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October 4, 2016

RECEIVED
OCT 04 2016
SC Court of Appeals

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

Re: State v. Richard A. Capell, Appellate Case No. 2016-000475
Request to Hold Case in Abeyance

Dear Ms. Kitchings:

The initial brief of appellant in the above-referenced case is due to be filed with this court on Friday, October 7, 2016. However, the appellant recently informed me that there was an additional pre-trial competency hearing held, which may be relevant to the issues raised on appeal. I contacted the public defender and court reporter, who both confirmed that hearing occurred on the same day as and prior to the immunity hearing.

Attached is a copy of the transcript request that we sent today. Thus, we request that the time limits be held in abeyance pending receipt of the transcript.

By copy of this letter, I am informing Senior Assistant Deputy Attorney General, J. Benjamin Aplin, Esquire, of the above request.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Laura R. Baer
Appellate Defender

Enclosure

cc: J. Benjamin Aplin, Esq.
Richard Capell