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Oct 08 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County

Honorable Walton J. McLeod, IV., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOHNATHAN DAQUAN STALEY,

APPELLANT

APPELLATE CASE NO. 2025-002154

MOTION TO HOLD APPEAL IN ABEYANCE

Counsel for Johnathan Daquan Staley respectfully moves this Court to place the deadline for filing the Initial Brief of Appellant and Designation of Matter in the above-captioned case in abeyance pending receipt of transcripts of pre-trial hearings. In support of this request, counsel states the following:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed October 14, 2026. This Court has granted four previous extensions in this case.
2. Appellant was tried before the Honorable Walton J. McLeod, IV, and a jury, from October 13 – 15, 2025. Appellant was found guilty of murder and possession of a weapon during the commission of a violent crime. He was sentenced to incarceration for forty-five years for murder and five years for the weapons offense.
3. Counsel was assigned this case on May 7, 2026. Counsel reviewed the file at that

time and requested all documents it appeared were needed.

4. Counsel recently read the October 13 – 15, 2025, trial transcript, as well as the transcript of a pre-trial hearing held August 25, 2025, before the Honorable Debra R. McCaslin. Upon reading these transcripts, it appeared there was an additional hearing held, of which neither counsel nor the Appellate Defense Division were notified. Counsel immediately contacted trial counsel regarding this matter. During discussions with trial counsel, undersigned counsel learned there was an additional pre-trial motion hearing before the Honorable Courtney Clyburn Pope on August 20 – 21, 2025. Undersigned counsel further learned that the August 25, 2025, transcript of the pre-trial motion before Judge McCaslin in the possession of Appellate Defense was incomplete as it did not contain arguments made on the record by the parties earlier in the day, although it contained the judge's ruling on that matter.

5. Counsel has ordered the transcript of the pre-trial motion hearing before Judge Clyburn Pope on August 20 – 21, 2025, and has requested the transcription be expedited. Attached to this motion is the transcript request. *See Attachment A.*

6. Counsel has further requested an expedited transcription of the missing matter from the August 25, 2025, pre-trial motion before Judge McCaslin. Attached is correspondence requesting the missing transcription from the court reporter. *See Attachment B.* Additionally, the court reporter has confirmed she will listen to the audio to find the missing matter.

7. Simultaneously with the filing of this motion, counsel is filing a Motion to Transport and Unseal Court's Exhibit 9. Undersigned counsel needs to review Court's Exhibit 9 to assess whether any issue relating to the exhibit should be raised as part of Appellant's direct appeal.

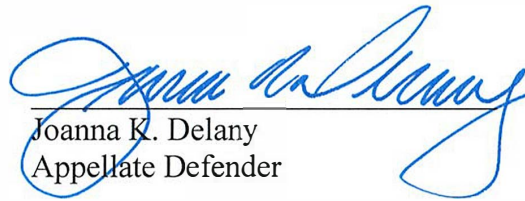
8. In order to sufficiently perfect the direct appeal, counsel needs time to receive and

review the missing transcripts as well as review the sealed exhibit. Given all of the above, undersigned counsel respectfully requests this Court hold the case in abeyance. Counsel will immediately contact this Court upon receipt of the transcripts.

9. This request is made in good faith, and not for purposes of delay, but due to the circumstances described above.

WHEREFORE, the undersigned counsel would respectfully request that this Court hold the above-captioned case in abeyance. Counsel requests that the time limits for filing the Initial Brief and Designation of Matter be held in abeyance pending disposition of this motion and disposition of the Motion to Transport and Unseal Court's Exhibit 9.

Respectfully submitted,



Joanna K. Delany
Appellate Defender

This 8th day of October, 2026.

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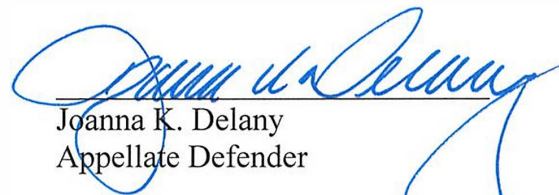
JOHNATHAN DAQUAN STALEY,

APPELLANT

APPELLATE CASE NO. 2025-002154

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 8th day of October, 2026.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT

EXHIBIT A

Delany, Joanna

From: White, Della
Sent: Monday, October 5, 2026 9:18 AM
To: Delany, Joanna
Subject: FW: [External] Transcript Request for Docket Number 2024GS0202503

From: Transcripts@sccourts.org <Transcripts@sccourts.org>
Sent: Monday, October 5, 2026 9:10 AM
To: White, Della <dwhite@sccid.sc.gov>
Subject: [External] Transcript Request for Docket Number 2024GS0202503

Greetings,

You are receiving this notice and the **summarized Transcript Request shown below** because you are associated with case **The State of South Carolina vs Staley, Johnathan Daquan**. Pursuant to Rule 207(a)(1), SCACR, you are being notified that the transcript has been requested on **10/5/2026**. There is no action required.

If you need further assistance, please contact us at transcripts@sccourts.org.

Regards,

Court Administration

Summarized Transcript Request ID: **96658491**

Requester Information:

Name: Della White
Entity: Agency SCCID
Email: dwhite@sccid.sc.gov
Is the requester a party on the case? No
Does the requester represent a party? Yes Johnathan Staley

Transcript Information:

Docket Number: 2024GS0202503
Court Type: Circuit
County: Aiken
Case Caption: The State of South Carolina vs Staley, Johnathan Daquan

Appeal Pending? Court of Appeals
Death Penalty? No
Start Date of Proceeding: 8/20/2025
End Date of Proceeding: 8/21/2025
Presiding Judge: Pope, Courtney Clyburn
Court reporter daily assignments:
8/20/2025 (Wednesday): WebEx, Circuit Court
8/21/2025 (Thursday): WebEx, Circuit Court
Opposing Counsel and/or other parties information:
(Attorney) Barry L. II Thompson
(Defendant) Johnathan Daquan Staley
(Plaintiff Attorney) Ashley A. Hammack
Next hearing date: *Date not entered*
Portion of proceeding to be transcribed: Entire Hearing

Delivery Information:

Delivery Timeframe: Expedited Delivery (7 days)

Delivery Method: PDF/Email

Delivery Timeframe: Court Appointed Counsel

Appeals Attorney: SCCID

Email: dwhite@sccid.sc.gov

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# EXHIBIT B

## **Delany, Joanna**

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**From:** White, Della  
**Sent:** Monday, October 5, 2026 4:15 PM  
**To:** Delany, Joanna  
**Subject:** FW: [External] State vs. Johnathan Staley 8-25-2025 Motion

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**From:** White, Della  
**Sent:** Monday, October 5, 2026 2:00 PM  
**To:** pjohnson91028@gmail.com  
**Subject:** FW: [External] State vs. Johnathan Staley 8-25-2025 Motion

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**From:** White, Della  
**Sent:** Monday, October 5, 2026 9:09 AM  
**To:** 'Penny Johnson' <[pjohnson@sccourts.org](mailto:pjohnson@sccourts.org)>  
**Subject:** RE: [External] State vs. Johnathan Staley 8-25-2025 Motion

Good morning,

Hope you are well. It appears that there was a hearing for this client earlier in the day also. Do you have the audio? If so, we will need it expedited.

Please let me know.

Thank you!

Della

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**From:** Penny Johnson <[pjohnson@sccourts.org](mailto:pjohnson@sccourts.org)>  
**Sent:** Wednesday, January 14, 2026 9:08 AM  
**To:** White, Della <[dwhite@sccid.sc.gov](mailto:dwhite@sccid.sc.gov)>  
**Subject:** [External] State vs. Johnathan Staley 8-25-2025 Motion

Please find attached the above transcript along with my invoice. I will be working on the trial.

Thank you!

### Secure Message Info

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|-----------------|---------------------------------------------------------------------------------------------------------------------------------|
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| Message Expires | Friday, 13 February                                                                                                             |
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### Files attached to this message

| Filename              | Size   |
|-----------------------|--------|
| 082525Staley.pdf      | 165 KB |
| SCCID-Staley82525.pdf | 508 KB |

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