

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

On Writ of Certiorari to Richland County
Honorable Jocelyn Newman, Circuit Court Judge
Appellate Case No. 2019-000141

ROBIN GRAY REESE,

Petitioner,

vs.

THE STATE OF SOUTH CAROLINA,

Respondent.

**MOTION REQUESTING POSTPONEMENT AND RESCHEDULING
OF ORAL ARGUMENT TO LATER DATE**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The above-referenced post-conviction relief appeal is currently pending before this Court and is presently scheduled for oral argument on May 2, 2023, at 10:00 a.m. in Courtroom I.

II.

In this appeal, the Brief of Petitioner was prepared by Appellate Defender Taylor D. Gilliam, and the Brief of Respondent was prepared by Senior Assistant Attorney General David Spencer. However, at present, Mr. Gilliam is no longer involved in the matter as he accepted another position and left the Office of Appellate Defense, and Mr. Spencer is currently unavailable for oral argument due to an unexpected medical issue that will temporarily prevent

him from being able to appear for an argument. As a result, new counsel will be required to familiarize themselves with the appeal on both sides prior to oral argument.

III.

Because the oral argument is currently scheduled for a date only fourteen days from now and due to the need for new counsel to familiarize themselves with the case, the State would respectfully ask this Court to consider delaying the oral argument and rescheduling it from its current date to a later date. In making this request, the State wishes to emphasize both counsel for the State and counsel for Petitioner do wish to participate in oral argument and be heard as opposed to having the case decided on the briefs and record alone.

IV.

Prior to making this request, the undersigned counsel contacted the Clerk of Court's Office in an effort to ascertain what the earliest available opportunity for a rescheduled oral argument could potentially be and was advised there may be dates available on June 5 and June 6, 2023. Likewise, the undersigned counsel contacted Petitioner's new appellate counsel, Kathrine H. Hudgins, and she graciously indicated she is not opposed to the State's request for the oral argument to be temporarily delayed and rescheduled. However, in discussing potential dates for rescheduling, Petitioner's appellate counsel advised she will be out of the country from May 18, 2023, to June 3, 2023, which could potentially cause issues with the identified dates for potential rescheduling in June.

V.

Based on all the foregoing reasons, the State asks this Court to temporarily delay and reschedule the oral argument in the above-referenced post-conviction relief appeal and asks that the Court consider rescheduling it to a date sometime after June 5 or June 6, 2023, to best

accommodate both the State and Petitioner's appellate counsel. However, if the State's request cannot be accommodated, the State will do its best to have counsel ready and available for oral argument, including on May 2, 2023, if necessary.

WHEREFORE, Respondent prays the Court to temporarily postpone the oral argument in the above-referenced post-conviction relief appeal; reschedule the oral argument for a later date falling after this Court upcoming May and June terms of court; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Attorney General

By: 

Mark R. Farthing
S.C. Bar Number 76901

April 14, 2023

RECEIVED

Apr 14 2023

SC Court of Appeals

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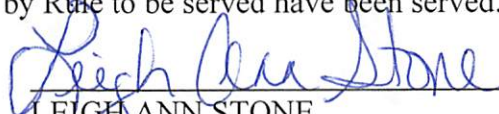
Respondent.

PROOF OF SERVICE

I, Leigh Ann Stone, certify I have served the within Motion Postponement and Rescheduling of Oral Argument to Later Date on Petitioner by sending an electronic copy via email to the address listed in AIS for the following individual:

Kathrine H. Hudgins, Esq.
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.
This 14th day of April, 2023.


LEIGH ANN STONE
Legal Assistant

Leigh Ann Stone

From: Leigh Ann Stone
Sent: Friday, April 14, 2023 4:25 PM
To: Hudgins, Kathrine
Cc: Mark Farthing; Megan Jameson; William Blitch; Stock, Chris
Subject: Robin G. Reese v. The State (2019-000141)
Attachments: Reese.Motion Requesting Argument Rescheduling (03267461xD2C78).PDF

Good Afternoon Ms. Hudgins,

Attached please find a copy of a Motion Requesting Argument Rescheduling in Robin G. Reese v. The State (2019-000141). This motion will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System.

If you will, please reply to confirm receipt of this email.

Thank you,

LEIGH ANN STONE, Legal Assistant
South Carolina Attorney General's Office
Criminal Appeals | Post-Adjudication
Office 803-734-3727 | P.O. Box 11549 | Columbia, SC 29211
scag.gov



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