

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY
Court of General Sessions

R. Keith Kelly, Circuit Court Judge

Case No. 2016-GS-29-1100

The State,

Respondent,

v.

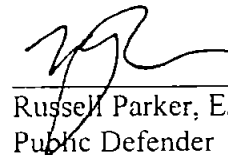
O'Bryant Terrelle Gladden,

Appellant.

MOTION TO DISMISS WITHOUT PREJUDICE

Appellant O'Bryant Terrelle Gladden respectfully requests that this Court enter an order dismissing Appellant's appeal without prejudice to allow the trial court to hold a hearing regarding after-discovered evidence pertaining to potential juror misconduct. Appellant also requests that a remittitur be issued simultaneous to the dismissal. Ben Aplin from the South Carolina Attorney General's Criminal Appeals Section consents to this motion.

August 15, 2016



Russell Parker, Esq.
Public Defender
Post Office Box 1809
Lancaster, SC 29721
(803) 416-9468
Attorney for Appellant

Other Counsel of Record:
Cara Walker, Esq.
Assistant Solicitor
Post Office Box 607
Lancaster, SC 29721
(803) 416-9488
Attorney for Respondent

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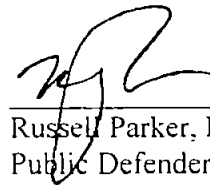
O'Bryant Terrelle Gladden,

Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to Dismiss on The State by personally delivering a copy of it to his attorney of record, Cara Walker, at her office at 104 North Main Street, Lancaster, South Carolina 29720, on August 15, 2016.

August 15, 2016



Russell Parker, Esq.
Public Defender
Post Office Box 1809
Lancaster, SC 29721
(803) 416-9468
Attorney for Appellant

Sineath, Christina

From: Kitchings, Jenny
Sent: Monday, August 15, 2016 12:15 PM
To: Sineath, Christina
Subject: Fwd: O'Bryant Gladden's Motion to Dismiss W/O Prejudice and Proof of Service
Attachments: Gladden Motion to Dismiss.pdf; ATT00001.htm; Gladden Proof of Service.pdf; ATT00002.htm

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals

Begin forwarded message:

From: Russell Parker <nrussellparkerjr@gmail.com>
Date: August 15, 2016 at 11:31:19 AM EDT
To: <jkitchings@sccourts.org>
Cc: Cara Walker <cara.walker@scsolicitor6.org>, <baplin@scag.gov>
Subject: O'Bryant Gladden's Motion to Dismiss W/O Prejudice and Proof of Service

Madam Clerk,

Please find attached to this email scanned copies of O'Bryant Gladden's Motion to Dismiss and Proof of Service. I have also Cced Cara Walker from the Lancaster County Solicitor's office and Ben Applin from the Attorney General's office to this email. Thank you for your help and do not hesitate to contact me if I can be of further assistance. Have a nice day.

Russell Parker
Assistant Public Defender
Sixth Judicial Circuit of South Carolina
(803) 416-9468 / (803) 285-6085 (f)

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