

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Orangeburg County
Honorable Diane S. Goodstein, Circuit Court Judge

RECEIVED
MAR 01 2016
SC Court of Appeals

THE STATE,

Respondent,

vs.

CHRISTOPHER JARED GREENE,

Appellant.

Appellate Case No. 2015-001002

MOTION TO HOLD IN ABEYANCE AND STAY PROCEEDINGS

I.

Respondent moves this Honorable Court pursuant to Rule 234, SCACR, to hold the appeal in abeyance, and stay the time for filing the Initial Brief of Respondent and Designation of Matter, and would show the Court as follows:

II.

The Initial Brief of Respondent and Designation of Matter are currently due on March 21, 2016. However in preparing the Respondent's Initial Brief, counsel for the Respondent discovered that an additional transcript is needed. The Respondent has the transcript of the restitution hearing which occurred on June 16, 2014, but does not have the transcript of the guilty plea that occurred on May 19, 2014. Counsel for the Respondent believes that the transcript is necessary to prepare Respondent's Initial Brief and Designation of Matter.

III.

Assistant Solicitor Harrison Bell, who represented the State at the restitution, hearing has informed counsel for Respondent that to his knowledge, no transcript of the guilty plea has previously been prepared. On February 25, 2016, counsel for Respondent sent a letter requesting the guilty plea transcript to the court reporter at the hearing, Hilda M. Johnson, in care of Court Administration. A copy of the letter is attached to this motion.

IV.


Wherefore, Respondent respectfully asks that this Honorable Court hold the appeal in abeyance, and stay the time for filing the Initial Brief of Respondent and Designation of Matter, until thirty (30) days after Respondent receives the additional transcript.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM F. SCHUMACHER, IV
Assistant Attorney General
State Bar No. 100231

DAVID M. PASCOE
Solicitor, First Judicial Circuit

BY: 
William F. Schumacher, IV

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

March 1, 2016



ALAN WILSON
ATTORNEY GENERAL

February 25, 2016

Ruth Mott, c/o Desiree Allen
S.C. Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

**RE: State of South Carolina v. Christopher Jared Greene
2013-GS-38-0245, 0246**

Dear Ms. Allen:

Please prepare a transcript of the guilty plea of the above named individual taken on May 19, 2014, before the Honorable Diane S. Goodstein for the term of the Court of General Sessions for Orangeburg County. *While Ms. Mott was the court reporter at this hearing, her address is no longer listed on the judicial website. If Ms. Mott is no longer employed by the Judicial Department, please let me know the name of the person who has her tapes and can prepare the requested transcript as soon as possible. You can email me at amueller@scag.gov or call me at (803) 734-3922.* Your assistance will be most appreciated.

Yours very truly,

Anne A. Mueller
Legal Assistant for William F. Schumacher, IV

/aam

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CERTIFICATE OF SERVICE

I, Anne Mueller., certify that I have served the Motion to Hold Appeal in Abeyance by depositing two copies of the same in the United States mail, postage prepaid, addressed to the Appellant Nicholas J. Thomas, Esquire, 213 King Street, Charleston, SC 29401.

I further certify that all parties required by Rule to be served have been served.
This 1st day of March, 2016.



Anne A. Mueller
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

March 1, 2016

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Nicholas G. Thomas, Esquire
Law Office of Nick Thomas, LLC
P.O. Box 972
Folly Beach, SC 29439-0972

RE: State v. Christopher Jared Green
Appellate Case No. 2015-001002

Dear Mr. Thomas:

Enclosed please find two copies of the Motion to Hold Appeal in Abeyance in the above case.

Sincerely,

William F. Schumacher., IV
Assistant Attorney General
State Bar No. 100231

WFS/aam
Enclosures

cc: The Honorable Jenny A. Kitchings w/original and 6 copies
Ms. Trisha Allen