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Feb 02 2022

SC Court of Appeals

31 January 2022

Alan Nix
1401 Densmore Circle
Mount Pleasant, SC 29466

Ms. Jennie Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201
FAX: 803-734-1739

RE: Appellate Case Number 2022-000064
Case Numbers: 2021-A10-10200444, 2021-A10-10200475, 2021-A10-10200476, 2021-A10-10200476 2021-GS10-02599, 2018-CP-10-03315

The State of South Carolina, Charleston County, Charleston County Public Defender Corporation, "Churchill Park", Churchill Park at Parkwest, Inc., Churchill Park Homeowners' Association, Inc., David Brown and Catherine Brown v Alan Nix

Ms. Abbott Kitchings,

Please find enclosed an order dated 10 /12 November 2021 which I assume is the missing order from this appeal for 12 November 2021.

Opposing counsel (Charleston County Public Defender Corporation, The State of South Carolina and the Charleston County Solicitor Office) still has not provided me with a copy of the order from the 7 January 2022 hearing. Consequently, a motion for a subpoena from the Court of Appeals to compel production of that order for use in this appeal has been sent to the Court to remedy this issue as soon as is possible.

Please also be advised that the motion to the SC Supreme Court to certify this appeal in the Supreme Court's jurisdiction will also be filed by the end of the week.

Thank you for your assistance.

Best regards,



Alan Nix

cc.

- Troy Thames for David and Catherine Brown
- Alan Wilson for The State of South Carolina
- Kevin Mims for "Churchill Park", Churchill Park at Parkwest, Inc., Churchill Park Homeowners' Association, Inc., c.
- Scarlett Wilson for Charleston County Solicitor Office / The State of South Carolina
- Ashley Pennington for– Charleston County Public Defender Corporation
- Herverly Young for Charleston County Public Defender Corporation
- Natalie Ham for Charleston County

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

vs.

ALAN GREGORY NIX,

Defendant

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT

) Warrant No(s): 2021A1010200444;
) 2021A1010200475

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) EX PARTE ORDER AUTHORIZING FUNDS
) FOR TRANSCRIPTION SERVICES

UPON PETITION of the Public Defender of Charleston County, in an *ex-parte* proceeding as authorized by South Carolina Code of Laws, § 17-3-50 (1976 as amended), Counsel for the Defendant requests that the Court approve the expenditure of funds for the purpose of transcribing the preliminary hearing to assist with the preparation and investigation of the Defendant's case.

UPON MOTION of Benjamin A. Mack stating, that in order to prepare and present a proper defense for the above-named Defendant, it is necessary to retain transcription services, it is hereby:

ORDERED, ADJUDGED AND DECREED that said Defendant is entitled to retain the services of a transcription service, the services of which expert shall be paid for by the State of South Carolina; and, it is further:

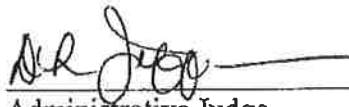
ORDERED, ADJUDGED AND DECREED that said evidence shall be examine and evaluated by, that said evidence shall be transcribed by Always on Time Transcription service. The cost of these services shall not exceed Two Hundred Fifty and no/ 100 (\$250.00) Dollars without further order of this Court.

IT IS FURTHER ORDERED that this Order shall be *sealed* with copies provided to defense counsel for the processing of appropriate vouchers.

IT IS SO ORDERED.

Charleston, South Carolina

Dated: 11/10/2021



Administrative Judge
Ninth Judicial Circuit

BY _____
JULIE J. ARMSTRONG
CLERK OF COURT

2021 NOV 12 AM 9:17

FILED

ATTEST: A TRUE COPY
JULIE J. ARMSTRONG (SEAL)
CLERK C.P., G.S. & F.C.

By _____
DEPUTY CLERK

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

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SC Court of Appeals

**APPEAL FROM CHARLESTON COUNTY
Court of General Sessions and Common Pleas**

**The Honorable Ferrell Cothran, Circuit Judge,
The Honorable Maite Murphy, Circuit Judge
and
The Honorable Unknown 12 Nov 2021 Sealed Order Judge**

**Case No(s). 2021-A10-10200444
2021-A10-10200475
2021-A10-10200476
2021-GS10-02599
2018-CP-10-03315**

Appellate Case No. 2022-000064

Alan Nix,

Appellant,

v.

**The State of South Carolina, Charleston County,
Charleston County Public Defender Corporation, "Churchill
Park", Churchill Park at Parkwest, Inc., Churchill Park
Homeowners' Association, Inc., David Brown, and Catherine
Brown**

Respondents,

PROOF OF SERVICE

The undersigned certifies that a copy of Appellant response to deficiency letter for sealed order of 12 November 2021 and 7 January 2022 has been served upon the individuals listed below by hand delivering or mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown, this 1st day of January February 2022 to:

Julie Armstrong
Clerk of Court, Charleston County
100 Broad St.
Charleston, SC 29401

Alan Wilson
SC Attorney General
1000 Assembly St.
Columbia, SC 29201
(Attorney for The State of South Carolina)

Troy Thames
Wilson, Jones, Carter & Baxley
4922 O'hear Ave
North Charleston, SC 29405
(Auto Owners Insurance Co. paying for
(David and Catherine Brown)

Natalie Ham
Charleston County Attorney
4045 Bridge View Dr.
Charleston, SC 29405
(Attorney for Charleston County)

Herverly Young
S.C Commission on Indigent Defense
1330 Lady St., Ste. 401
Columbia SC 29201
(possibly attorney for Charleston County
Public Defender Corporation)

Charleston County Public Defender Corp
Attn: Ashley Pennington
101 Meeting St.
Charleston, SC 29401
(Attorney for Charleston County Public
Defender Corporation)

Kevin Mims
Luzuriaga Mims
1156 King St.
Charleston, SC 29403
(Auto Owners Insurance Co. paying for
"Churchill Park", Churchill Park at
Parkwest, Inc., Churchill Park Homeowners'
Association, Inc.)

Scarlett Wilson
Charleston County Solicitor Office
101 Meeting St.
Charleston, SC 29401

Dated: January 31, 2022

Respectfully submitted,

By: Alan Nix

Alan G. Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991.4170