

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Honorable Brooks P. Goldsmith, Circuit Court Judge

RECEIVED

NOV 01 2012

SC Court of Appeals

STATE OF SOUTH CAROLINA,

APPELLANT,

V.

ANTHONY BLAKNEY,

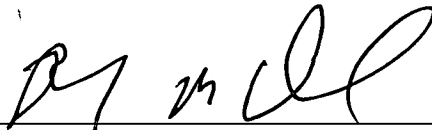
RESPONDENT.

RETURN TO MOTION TO CONSOLIDATE

If the only issue on the first appeal from the hearing before the Honorable G. Thomas Cooper on January 13, 2012 is also whether respondent had satisfied the terms of his original sentence leaving no additional revocable time to serve on community supervision then respondent does not oppose and joins in the state's motion. The second appeal arises from the August 17, 2012 hearing before the Honorable Brooks Goldsmith, where he ruled respondent had satisfied the terms of his community supervision and therefore he could not be penalized further.

If, however, the sole issue in both appeals is **not identical**, then respondent opposes the motion to consolidate the cases on appeal. Respondent would respectfully request that opposing counsel file a reply to this motion stating whether, as an officer of the court, the sole issue involved in both appeals is whether respondent had satisfied his community supervision sentence at the time of the hearing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. M. Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

Attorney for Petitioner

This 1st day of November, 2012

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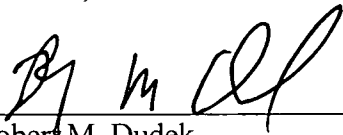
ANTHONY BLAKNEY,

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CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the Return to Motion to Consolidate in the above referenced case has been served upon opposing counsel, Tommy Evans, Jr., Esquire, at the South Carolina Department of Probation, Parole & Pardon Services, PO Box 50666, Columbia, SC 29250, this 1st day of November, 2012.



Robert M. Dudek
Chief Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me
this 1st day of November, 2012.



(L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

November 1, 2012

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: The State v. Anthony Blakney

Dear Ms. Kitchings:

Enclosed are an original and six copies of the Return to Motion to Consolidate in the above-captioned case. Thank you for your assistance in this matter.

Sincerely,

Robert M. Dudek
Chief Appellate Defender

RMD/kam

Enclosure

cc: Tommy Evans, Jr., Esquire
Mr. Anthony Blakney