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Oct 09 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Bamberg County

Honorable Courtney Clyburn-Pope, Circuit Court Judge
Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAQUAN PATRICK ANTHONY JONES

APPELLANT

APPELLATE CASE NO. 2025-001364

MOTION TO HOLD APPEAL IN ABEYANCE PENDING RECEIPT OF TRANSCRIPT

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, undersigned counsel respectfully moves this Court for an order holding the timelines for the above-captioned case in abeyance pending receipt of the transcript of the guilty plea hearing from October 19, 2023, before the Honorable Courtney Clyburn-Pope. The Initial Brief of Appellant and Designation of Matter in this case are due for filing on November 12, 2025. There have been no extensions requested in this case. In support of this request, counsel shows:

1. The November 2023 term of the Bamberg County grand jury indicted appellant for the offense of stalking pursuant to S.C. Code Ann. § 16-03-1730 (A) (Indictment No. 2023-GS-05-00095). Appellant pled guilty before the Honorable Courtney Clyburn-Pope on October 19, 2023. Appellant was represented by Public Defender Wallis Alves. Judge Clyburn-Pope sentenced

appellant to a term of five (5) years' imprisonment, suspended on five (5) years' probation and issued a permanent restraining order.

2. The August 2025 term of the Bamberg County grand jury indicted appellant for two counts of the offense of attempted murder pursuant to S.C. Code Ann. § 16-3-29. (Indictment Nos. 2025-GS-05-00137 and -00138). Appellant pled guilty before the Honorable Walton J. McLeod, IV, on June 25, 2025. Appellant was represented by Public Defender Wallis Alves. Judge McLeod found appellant to be in violation of his probation on the 2023 stalking conviction, revoked appellant's probation, and imposed a term of ten (10) years' imprisonment on the charges of attempted murder.

3. On July 7, 2025, Alves filed a timely Notice of Appeal under Lower Court Case Nos. 2023-GS-05-00095, 2025-GS-05-00137, and 2025-GS-05-00138 with the Bamberg County Clerk of Court and the South Carolina Court of Appeals, appealing "his guilty pleas, the revocation of his probation and the sentences for the above referenced charges."

4. This case is now on appeal before this Court.

5. Upon reviewing the Notice of Appeal, the undersigned noticed that the transcript for the October 19, 2023 plea hearing was not ordered by the Office of Appellate Defense.

6. Upon discovery, undersigned counsel acted immediately to order the transcript. This request is attached as Exhibit A.

7. Counsel discovered the fact of this oversight early and endeavored to prepare this motion before taking any extensions in appellant's case.

8. Undersigned counsel has informed opposing counsel, Mark Farthing, of the need to place the appeal in abeyance. Opposing counsel has no objection to this motion to hold the appeal in abeyance pending receipt of the transcript.

WHEREFORE, undersigned counsel respectfully requests that this Court hold the above-captioned case in abeyance pending receipt of the outstanding transcript. Counsel also requests that the time limits for filing the initial brief and designation of mater be held in abeyance pending disposition of this motion.

Respectfully submitted,



Molly M. Keegan
Appellate Defender
Attorney for Appellant

This 9th day of October, 2025.

EXHIBIT A

Warren, Kaylynn

From: White, Della
Sent: Tuesday, September 30, 2025 3:53 PM
To: Keegan, Molly
Cc: Warren, Kaylynn
Subject: FW: [External] Re: Jaquan Jones October 19, 2023

Calendar this so we follow up with Penny, please 😊

From: Johnson, Penny <pjohnson@sccourts.org>
Sent: Tuesday, September 30, 2025 3:47 PM
To: White, Della <dwhite@sccid.sc.gov>
Subject: [External] Re: Jaquan Jones October 19, 2023

Yes, that was me! I think we were in Barnwell, but it's a Bamberg case. He's on my list!!

Penny M. Johnson

Court Reporter III

2nd Judicial Circuit

From: White, Della <dwhite@sccid.sc.gov>
Sent: Tuesday, September 30, 2025 7:33 PM
To: Johnson, Penny <pjohnson@sccourts.org>
Subject: Jaquan Jones October 19, 2023

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Hey Penny!

Hope you are well!

I am trying to order a transcript through the portal for the above client but the wrong judge is listed or so I think... Before I email Court Admin and get them upset with me, I thought I would check with you first. Were you the court report on Oct. 19, 2023, in Bamberg Co before Judge Pope for the GP for Juquan Jones?

Please let me know at your convenience 😊

Thank you always!

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APPELLANT

APPELLATE CASE NO. 2025-001364

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 in Abeyance in the above referenced case has been served on Melody J. Brown, Esquire, and Mark Farthing, Esquire, at the primary e-mail addresses listed in the Attorney Information System (AIS), this 9th day of October, 2025.



Molly M. Keegan
Appellate Defender

ATTORNEY FOR APPELLANT

Warren, Kaylynn

From: Warren, Kaylynn
Sent: Thursday, October 9, 2025 3:11 PM
To: Mark Farthing
Cc: Keegan, Molly; Caroline Collins
Subject: 2025-001364 The State v. Jaquan Patrick Anthony Jones
Attachments: 2025-001364 The State v. Jaquan Patrick Anthony Jones Motion to Hold in Abeyance.pdf

Good Afternoon,

Attached for service in the above-referenced case is the Motion to Hold in Abeyance which will be filed today, October 9, 2025, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330