

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Florence County
Michael G. Nettles, Circuit Court Judge

THE STATE,

Respondent,

vs.

MICHAEL D. BROOKS,

Appellant.

Appellate Case No. 2015-001384

**MOTION FOR ISSUANCE
OF ORDER OF TRANSPORTATION
AND MOTION TO HOLD TIMELINES
IN ABEYANCE**

Respondent now moves for this Court to issue an Order of Transportation for (1) State's Exhibit # 1 (CD interview); (2) State's Exhibit #5 (jail call); (3) State's Exhibit #8 (letter from Appellant); and (4) State's Exhibit #9 (redacted letter from Appellant), that are necessary to review in order to complete the Respondent's brief. Respondent also now moves to hold all due dates in abeyance pending this Court's issuance of the order:

I.

Respondent will need to review the recordings and statements prior to completing briefing in this case as the evidence is relevant to the analysis of the issues raised on appeal.

II.

Respondent also moves to hold the time-lines in abeyance until this Court rules on the State's motion.

III.

WHEREFORE, Respondent prays that this Court issue an Order of Transportation and hold the filing deadlines in abeyance pending resolution of this motion; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General

BY: 

DAVID SPENCER

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

ATTORNEYS FOR RESPONDENT

August 10, 2016

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Florence County
Honorable Michael G. Nettles, Circuit Court Judge

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SC Court of Appeals

THE STATE,

Respondent,

vs.


MICHAEL D. BROOKS,

Appellant.

CERTIFICATE OF SERVICE

I, Anne Mueller, certify that I have served the Motion for Issuance of Order of Transportation and Motion to Hold Timelines in Abeyance by depositing two copies of the same in the United States mail, postage prepaid, addressed to the Appellant's counsel of record, Kathrine H. Hudgins, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.
This 10th day of August, 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

August 10, 2016

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AUG 10 2016

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29201

RE: The State v. Michael D. Brooks
Appellate Case No. 2015-001384

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Motion for Issuance of Order of Transportation and Motion to Hold Timelines in Abeyance in the above case. By copy of this letter to counsel for Appellant, I am serving her with a copy of this motion.

Sincerely,

David Spencer
Senior Assistant Attorney General

DS/aam
Enclosures

cc: Kathrine H. Hudgins (w/enclosure)
Ms. Trisha Allen (w/enclosure)