



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

October 6, 2020

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

RECEIVED

Oct 06 2020

SC Court of Appeals

Re: State of South Carolina v. Elizabeth Leanne Howze
Appellate Case No. 2019-002068

Dear Ms. Kitchings:

The initial brief of appellant and designation of matter for the above-captioned case were served and filed August 26, 2020. Yesterday, October 5, 2020, counsel for respondent emailed me and requested that I order a transcript from a pretrial hearing in this case held on October 18, 2019, which I was not previously aware of. Counsel for respondent reads pages 27 and 28 of appellant's trial transcript, dated November 5, 2019, as referring to another hearing necessary for this appeal. We have requested the transcript today and would ask that the time limits be held in abeyance pending receipt of it. Copies of the relevant pages of the November 5, 2019 transcript and our transcript request are attached. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Sarah E. Shipe
Appellate Defender

SES/hek

cc: Mark R. Farthing, Esquire

1 THE COURT: High tech. All right. So you have
2 your check or your debit card, get a work excuse today
3 if you you need it. With that debit card they you
4 gave you might be able to buy happy meal at
5 McDonald's. I don't know what's on it. The truth of
6 the matter is, you can not be compensated adequately
7 for what your service is worth.

8 So thank you again for being here this morning.
9 You all have a nice rest of the week and again if you
10 you see any of the other jurors don't tell them I
11 released you for the week. You all have a nice day.

12 (WHEREUPON, the jury panel leaves.)

13 THE COURT: Do you all have a probation matter?

14 MS. EASLER: We do but he ran back to the office.
15 We'd be happy to take up our pretrial matters.

16 THE COURT: Okay. Yes.

17 MR FRICK: For the record, obviously, my client is
18 is not sitting beside me. I will, as an officer of
19 the court let the Court know -- and we discussed this
20 in chambers -- she was on the trial list for the last
21 term of Court. She advised me that she was going to
22 retain counsel. To my knowledge has not done so up
23 until this time. She was advised on the record in
24 front of the judge in open court that she would be
25 first up for trial for this term of Court. She was

1 also I believe told by probation. She had a probation
2 matter to be here this week. My office has attempted
3 to get her in to talk with her to no avail. So, I
4 would -- I understand we picked the jury at this
5 point. I would ask the Court to consider delaying the
6 case and just simply issuing a bench warrant and see
7 if I can discuss the matters further with my client.

8 THE COURT: Solicitor.

9 MS. EASLER: Your Honor, last term of court which
10 was in October we made Miss Howze a plea offer which
11 she rejected. We put it on the record that she
12 rejected it and that she would be first up for trial
13 this term of Court which is November. She was made
14 aware. She did state she wanted to obtain counsel,
15 private counsel. I did speak to the private counsel
16 she was supposedly going to obtain. He said he never
17 heard of her. Never even made an appointment. I did
18 this at least two times. I would ask that we proceed
19 in her absence. She is clearly not here and was
20 clearly notified by multiple people that she was
21 suppose to be here today.

22 THE COURT: Was she notified that she would be
23 tried in her absence if she failed to appeal.

24 MS. EASLER: I believe it's stated in her bond
25 record.



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October 06, 2020

Mr. Michael Cary Watkins
Circuit Court Reporter
5116 Cressingham Drive
Indian Land, SC 29707

RECEIVED
Oct 06 2020
SC Court of Appeals

Dear Mr. Watkins:

Please provide us with the following transcript:
The State v. Elizabeth Leanne Howze

Case #: 2019-GS-12-00661 &
2019-GS-12-00662

Appellate Case No. 2019-002068
County: Chester
Presiding Judge: R. Lawton McIntosh

Date of Trial: October 18, 2019

Pursuant to the SC Court Reporter's Manual, please number the lines on the paper from 1-25 and include any and all recorded motions (pretrial and post-trial). Consecutive numbering of pages must be used throughout all volumes regardless of the number of volumes involved. Additionally, please transcribe the **jury selection** and the State and defense counsel's **opening and closing arguments** and include the **jury strike sheet**. Please be sure to include **headers** and a **complete index** including a **listing of exhibits**. **Please, do not include keyword indexing.**

If you are aware of any co-defendants, additional transcripts, or if the Attorney General's Office has already requested a transcript, please let us know.

SCCID **prefers** that all transcripts are sent via **certified mail**. If you choose to send transcripts electronically, you must use the SC Department of Technology's file transfer service at <https://scfiledrop.sc.gov>. New users click the register button to sign up for the service. For assistance with registration or passwords, contact the SC Department of Technology Service Center at 803-896-0001, option 2.

To ensure prompt payment, please sign and complete the enclosed form and include the original criminal case number (indictment number) where the space is provided.

Sincerely,

Haley Kellner
Administrative Assistant

cc: S. C. Court of Appeals
Attorney General's Office
S. C. Court Administration