

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions
Robert E. Hood, Circuit Court Judge

RECEIVED
JAN 30 2015
SC Court of Appeals

The State, Respondent,
v.
Marcus Bailey, Appellant.
Appellate Case No. 2013-001680

**MOTION TO HOLD TIME LIMITS IN ABEYANCE PENDING
RECEIPT OF SUPPLEMENTAL RECORD ON APPEAL**

Respondent, the State, moves this Court to hold the time limits – specifically the time for filing the final briefs – in abeyance pending service of a supplemental record on appeal. In support of this motion, Respondent would respectfully show the Court.

1. The final brief of respondent is currently due to be filed February 3, 2015. Upon detailed review of the record on appeal, undersigned counsel noted that some designated materials had not been included. After consultation with opposing counsel, counsel for Appellant and counsel for Respondent agree that a supplemental record will be prepared and filed.

2. Respondent respectfully requests this Court hold the time limits in the appeal – specifically for the filing of the final briefs – in abeyance pending receipt of the supplemental record.

3. Undersigned counsel is informed counsel for Appellant has no objection to this request.

THEREFORE, Respondent respectfully requests the time limits in the appeal be held in abeyance pending receipt of aforementioned supplemental record on appeal. Respondent respectfully requests this Court allow the final briefs to be filed within (5) days of service of the supplement record.

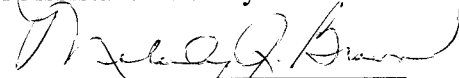
Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

MELODY J. BROWN
Senior Assistant Attorney General

BY: 

MELODY J. BROWN
S.C. Bar No. 14244
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

January 30, 2015.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

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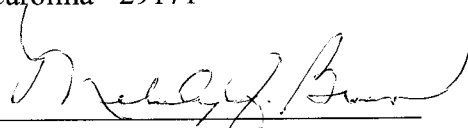
Appellate Case No. 2013-001680

PROOF OF SERVICE

I, Melody J. Brown, certify that I have served the Motion to Hold Time Limits in Abeyance Pending Receipt of Supplemental Record on Appeal on Counsel for Appellant by depositing two (2) copies of same in the United States mail, postage prepaid, addressed to his attorneys of record:

Stanley L. Myers, Esq.
S. Jahue Moore, Esq.
M. Brooks Biediger, Esq.
Moore Taylor Law Firm, P.A.
Post Office Box 5709
West Columbia, South Carolina 29171

This 30th day of January, 2015.


MELODY J. BROWN
Senior Assistant Attorney General
S.C. Bar No. 14244
Post Office Box 11549
Columbia, SC 29211-1549
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

January 30, 2015

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: The State v. Marcus Bailey
Appeal from Richland County
Appellate Case No. 2013-001680

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the *Motion to Hold Time Limits in Abeyance Pending Receipt of Supplemental Record on Appeal*, dated January 30, 2015, along with proof of service, in the above-referenced case.

By copy of this letter, I am serving opposing counsel with same. Thank you for your consideration in this matter.

Sincerely,

Melody J. Brown
Senior Assistant Attorney General

MJB/mv
Enclosure

cc: Stanley Lamont Myers, Sr., Esquire
S. Jahue Moore, Esquire
M. Brooks Biediger, Esquire

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