

**RECEIVED**  
**Oct 21 2022**  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM LANCASTER COUNTY  
Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

BREANTE DEON STEVENS,

APPELLANT.

APPELLATE CASE NO. 2022-000019

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**MOTION TO HOLD APPEAL IN ABEYANCE**

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Counsel for Breante Deon Stevens moves this Court for an Order holding this appeal in abeyance for the following reasons:

1. Beginning October 18, 2021, a two-week trial was held for Appellant and one co-defendant in Lancaster County before the Honorable Brian M. Gibbons, and a jury. The jury found Appellant guilty on five charges and Judge Gibbons sentenced him to fifty years' imprisonment. The co-defendant was acquitted. Luck Campbell, Melissa McGinnis and Randy Newman represented the State. Montrio Belton represented Appellant.

2. Counsel for Appellant reviewed the trial transcript and discovered pre-trial hearings were held one week before the trial in a different county. Judge Gibbons referenced the pre-trial hearings in the trial transcript. When Appellate Defense first received this case, trial counsel did not inform us of this pre-trial hearing.

3. Counsel for appellant has conferred with trial counsel who informs us that these hearings were on substantive matters necessary for evaluation of the appeal.

4. Counsel has ordered the missing transcript and a copy of the request to the court reporter is attached.

5. The initial brief of appellant and designation of matter are due on Wednesday, November 9, 2022. Counsel asks this Court to hold this deadline in abeyance pending receipt of the pre-trial transcripts.

6. Counsel for Appellant has conferred with William M. Blich, Jr., Esquire, from the Attorney General's Office and he does not oppose this motion.

WHEREFORE, the undersigned counsel would respectfully request this Court hold the deadlines in this case in abeyance until the transcripts are received.

Respectfully submitted,



David Alexander  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

ATTORNEY FOR APPELLANT

This 21st day of October, 2022.



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401

Columbia, South Carolina 29201-3332  
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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

October 21, 2022

Ms. Karen E. Ambroziak  
Circuit Court Reporter  
1701 Main Street  
Columbia, SC 29202

Dear Ms. Ambroziak:

Please provide us with the following transcript:

The State v. Breante Deon Stevens

Case #: 2020-GS-29-173, 2020-GS-29-175,  
2020-GS-29-182

Appellate Case No. 2022-000019

County: Fairfield

Date of Trial: October 13, 2021

Presiding Judge: Brian M. Gibbons

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,

s/Della White  
Administrative Coordinator

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

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to Hold Appeal in Abeyance in the above-referenced case has been served upon William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 21st day of October, 2022.



David Alexander  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

ATTORNEY FOR APPELLANT

**From:** [Matthews, Lindsey](#)  
**To:** [Wblitch@scag.gov](mailto:Wblitch@scag.gov)  
**Cc:** [Caroline Collins](#); [Alexander, David](#)  
**Subject:** 2022-000019 The State v. Breante Deon Stevens  
**Date:** Friday, October 21, 2022 11:21:00 AM  
**Attachments:** [2022-000019 The State v. Breante D. Stevens - Motion to Hold in Abeyance.pdf](#)

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Attached please find a copy of the Motion to Hold Appeal in Abeyance which will be filed with the Court of Appeal today in the above-referenced case.

Thank you.

Sincerely,  
Lindsey M. Matthews  
Administrative Assistant  
SC Commission on Indigent Defense  
Appellate Division  
1330 Lady Street, Suite 401  
P.O. Box 11589  
Columbia, SC 29201  
Phone: (803) 734-1330