

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Edward B. Cottingham, Circuit Court Judge

RECEIVED

APR 14 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

LEROY KNIGHT,

APPELLANT

APPELLATE CASE NO. 2014-001318

MOTION TO HOLD TIME LIMITS IN ABEYANCE

Pursuant to Rule 240, SCACR, Counsel for Leroy Knight respectfully requests that this Court hold the time limits for filing the initial brief in abeyance pending receipt of the drop affidavit from appellant. In support of this request, counsel shows:

(1) The initial brief of appellant and designation of matter in this case is due to be served and filed today.

(2) On March 15, 2015, appellant sent undersigned counsel a written request to drop his direct appeal.

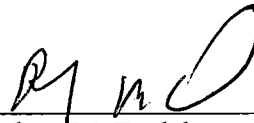
(3) On March 17, 2015, undersigned counsel sent appellant a letter discussing the consequences of dropping his direct appeal, along with an affidavit stating appellant

wished to drop his direct appeal, and that he understood all of the consequences of dropping his appeal.

(4) As of yesterday, April 13, 2015, counsel had not received a signed, notarized affidavit from appellant.

(5) Consequently, yesterday, April 13, 2015, counsel sent Mr. Knight a second letter and drop affidavit advising him to return the signed, notarized affidavit to counsel within ten (10) days if it is still appellant's intention to drop his appeal.

WHEREFORE, counsel respectfully requests that this Court hold this case in abeyance for fourteen (14) days until April 28, 2015, to allow counsel time for receipt and filing of the drop affidavit of appellant with this Court. Counsel also requests that the time limits for filing the initial brief of appellant be held in abeyance pending receipt of the drop affidavit or notification from appellant that he no longer wishes to drop his appeal.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

April 14, 2015

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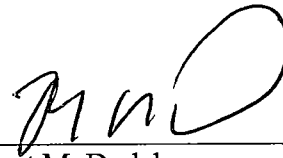
LEROY KNIGHT,

APPELLANT

APPELLATE CASE NO. 2014-001318

CERTIFICATE OF SERVICE

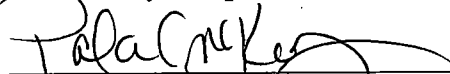
The undersigned attorney hereby certifies that a true copy of the Motion to Hold Time Limits in Abeyance in the above referenced case has been served upon Salley W. Elliott., Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 14th day of April, 2015.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 14th day of April, 2015.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 24, 2022.