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AUG 26 2015

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
Honorable John C. Hayes, III, Circuit Court Judge
Appellate Case Tracking No. 2014-000280

William Russell Patterson,

Respondent,

vs.

The State,

Appellant.

MOTION TO HOLD APPEAL IN ABEYANCE

Appellant, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

Counsel filed a Motion to Certify to South Carolina Supreme Court, asking the Supreme Court to certify this appeal for review. The Motion was served and filed August 20, 2015. A copy of the Motion is attached.

II.

The State asks this Court to hold this appeal in abeyance pending a determination by the South Carolina Supreme Court regarding whether the case shall be certified for review. The issues in the appeal are similar to the issues recently addressed by the South Carolina Supreme Court in *State v. Gordon*, which currently has a Petition for Rehearing pending review.

WHEREFORE, Appellant prays that the Court hold this matter in abeyance until the South Carolina Supreme Court rules on the undersigned's Motion to Certify; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

4 WILLIAM M. BLITCH, JR.
Assistant Attorney General

BY:



William M. Blich, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

August 26, 2015

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion to Hold Appeal in Abeyance on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Christopher A. Wellborn, Esquire
142 Oakland Avenue, Suite C
Rock Hill, South Carolina 29730

I further certify that all parties required by Rule to be served have been served.

This 26th day of August, 2015.

Sally Ellison

SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

August 26, 2015

Christopher A. Wellborn, Esquire
142 Oakland Avenue, Suite C
Rock Hill, South Carolina 29730

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SC Court of Appeals

Re: William Russell Patterson v. State
Appellate Case Tracking No. 2014-000280

Dear Mr. Wellborn:

Enclosed please find the two copies of a Motion to Hold Appeal in Abeyance along with proof of service for filing in the above-referenced appeal. Further, I was informed by the South Carolina Supreme Court the caption of my original Motion to Certify was incorrect. The caption has been corrected.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Honorable Jenny A. Kitchings (Original and 6 copies)
Victim Services