

STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Honorable Deadra L. Jefferson, Circuit Court Judge

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CASE NO: 2012-CP-42-2465

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REGINALD C. SHEFTALL, #348974,

Petitioner/Appellant,

- - VS - -

STATE OF SOUTH CAROLINA,

Respondent.

APPELLATE CASE NO: 2015-000781

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PETITION FOR "ORDER TO STAY" APPEAL

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Now Comes, Reginald C. Sheftall, the petitioner/appellant in the above matter, presents a Pro Se Petition for an "ORDER TO STAY" the above Appeal, now pending before this Honorable Court.

The petitioner/Appellant makes this petition due to "Newly Discovered Evidence" recently discovered (prosecutor

misconduct) which was recently discovered and by due diligence could "not" have been discovered in time to move for a new trial under RULE 29(b) SCRCrimP., which pursuant to the lower court (Clerk's Office) requires an attorney to file; nor be included in his "first" post conviction relief hearing, leaving petitioner/appellant only one available avenue to present this claim.

Petitioner/appellant prays this Court "STAY" his current appeal and grant "leave" to pursue this new claim in the lower court, and if necessary, incorporate this new claim to his current appeal. Petitioner/appellant has provided the Court with a copy of the pleading now filed in the lower court, relevant to this claim. SEE: EXHIBIT [ 1 ], Post-Conviction Relief Application with attachments and a "Written Complaint" to the Commission on Lawyer Conduct and The Office of Disciplinary Counsel.

In PORTER -vs- LESESNE, 67 S.E. 453 (1910) held: (An order staying proceedings pending appeal to the Supreme Court should be made only when it appears that the party making the application has just reason to apprehend that without a STAY he would be deprived benefit to favorable results of the appeal).

Petitioner/appellant "IN-GOOD FAITH" makes this request

with the respect of the Court and not for any purpose of delay. No other time limits for any further litigation by any party to these proceedings would be prejudiced by this request.

CONCLUSION

For reason set forth above, but not limited too, petitioner/appellant prays this Court issue an ORDER TO STAY the above appeal, and grant petitioner/appellant "leave" until this newly discovered evidence can be heard in the lower court.

PETITIONER/APPELLANT FOREVER PRAYS

Date: 1-22-16

Reginald C. Sheftall #348974  
Reginald C. Sheftall, #348974  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, SC. 29010

PETITIONER/APPELLANT

STATE OF SOUTH CAROLINA  
In The Supreme Court

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JAN 28 2016

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Court of Common Peas

**S.C. SUPREME COURT**

Honorable Deadra L. Jefferson, Circuit Court Judge

REGINALD C. SHEFTALL, #348974,

Petitioner/Appellant,

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STATE OF SOUTH CAROLINA,

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CERTIFICATE OF SERVICE

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I, Reginald C. Sheftall, #348974, the  
Petitioner/Appellant in the above captioned case, hereby declare  
under the penalty of perjury, that on this day, I have served a  
copy of petitioner/appellant's:

MOTION TO RELIEVE COUNSEL OF RECORD  
PETITION FOR "ORDER TO STAY" APPEAL  
EXHIBIT [ 1 ] "POST-CONVICTION RELIEF APPLICATION and  
COMPLAINT"

upon the respondent, by placing a copy of same, in the  
Institutional Mail System, for depositing in the United States

Mail, First Class Postage affixed, and addressed as indicated below:

OFFICE OF THE STATE ATTORNEY GENERAL  
State of South Carolina  
P.O. Box 11549  
Columbia, SC. 29211

DATE: 1-22-16

Reginald C. Sheftall #348974

Reginald C. Sheftall, #348974  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, SC. 29010

PETITIONER/APPELLANT