

John Garvin
Lieber Correctional Institution
136 Wilborn Avenue
Ridgeville, S.C. 29472

RECEIVED

May 19 2021

S.C. SUPREME COURT

ATTN: Hon. Daniel E. Shearouse, Clerk
The South Carolina Supreme Court
1231 Gervais Street
Columbia, S.C. 29201

RE: John Garvin v. State, 2020-001418, Motion for Request to Listen to Audio Recordings and to Read Steno Notes, pursuant to Rule – 607(i), SCACR

Dear Hon. Clerk Shearouse:

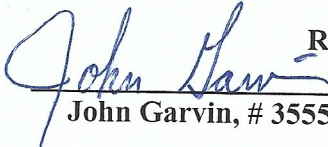
Per Chief Justice Beatty's March 9, 2021, signed order. I am notifying this court that I have written Court Reporter, Linda D. Moffitt, that I had received my PCR transcript from Appellant Defense on February 8, 2021, via Lieber Correctional Institution's internal mail staff. Whereas her transcription of my July 19th, and July 31st, 2019, PCR hearing was not a true, accurate, and complete transcription of my PCR hearing. I have requested from her the audio recording to listen to and correct the transcript errors, pursuant to Rule – 60(a), SCRPC and Rule – 607(i), SCACR.

Enclosed with this letter is a copy of the letter that I have sent to her with her response to that letter, and a Motion for Request to Listen to Audio Recordings and to Read Steno Notes with supporting affidavits and Memorandum of Law and a Certificate of Service that is to be filed in the South Carolina Supreme Court.

By copy of this letter, I am informing the Respondent, the Hon. J. Derham Cole, Chief Admin. Judge, and Desiree Allen, Court Reporter Manager, of my filing of this motion. **This is my third attempt at trying to file this motion before this court.**

I thank you for your cooperation and assistance in this matter.

Dated: May 19, 2021

 Respectfully,
John Garvin, # 355509, Pro-se.

JG/bg

Enclosure

cc.: Johnny E. James, Jr., Asst. Att'y. General
Karama T. Bailey, Deputy Director, Court Reporter/Court Interpreting
Hon. J. Derham Cole, Chief Admin. Judge
Hon. Amy Cox, Spartanburg County Clerk of Court

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May 19 2021

S.C. SUPREME COURT

ATTN: Ms. Linda D. Moffitt, Cir. Ct. Rptr.
800 Belcher Road
Spartanburg, S.C. 29316

RE: John Garvin v. State, Case No.: 2015-CP-42-4699, Requesting Audio Recording of PCR Hearing to Challenge Accuracy of PCR Transcript Due to Errors, Pursuant to Rule – 607(i), SCACR.

Dear Ms. Moffitt:

On February 8, 2021, I received my PCR transcript from Appellant Defense via Lieber Correctional Institution's internal mail staff. I write this letter in regards to challenging the accuracy of your transcription of my July 19th, and July 31st, 2019, Post-Conviction Relief (PCR) hearing that you transcribed.

Whereas, your transcription of my PCR hearing for the above-mention dates, is not a true, accurate, and complete transcription of my PCR hearing. The transcribed portions of the PCR hearing, by you are distorted and omits certain key testimony of Scott D. Robinson, Esquire; Asst. Solicitor, James E. Hunter; Spartanburg County Sheriff Officer, Lt. Ken Hancock; Matt Hutchins; and SLED Agent, Ashley Asbill, that are substantial and significant alterations and omissions to the testimony giving by the aforementioned witnesses at the PCR hearing.

The omissions distort the facts within your transcription of the PCR hearing transcript, which deprives me of a statutory "right to produce witnesses and proofs in [my] favor," pursuant to S.C. Code Ann. § 17-23-60, your transcription specifically prejudices my ability to perfect my appeal and to prove that my constitutional rights were violated on my issues that I presented at that PCR hearing.

Now, due to the transcript errors within my PCR transcript. I am asking that you send me the audio recording and your steno notes of my July 19th, and 31st, 2019, PCR hearing, to correct the transcript errors, pursuant to Rule – 60(a), SCRCP and Rule – 607(i), SCACR.

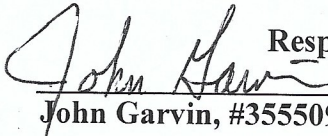
In addition, I also would like to know why I did not receive any notice of the request for the PCR transcript or any correspondences between you and the Respondents, concerning the transcription of the July 19th, and 31st, 2019, PCR hearing, pursuant to Rule – 207(a)(1) and Rule – 607(b), SCACR.

Because the failure of you and the Respondent to put me on notice of a request for the transcript, deprives me of notice and opportunity to object to the accuracy of the PCR transcript.

By copy of this letter, I am informing William H. Ray, Esquire, of the Office of the S.C. State Attorney General; the Court Reporter Manager, Desiree Allen; and Daniel E. Shearouse, Clerk of South Carolina Supreme Court, of my position to challenge the accuracy of my PCR hearing transcript.

I thank you for your cooperation and assistance in this matter.

Dated: March 18, 2021

 Respectfully,
John Garvin, #355509, Pro-se

JG/

cc: William H. Ray, Asst. Att'y. General
Hon. Daniel E. Shearouse, Clerk of S.C. Supreme Court
Desiree Allen, Court Reporter Manager

LINDA D. MOFFITT
Circuit Court Reporter
800 Belcher Road
Spartanburg, SC 29316

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May 19 2021

S.C. SUPREME COURT

April 4, 2021

John Garvin
Lieber Correctional Institution
136 Wilborn Avenue
Ridgeville, SC 29472

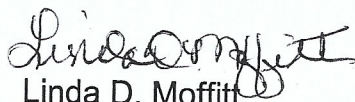
Dear Mr. Garvin:

In reference to your letter stating the transcript of your hearing is not a true, accurate and complete transcript, you will need to contact Karama Bailey at the Office of Court Administration.

As for your question concerning the request for the PCR transcript or correspondence, you would need to contact Johnny James in the Attorney General's office as to why he wouldn't have notified you.

Thank you.

Sincerely yours,


Linda D. Moffitt
Circuit Court Reporter

cc: Karama T. Bailey, Esquire
Office of Court Administration