

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Appeals from Lexington County and Aiken County
Honorable D. Craig Brown, Circuit Court Judge

RECEIVED

AUG 22 2016

SC SUPREME COURT

DENNIS F. SANDERS,

PETITIONER,

V.

THE STATE,

RESPONDENT.

Appellate Case No. 2015-002204 (Lexington County)

Appellate Case No. 2015-002205 (Aiken County)

MOTION TO CONSOLIDATE

The undersigned counsel for Dennis Sanders files this motion to consolidate his two pending PCR appeals with this Court. In support of this motion, we would respectfully show:

1. Currently pending before this Court are two PCR appeals involving petitioner Dennis F. Sanders: (1) Dennis F. Sanders v. State, Appellate Case No. 2015-002204, from Lexington County (hereinafter, the "Lexington Case"); and (2) Dennis F. Sanders v. State, Appellate Case No. 2015-002205, from Aiken County (hereinafter, the "Aiken Case").

2. David Alexander represents petitioner in the Lexington Case. John H. Strom represents petitioner in the Aiken Case. Julia Amanda Coleman represents the State in both cases.

3. The Aiken Case and the Lexington Case were consolidated below in the PCR court. A single hearing was held before the Honorable D. Craig Brown on January 13, 2015.

4. Both PCR actions stem from a single guilty plea before the Honorable Doyet A. Early, III. Petitioner had pending charges in Lexington County and Aiken County. Petitioner waived venue and jurisdiction in Lexington and Judge Early took petitioner's plea on all charges on September 1, 2011, in Aiken.

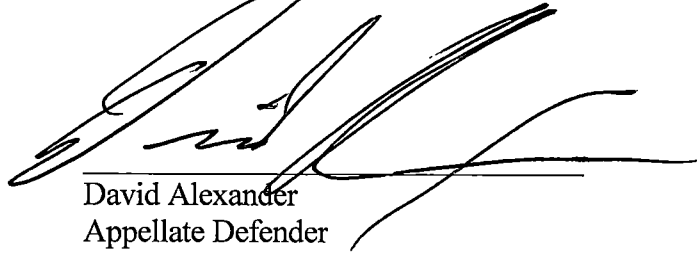
5. Judge Brown denied petitioner's PCR applications. He issued two orders—one for each case—but the orders incorporate each other by reference.

6. Because of the single plea agreement and the consolidation of the PCR actions below, consolidating these actions on appeal would further the interests of justice and preserve scarce judicial resources. If filed separately, the appendices and petitions would be identical. The issues in the case are identical. If acceptable to the Court, petitioner proposes submitting a single petition for certiorari and appendix.

7. Counsel for petitioner have conferred with the Attorney General and, as indicated by her signature below, she consents to the consolidation of these cases.

WHEREFORE, petitioner moves this Court for an Order consolidating the Lexington Case and Aiken Case for appeal.

Respectfully submitted,




David Alexander
Appellate Defender

John H. Strom
Appellate Defender

ATTORNEYS FOR PETITIONER

This 22nd day of August, 2016

I CONSENT:



Julia Amanda Coleman
Assistant Attorney General

ATTORNEY FOR RESPONDENT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeals from Lexington County and from Aiken County

Honorable D. Craig Brown, Circuit Court Judge

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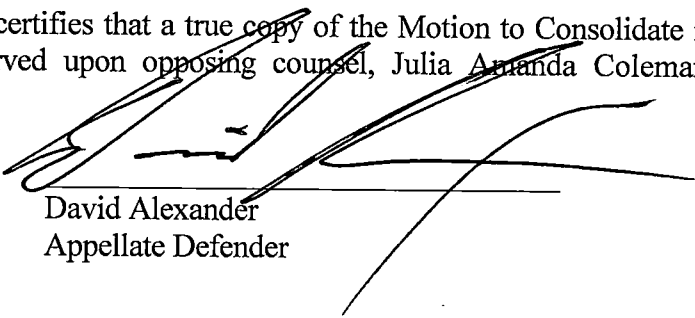
V.

THE STATE,

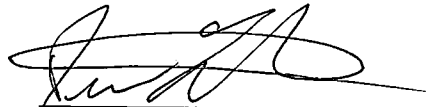
RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Consolidate in the above referenced case has been served upon opposing counsel, Julia Amanda Coleman, Esquire, this 22nd day of August, 2016.


David Alexander
Appellate Defender

SUBSCRIBED AND SWORN TO before me
this 22nd day of August, 2016.


Notary Public for South Carolina

(L.S.)

My Commission Expires: October 30, 2022.