

# The South Carolina Court of Appeals

The State, Respondent,

v.

Sean Philip Smith, Appellant.

Appellate Case No. 2012-212664

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## ORDER

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On October 1, 2013, this court remanded this case to the Orangeburg County Court of General Sessions for the purpose of reconstructing the record of the hearing on Appellant's motion to reconsider his sentence. The parties have now filed a consent motion, indicating the parties and Judge Edgar W. Dickson "are in agreement that a new hearing would be in the interests of justice" and requesting this court to "issue a consent order remanding this case to Judge Dickson for a new hearing on Appellant's motion for reconsideration of his sentence." The motion is granted. The August 2, 2012 order denying Appellant's motion to reconsider his sentence is vacated and this case is remanded for a new hearing on the motion to reconsider. Furthermore, Appellant's request for the appointment of counsel is granted. The Clerk of Court for Orangeburg County shall immediately appoint the next lawyer on the Rule 608 appointment list to represent Appellant during the hearing on the motion for reconsideration of his sentence. The parties shall provide this Court with a status update in thirty days and every thirty days thereafter.

  
FOR THE COURT

Columbia, South Carolina

FILED  
12/20/13

cc:

Susan Barber Hackett, Esquire

Sally Elliott, Esquire

The Honorable Edgar W. Dickson