

The South Carolina Court of Appeals

The State,

Respondent,

v.

Lexi Dial, III,

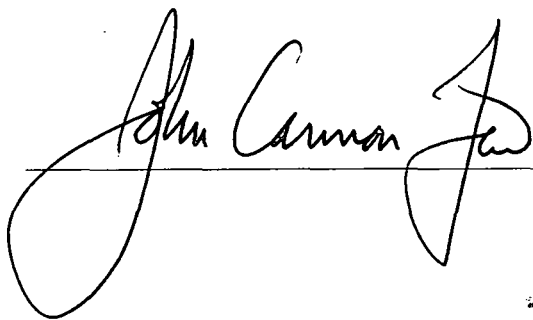
Appellant.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2010-GS-32-01876

ORDER

Appellant filed a motion to remand this matter to the trial court for the purpose of unsealing an exhibit and portions of the transcript. Appellant also requested this Court to extend the time to serve and file Appellant's Initial Brief. Respondent filed a return, opposing Appellant's motion. The exhibit and transcript portions specifically at issue include "court's exhibit # 4" and transcript pages 130, 131, 132, 133, and 136. After careful consideration, Appellant's motion to remand is denied. The Clerk of Court for Lexington County shall provide the sealed exhibit and transcript portions to counsel immediately. Either party may designate the exhibit and transcript portions for inclusion in the Record on Appeal unless this Court grants a motion to keep the documents under seal. Appellant's Initial Brief shall be due thirty days from counsel's receipt of the previously sealed documents or from this Court's ruling on a motion to keep the documents under seal, whichever is later.

IT IS SO ORDERED.



FILED
9/16/11

Columbia, South Carolina

cc: Chief Appellate Defender Robert M. Dudek
H. Wayne Floyd, Esquire
Assistant Deputy Attorney General Salley W. Elliott
Heather Savitz Weiss, Esquire