

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Greenville County  
The Honorable R. Keith Kelly, Circuit Court Judge  
Appellate Case No. 2015-001282

**RECEIVED**

JUN 30 2016

**SC Court of Appeals**

THE STATE,

Respondent,

v.

CHRISTOPHER ERIC MEJEAN,

Appellant.

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**MOTION TO HOLD APPEAL IN ABEYANCE**

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Respondent State of South Carolina, hereby moves to hold the above-captioned appeal and all deadlines in abeyance pending action by the South Carolina Supreme Court in the case of The State v. Raheem D. King, Appellate Case No. 2012-213405. In support of this Motion, Respondent submits the following:

1. The primary issue in this appeal is whether the circuit court erred in denying Appellant's motion for a directed verdict on the attempted murder charge because the State failed to prove he specifically intended to kill any of the victims.

2. The issue of whether the statutory offense of attempted murder is a general or specific criminal intent is currently pending before the Supreme Court in The State v. Raheem D. King, which is fully briefed and Respondent anticipates it will be scheduled for oral argument in the Fall. In preparing the Initial Brief of Respondent, the undersigned determined the Supreme

Court decision in King will directly impact the issue in this case, particularly Respondent's arguments in response to the issue raised in Appellant's Brief. Further, Appellant may want to amend his Initial Brief to incorporate to King decision if it is favorable to his position.

3. If this appeal is not held in abeyance, the Court could potentially issue an opinion subsequently rendered completely erroneous by the decision in King. Therefore, in the interest of judicial economy, this appeal should be held in abeyance pending the Supreme Court's ruling in the King case.

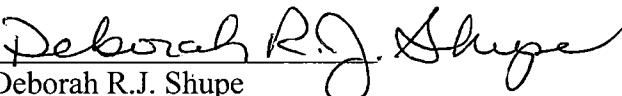
4. The undersigned conferred with opposing counsel regarding this motion, and is authorized to advise the Court he does not oppose the requested relief.

Based on the foregoing, Respondent respectfully asks the Court to hold this appeal and all time lines in abeyance pending action by the Supreme Court in King. If this motion is denied, Respondent requests the deadline for serving and filing the Initial Brief of Respondent and Designation of Matter be set for thirty days from the date of the Court's decision.

Respectfully submitted,

ALAN WILSON  
Attorney General

DEBORAH R.J. SHUPE  
Senior Assistant Deputy Attorney General

BY:   
Deborah R.J. Shupe

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ATTORNEYS FOR RESPONDENT

June 30, 2016

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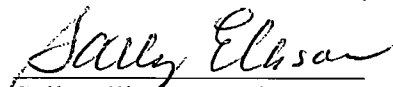
**PROOF OF SERVICE**

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

John H. Strom, Esquire  
SC Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 115889  
Columbia, South Carolina 29211

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

This 30th day of June, 2016.



Sally Ellison, Legal Assistant  
Office of the Attorney General  
PO Box 11540  
Columbia, South Carolina 29211  
803-734-3970



ALAN WILSON  
ATTORNEY GENERAL

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JUN 30 2016  
SC Court of Appeals

June 30, 2016

**HAND-DELIVERY**

The Honorable Jenny A. Kitchings  
Clerk of Court, SC Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: The State v. Christopher Eric Mejean  
Appellate Case No. 2015-001282

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of a Respondent's Motion to Hold in Abeyance, along with proof of service for filing, in the above-referenced appeal.

Sincerely,

Deborah R.J. Shupe  
Senior Assistant Deputy Attorney General

DRJS/sbe  
Enclosures

cc: John H. Strom, Esquire  
Victim Services