

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable Deadre L. Jefferson

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AUG 05 2013
SC Court of Appeals

STATE OF SOUTH CAROLINA,

RESPONDENT

V.

WALTER DOUGLAS BARCLAY,

PETITIONER

Appellate Case No. 2012-212639

APPELLANT'S REPLY TO RESPONDENT'S RETURN
TO MOTION FOR BOND AND STAY OF SENTENCE

In response to the State's return to appellant's motion for an appeal bond, appellant notes that the State acknowledges appellant is eligible for bond, provided that it is upon "stringent conditions ... including electronic monitoring as appellant suggests, to ensure that appellant will not drink and drive."

Appellant Walter Douglas Barclay noted in his Affidavit in Support of Petition for Appeal Bond that he was not arrested or involved in any accidents during the two years and ten months he was previously on bond between arrest and sentencing. Appellant added that he

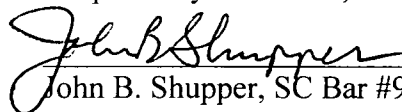
would not operate a motor vehicle and would abide by any conditions the Court might require for an appeal bond.

Moreover, the undersigned asserts that even a cursory review of the issues raised by appellant in his initial brief demonstrates a substantial likelihood that he will prevail on appeal.

Counsel would welcome the opportunity to address these matters further should the Court wish to schedule a brief hearing on the motion for bond and the State's return.

In conclusion, the State's return advances no substantial reason why appellant, who has no prior record but for this incident and was released on bail pending and during his trial, should not be admitted to bond pending this appeal.

Respectfully submitted,



John B. Shupper, SC Bar #9374
Attorney at Law
P.O. Box 90623
Columbia, South Carolina 29290
Phone: (803) 606-7859

ATTORNEY FOR APPELLANT

August 5, 2013

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Deadra L. Jefferson, Circuit Court Judge

THE STATE,

RESPONDENT,

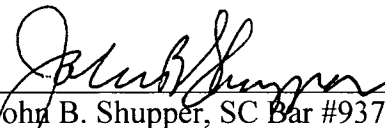
v.

WALTER DOUGLAS BARCLAY,

APPELLANT

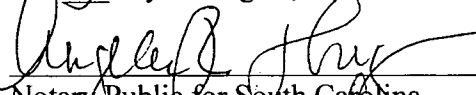
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of Appellant's Reply to Respondent's Motion for Bond and Stay of Sentence in the above referenced case has been served upon Christina J. Catoe, Esquire, Assistant Attorney General, at PO Box 11549, Columbia, SC 29211, this 5th day of August, 2013.


John B. Shupper, SC Bar #9374
Attorney at Law
P.O. Box 90623
Columbia, South Carolina 29290
Phone: (803) 606-7859

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 5 day of August, 2013


(L.S.)
Notary Public for South Carolina
My Commission Expires: April 28, 2021

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SC Court of Appeals

JOHN B. SHUPPER
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Columbia, South Carolina 29290
(803) 606-7859
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August 5, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1205 Pendleton Street
Columbia, South Carolina 29201

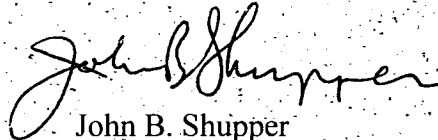
RE: State v. Walter Douglas Barclay
Appellate Case No.: 2012-212639

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Appellant Reply to State's Return to Motion for Bond and Stay of Sentence and Certificate of Service in the above-referenced appeal, which I am serving on opposing counsel today.

Thank you for your cooperation in this matter. Please do not hesitate to call me at 606-7859 if you have any questions.

Sincerely,



John B. Shupper
SC Bar #9374
Attorney for Appellant

JBS

cc: Christina J. Catoe, Esquire
Mr. Walter Douglas Barclay

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