

The South Carolina Court of Appeals

The State, Respondent,

v.

Joseph Bowers, Appellant.

Appellate Case No. 2014-002176

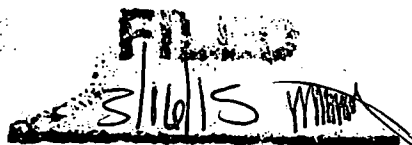
ORDER

Appellant has filed a motion to suspend this appeal and grant leave for Appellant to file a motion for a new trial pursuant to Rule 29(b) of the South Carolina Rules of Criminal Procedure. Respondent filed a return, and Appellant filed a reply. Because the parties have not received the trial transcript, we decline to act on the motion at this time.¹

Appellant shall file an amended motion upon receipt of the transcript. In the amended motion, Appellant shall include the substance of the alleged third party confession and shall specifically address each of the factors set forth in *Hayden v. State*, 278 S.C. 610, 299 S.E.2d 854 (1983).

 C.J.
FOR THE COURT

Columbia, South Carolina



¹ The parties agree that the factors the court must consider in reviewing motion for a new trial based on after-discovered evidence would be more thoroughly addressed following receipt of the transcript.

cc:

Hunter Phelan Swanson, Esquire

Salley W. Elliott, Esquire

Alan McCrory Wilson, Esquire

Trasi Campbell, Esquire

James Arthur Brown, Jr., Esquire