

The South Carolina Court of Appeals

The State, Appellant/Respondent,

v.

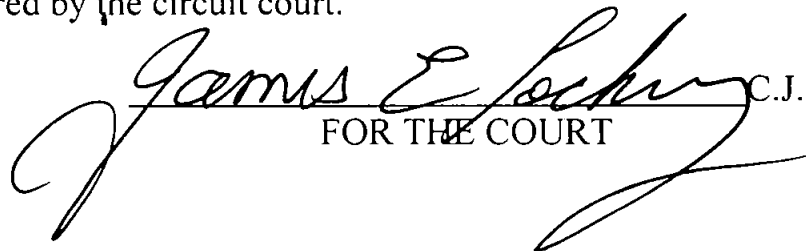
Edward Lee Dean, Respondent/Appellant.

Appellate Case No. 2016-001004

ORDER

Edward Lee Dean has filed a motion to dismiss the State's appeal from the circuit court's order granting Dean a new trial, arguing the order is not immediately appealable. In response, the State filed a motion for an extension of time to file its return pending receipt of the transcripts from the hearing on Dean's motion for a new trial, Dean's trial, and Dean's co-defendant's sentencing hearing. Dean does not oppose the State's request for an extension; however, Dean has moved for this court to determine the proper venue for his bond hearing. The State did not file a return to the motion regarding a bond hearing.

After careful consideration, the State's request for an extension is granted. The State's return to the motion to dismiss shall be served and filed within thirty days of receipt of the transcripts. The State shall provide this court with a status update within thirty days. As to Dean's motion regarding his bond hearing, any request for bond may be considered by the circuit court.¹

 C.J.
FOR THE COURT

Columbia, South Carolina

¹ We note that pursuant to Rule 246, SCACR, only an appellate court may grant bail to a defendant when the sentence exceeds imprisonment for ten years; however, Dean is not currently subject to a sentence of imprisonment because the circuit court granted Dean a new trial.

FILED
6/29/16 

cc:

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David Matthew Stumbo, Esquire

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