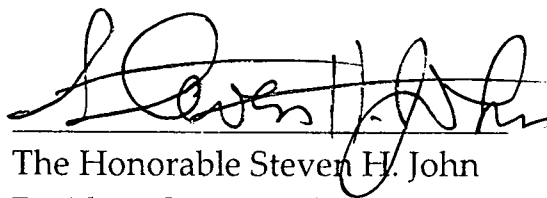
vs.

STEPHEN C. STANKO,

Defendant.

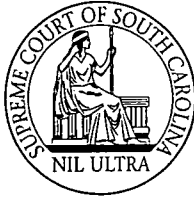
**AFFIRMATION OF DEATH SENTENCE**

As the trial judge in the above entitled action and prior to the imposition of the death sentence upon the Defendant Stephen C. Stanko, I find as an affirmative fact that the evidence of the case warrants the imposition of the death penalty. The jury found as aggravating circumstances: 1) robbery while armed with a deadly weapon; and 2) larceny with use of a deadly weapon, and I concur and so find those to be present in this case and were proved by the State beyond a reasonable doubt. I further find the imposition of the death penalty is not the result of passion, prejudice, or any other arbitrary factor.



The Honorable Steven H. John  
Resident Circuit Judge  
Fifteenth Judicial Circuit

November 19 2009  
Conway, South Carolina



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

March 18, 2010

The Honorable Steven H. John  
1301 Second Avenue,  
Suite 3A30  
Conway, SC 29526-5234

Re: The State v. Stanko, Stephen Christopher

Dear Judge John:

As you know, the trial judge must submit a Death Penalty Sentencing Report to the Supreme Court on all death penalty cases.

Enclosed you will find a copy of this report. Please complete this report and return it to this office at your earliest convenience.

Very truly yours,

CLERK

DES/dmh

Enclosure

RECEIVED  
MAR 17 2010  
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM HORRY COUNTY  
Court of General Sessions

Steven H. John, Circuit Court Judge  
Case No. 2005-GS-22-918

The State,

Respondent.

v.

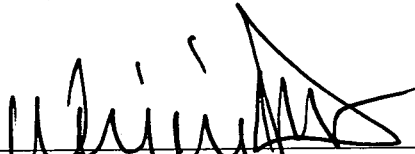
Stephen Christopher Stanko,

Appellant

**NOTICE OF INTENT TO APPEAL**

COMES NOW THE APPELLANT, by and through his undersigned counsel who would give notice of his intent to appeal the jury verdict rendered in his case on November 16, 2009 (guilt phase) and on November 19, 2009 (sentencing phase) in Horry County Court of General Sessions wherein he was sentenced to death by the Honorable Steven H. John, presiding Judge and the Order Denying Defendant's Post Trial Motions signed on February 10, 2010, filed on February 11, 2010 and received on March 15, 2010.

**WILLIAM ISAAC DIGGS  
ATTORNEY AT LAW**

  
\_\_\_\_\_  
1700 Oak Street, Suite D  
Myrtle Beach, SC 29577  
(843)-626-4243

Braná J. Williams  
1115 3<sup>rd</sup> Avenue  
Conway, SC 29526  
843-248-5100

**ATTORNEYS FOR THE APPELLANT**

Other Counsel of Record:

Greg Hembree  
Solicitor for the 15<sup>th</sup> judicial circuit  
Post Office Box 1276  
Conway, SC 29528

**ATTORNEY FOR THE RESPONDENT**

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

APPEAL FROM HORRY COUNTY  
Court of General Sessions

---

Steven H. John, Circuit Court Judge  
Case No. 2005-GS-22-918

---

The State,

Respondent.

v.

Stephen Christopher Stanko,

Appellant

---

CERTIFICATE OF SERVICE  
NOTICE OF APPEAL

---

This is to certify that I have this 15 day of March, 2010, deposited in the U.S. Postal Service one copy of the Appellant's Notice of Appeal in the above case with postage prepaid and addressed to opposing counsel at the following address:

J. Gregory Hembree, Solicitor  
PO Box 1276  
Conway, SC 29526

RECEIVED

MAR 17 2010

S.C. SUPREME COURT

Myrtle Beach, South Carolina

  
\_\_\_\_\_  
William Isaac Diggs

State of South Carolina  
Office of the Solicitor  
Fifteenth Judicial Circuit



Francis A. Humphries, Jr.  
Deputy Solicitor

REPLY TO

P.O. BOX 1276  
CONWAY, SC 29528  
843-915-5460  
FAX: 843-915-6461

Robert B. Bryan  
Deputy Solicitor

REPLY TO

P.O. BOX 1688  
GEORGETOWN, SC 29442  
843-545-3169  
FAX: 843-545-3268

J. GREGORY HEMBREE  
Solicitor

March 11, 2010

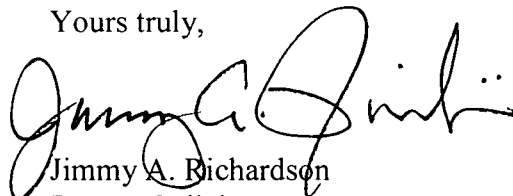
William I. Diggs, Esquire  
1700 Oak Street, Suite, Suite D  
Myrtle Beach, S. C. 29577

Re: **State vs. Stephen C Stanko**  
Murder (I742833)

Dear Mr. Diggs:

Enclosed please find a clocked copy of the Order Denying Defendant's Post-Trial Motions in the above referenced matter.

Yours truly,

  
Jimmy A. Richardson  
Deputy Solicitor

JAR/pgs  
Enclosure

RECEIVED  
MAR 17 2010  
S.C. SUPREME COURT

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )  
 )  
The State of South Carolina )  
 )  
v. )  
 )  
Stephen Christopher Stanko, )  
 )  
\_\_\_\_\_  
Defendant. )

COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT  
2005-GS-26-2927

**ORDER DENYING DEFENDANT'S  
POST TRIAL MOTIONS**

FILED  
HORRY COUNTY  
10 FEB 11 PM 2:19  
MELANIE HIGGINS-WARD  
CLERK OF COURT

This matter came before the Court upon the Post Trial Motions of Defendant Stephen Stanko. Stephen Christopher Stanko was found guilty regarding the Murder and Armed Robbery of Henry Lee Turner on November 15, 2009 by a Horry County jury. On November 19, 2009, that same jury deliberated during the sentencing phase and returned a recommendation of death. This Court then sentenced Stephen Christopher Stanko in accordance with the jury's finding.

The Defendant was represented by William Isaac Diggs and Brana J. Williams. The defense team has now presented to this Court their written post-trial motions. After reviewing the Motions and the contents of the Clerk's file, the Court respectfully denies Defendant's Post Trial Motions without further oral argument, pursuant to Rule 29, South Carolina Rules of Criminal Procedure.

**PRETRIAL**

As to Defendant's Motion re-asserting his Pretrial Motions regarding the constitutionality of S.C. Code Ann. Section 16-3-10, et. seq., and Section 17-24-10, those motions were orally argued on the record and this Court would continue to rely on its conclusion denying Defense Counsel's motions at oral arguments and would incorporate those findings in this Order.

As to Defendant's Motion requesting a new trial based on pretrial publicity, each juror was specifically questioned as to their knowledge of the case. Each potential juror gave the

1 of 3  
A.H.D.

Court and the attorneys the extent of their knowledge regarding Stephen Christopher Stanko. This Court examined each juror when presented with a Motion for a Change of Venue based on pretrial publicity. This Court relies on its reasoning during oral arguments and would incorporate those findings in this Order. In addition, the Court finds and continues to find that an impartial jury was impaneled in the above referenced trial.

As to Defendant's Motion that the Defendant was denied a fair and impartial jury because at least one juror had pretrial knowledge of the Defendant's prior conviction and sentence, each juror was questioned at length about his/her knowledge of the prior case by the Court, the defense team, and representatives from the State. Each juror stated under oath that he or she could be fair and impartial, that he or she could set aside any previous knowledge that he or she might have heard about this case, and that he or she would rely solely on the information received from witnesses and evidence presented in this courtroom to come to any decision. In addition, this Court relies on its reasoning during oral arguments. Furthermore, the Court sees no violation of the Sixth, Eighth or Fourteenth Amendments in the seating of the jury. This Court finds that this jury was fair, deliberate and impartial as impaneled. Therefore, this Motion is denied.

As to the Defendant's Motion that the Defendant's death sentence violates the Eight and Fourteenth Amendments because of juror issues, the Court continues to find that the jury, as impaneled, was fair and impartial. Therefore, the Court rejects Defendant's Motion and finds that neither the Eighth nor the Fourteenth Amendments were violated in this case.

#### **GUILT PHASE**

As to Defendant's Motion that the prosecution should have been required to present its evidence that the Defendant was sane in its case in chief, the Court denies the Defendant's

2013  
J.H.J.

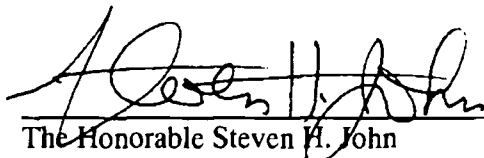
Motion. The laws and statutes of South Carolina are well settled on this issue. The Court also relies on its prior reasoning at oral arguments and incorporates those findings in this Order.

**SENTENCING PHASE**

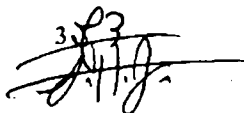
As to the Defendant's Motion for New Trial based on the State's introduction of Stephen C. Stanko's prior bad acts, this Court continues to find that this is relevant information and was proper to be introduced during the sentencing phase. Therefore, the Defendant's request for a new trial is denied.

This Court finds that the Defendant's death sentence does not violate state law or the state constitution. The evidence taken as a whole far exceeds that which is necessary when judged on a standard of beyond a reasonable doubt.

This Court further finds that the Defendant's death sentence does not violate the Eighth Amendment to the United States Constitution and was appropriately ordered in this case based on the facts and evidence in this case and the applicable law.

  
\_\_\_\_\_  
The Honorable Steven H. John  
Resident Judge  
Fifteenth Judicial Circuit

February 10, 2010  
Conway, South Carolina

3/23  




Law Offices of

WILLIAM ISAAC DIGGS

Licensed in NC & SC

Sup  
ct.

1700 Oak Street, Suite D  
Myrtle Beach, SC 29577

843.626.4243  
843.626.5123 Fax

www.MyrtleBeachLaw.com

March 15, 2010

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

Re: The State of South Carolina vs. Stephen C. Stanko  
Case No: 2005-GS-26-2927

Dear Mr. Shearouse:

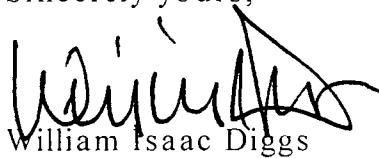
Enclosed for filing please find the original and two copies of the Appellant's Notice of Intent to Appeal in the above capital prosecution along with our Certificate of Service showing service on opposing counsel. Please note that defense counsel were court appointed in this case.

If you have any questions or require anything further, please don't hesitate to contact me.

**RECEIVED**

MAR 17 2010

Sincerely yours,



William Isaac Diggs

**S.C. SUPREME COURT**

WID/jn

cc: Greg Hembree, Solicitor  
Post Office Box 1276  
Conway, SC 29528

Joseph L. Savitz, Chief Attorney  
S.C. Office of Appellate Defense  
1205 Pendleton Street, Room 306  
Columbia, SC 29201

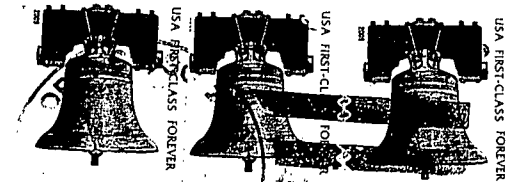
Brana Williams, Esquire



Law Offices of

**WILLIAM ISAAC DIGGS**

1700 Oak Street, Suite D  
Myrtle Beach, SC 29577



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