

The South Carolina Court of Appeals

The State, Respondent,

v.

Joseph Wright, Jr., Appellant.

Appellate Case No. 2013-002510

ORDER

Attorney S. Harrison Saunders, VI, the former attorney for Appellant, has filed a petition with this Court requesting "guidance from this Court as to the appropriate disposition" of \$5,000.00 that Appellant had previously given Mr. Saunders to hold in trust. Because it is more appropriate for this issue to first be raised to the circuit court, this Court declines to act on the petition at this time. The circuit court has the power to hold a hearing on this issue because this issue is not a matter affected by the appeal. *See Tillman v. Oakes*, 398 S.C. 245, 255, 728 S.E.2d 45, 51 (Ct. App. 2012) (noting the lower court's power to proceed is determined by whether the issue sought to be litigated in the lower court during appeal is "a matter affected by the appeal").


FOR THE COURT

Columbia, South Carolina

cc:

Hemphill P. Pride, II, Esquire
Matthew C. Buchanan, Esquire
Robert P. Wood, Esquire
The Honorable Brian M. Gibbons
S. Harrison Saunders, VI, Esquire

6/5/14
FILED
