

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County
Honorable R. Scott Sprouse, Circuit Court Judge

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OCT 27 2016

SC Court of Appeals

THE STATE,

Respondent,

vs.

DEAN DISTASIO,

Appellant.

Appellate Case No. 2015-002130

**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 (911 Call CD); (2) State's Exhibit #2 (Photo); (3) State's Exhibit #4 (Photo); (4) State's Exhibit #5 (Photo); and (5) Defendant's Exhibit #4 (911 Call CD), 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.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
Honorable R. Scott Sprouse, Circuit Court Judge

THE STATE,RESPONDENT,

v.

DEAN DISTASIO,APPELLANT.

APPELLATE CASE NO. 2015-002130

ORDER

On motion of David Spencer, attorney for respondent, it is hereby ORDERED that **State's Exhibit No. 1 (911 Call CD), State's Exhibit No. 2 (Photo), State's Exhibit No. 4 (Photo), State's Exhibit No. 5 (Photo), and Defendant's Exhibit No. 4 (911 Call CD)**, be released to the Office of the Attorney General, or its designee, for transporting to the Court of Appeals of South Carolina for purposed of review by the Court for the above-captioned case.

JAMES E. LOCKEMY, CHIEF JUDGE

By _____
CLERK

Columbia, South Carolina

October 27, 2016

Copies to: David Spencer, Esquire
Laura R. Baer, Esquire



ALAN WILSON
ATTORNEY GENERAL

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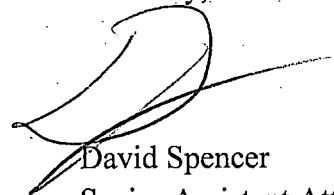
The Honorable Jenny A. Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: State v. Dean Distacio
Appellate Case No. 2015-002130

Dear Ms. Kitchings:

Enclosed is a proposed order in the above case. By copy of this letter, we are also forwarding a copy of this proposed order to Ms. Baer. Thank you for your assistance in this matter.

Sincerely,



David Spencer
Senior Assistant Attorney General

DS/kc

Enclosures

cc: Laura R. Baer, Esquire
Victim Services

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

October 27, 2016