

ELIZABETH P. WIYGUL
ATTORNEY AT LAW

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May 13, 2013
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101 Whitsett Street
Greenville, SC 29601

May 13, 2013

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

RE: In the Matter of the Care and Treatment of James A. Miller, Appellant
Case No. 2008-CP-23-02449

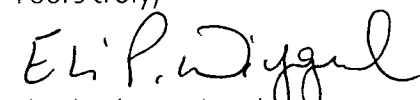
Dear Ms. Kitchings:

I am in receipt of an Order signed by Judge Few dated May 9, 2013 denying my motion to be relieved relative to this appeal. In light of that denial, I would like to make the following requests:

- 1) Could this Court please appoint me via 608- to represent Mr. Miller relative to his appeal so that I may submit a voucher for payment to the State at the close of the case and back-date this Order to the date on which the Notice of Appeal was filed? My prior Order of Appointment was only relative to his annual treatment review hearing in the Court of Common Pleas (at least, this is how it has been explained to me previously by the Office of Indigent Defense)? [Proposed Order enclosed]
- 2) Could this Court please review and sign the enclosed proposed ex-parte Order pre-approving funds to pay for the transcript in this case? Also enclosed please find a copy of the e-mail from the court reporter with an estimate of that cost. It is my understanding that if this Order is not signed prior to my payment to the court reporter, then I will not be reimbursed by the State for this cost.
- 3) Could this Court please grant a continuance in this matter to permit time for me to be appointed on the appellate case for OID purposes and to receive an Order pre-approving payment of funds to the court reporter? I note that review of the transcript will be necessary for me to prepare a brief.

Thank you for considering these requests.

Yours truly,


Elizabeth P. Wiygul

Enclosures/EPW

cc: Debbie Shupe, Assistant Attorney General

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MAY 13 2013
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Case No. 2008-CP-23-2449

In The Matter Of The Care And Treatment Of
James A. Miller.....Appellant.

ORDER

Attorney Elizabeth P. Wiygul is hereby appointed to represent Appellant relative to this Appeal, such representation having begun on March 11, 2013.

Jenny Abbot Kitchings, Clerk

Columbia, South Carolina

May ___, 2013

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MAY 16 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Case No. 2008-CP-23-2449

In The Matter Of The Care And Treatment Of
James A. Miller.....Appellant.

ORDER

On or about March 11, 2013, this appeal was filed by Attorney Elizabeth P. Wiygul. It is reasonable and necessary that the transcript from the jury trial in this case be ordered so as to pursue this appeal. As evidenced by the attached Invoice/Estimate e-mail from the Court Reporter, the cost of producing that transcript with one copy for the Court will be approximately Five Hundred Twenty and 00/100^{ths} Dollars(\$520.00).

This amount appears reasonable and necessary and that amount is hereby pre-approved for payment by the Office of Indigent Defense without further Order of this Court;

Further, due to the unusual circumstances in this case¹ the Office of Indigent Defense is to immediately pay this amount upon receipt of this Order; and

IT IS SO ORDERED.

Jenny Abbot Kitchings, Clerk

Columbia, South Carolina

May ____, 2013

¹ The South Carolina Office of Appellate Defense is no longer available for appointment in appeals from Sexually Violent Predator Annual Review jury trials due to a lack of resources.



State v. James A. Miller

Johnson, Teresa B. <TJohnson@sccourts.org>
To: "eli.wiygul@gmail.com" <eli.wiygul@gmail.com>

Thu, Apr 25, 2013 at 1:36 PM

Hi Elizabeth,

The trial in this case was heard before Judge Verdin on February 19, 2013. It's approximately 160 pages. The cost would be approximately \$520.

Teresa B. Johnson
Circuit Court Reporter
P.O. Box 2812
Greenville, S.C. 29602

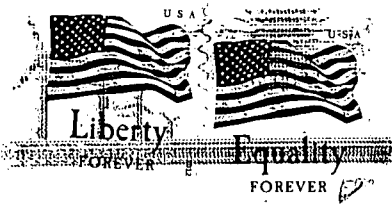


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