

-FEBRUARY 5, 2017-

: DANIEL E. SHEAROUSE, ESQUIRE
CLERK OF CLERK, SUPREME COURT OF SC
P.O. BOX 11330
COL., SC 29211

RECEIVED

FEB 09 2017

S.C. SUPREME COURT


: BOBBY JOE BARTON, PRO SE
S.C.D.C. NO. #163629
: P.C.R. CASE # 2014-CP-23-5047
: APPELLATE CASE # 2016-000995

: -COVER LETTER-

: DEAR CLERK,

I AM FILING A "MOTION TO PLACE MY APPEAL IN ABEYANCE"
WITH YOUR CLERK'S OFFICE. I REQUEST THAT YOU TO PLEASE FILE THIS MOTION
WITH THE COURT AND PUT THE CHIEF JUDGE ON NOTICE WITH A COPY OF MY
MOTION ALONG WITH A COPY OF CHALLENGE THAT I FILED ON JANUARY 13TH, 2017
PLEASE NOTIFY HIM THAT I ALSO FILED AN APPEAL ON JUDGE HALLS' RULING
OF JANUARY 5TH, 2017 BECAUSE IT HAS AN INDIRECT IMPACT ON MY PETITION
FOR WRIT-OF-CERTIORARI. I AM ENCLOSED AN EXTRA COPY OF THIS MOTION
AND I ASK YOU TO PLEASE SEND ME A CLOCK STAMPED COPY AS SOON AS POSSIBLE
I THANK YOU FOR YOUR TIME AND ASSISTANCE REGARDING THIS MATTER.

RESPECTFULLY SUBMITTED,


BOBBY JOE BARTON, #163629
MCCORMICK CORR. INST.
386 REDEMPTION WAY
MCCORMICK, SC 29899

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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FEB 09 2017

S.C. SUPREME COURT

BOBBY JOE BARTON,
S.C.D.C.#163629
PETITIONER

MOTION FOR APPEAL TO BE PLACED
IN

V.

ABEYANCE

STATE OF SOUTH CAROLINA,
RESPONDENT

P.C.R. CASE # 2014-CP-23-5047

APPELLATE CASE # 2016-000995

THE ABOVE PETITIONER MOVES UPON THE HONORABLE COURT TO PLACE HIS CASE ON APPEAL IN ABEYANCE UNTIL THE LOWER COURT OF COMMON PLEAS CAN ADJUDICATE A RULING UPON PETITIONER'S CHALLENGE OF THE ACCURACY OF THE TRANSCRIPT OF THE SUPREME COURT ORDERED ACCURACY HEARING HELD ON DECEMBER 15, 2016.

THE PETITIONER ON 13TH DAY OF JANUARY, 2017, DID FILE A MOTION UPON PAUL B. WICKENSIMER, CLERK OF COURT, THIRTEENTH (13TH) JUDICIAL CIRCUIT, COURT OF COMMON PLEAS THAT HE IS CHALLENGING THE ACCURACY OF THE TRANSCRIPT OF THE HEARING MENTION ABOVE AND A TRUE EXACT COPY WERE SERVED UPON PATRICK SCHMECKPEPER OF THE DISTRICT ATTORNEYS' OFFICE AND THE COURT REPORTER, SHIRLEY G. BROOM, OF THE SIXTEEN (16TH) CIRCUIT BY THE UNITED STATES POSTAL SERVICE. (A TRUE EXACT COPY OF THE MOTION IS ENCLOSED FOR THE HONORABLE COURT TO INSPECT AS TO WHAT WAS FILED AND THE REASONS FOR THE FILING.)

THE PETITIONER DID FILE AN APPEAL NOTICE UPON DANIEL

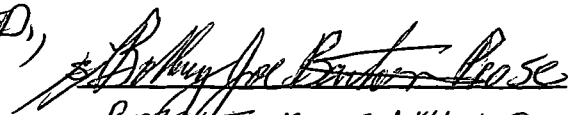
JAM JACOB
MOR JAN

E. SHEAROUSE, CLERK OF COURT, OF THE SOUTH CAROLINA SUPREME COURT
ON JANUARY 9th, 2017 AGAINST "THE HONORABLE DANIEL D. HALL'S" RULING
DECLARING THE P. C. R. TRANSCRIPT TO BE ACCURATE.

THE PETITIONER ALLEGES ABUSE OF DISCRETION OF THE REVIEWING
COURT DUE TO THE EVIDENCE PRESENTED IN WHICH THE TRIAL TRAN-
SCRIPT SUPPORTED PETITIONERS' CLAIM THAT THE P. C. R. TRANSCRIPT
ARE NOT ACCURATE AND THE EVIDENCE OF THE COURT REPORTER'S
LETTERS TO PETITIONER WOULD SUPPORT THAT SHE COMMITTED PER-
JURY AT THE HEARING HELD TO DETERMINE THE ACCURACY OF THE P. C. R.
TRANSCRIPT. PETITIONER SUBMITTED COPIES OF THESE LETTERS TO
"JUDGE DANIEL D. HALL", TO REVIEW. THE REVIEWING COURT HAS
COMMITTED "NOLLEPROSECUTION" OF THE EVIDENCE PRESENTED TO THE
COURT.

IT IS WITH MUCH HOPE AND MANY PRAYERS THAT THE SUPREME
COURT WILL GRANT HIS "MOTION TO PLACE HIS APPEAL IN ABEYANCE",
AND ORDER THE LOWER COURT TO CORRECT THE TRANSCRIPT AND ITS
MISSING PORTIONS AND TO HOLD THE COURT REPORTER ACCOUNTABLE
OF HER DUTIES AND OBLIGATION TO THE COURT ADMINISTRATION AND THE
JUDICIAL SYSTEM.

RESPECTFULLY SUBMITTED,



BOBBY JOE BARTON, #163629
McCORMICK CORR. INST.
386 REDEMPTION WAY
McCORMICK, SC 29899

CC: PATRICK SCHNECKPETER, ESQUIRE
CHRIS SWENSKI, LEGAL ASSISTANT
BOBBY JOE BARTON, PROSE PETITIONER

- CERTIFICATE OF SERVICE -

P.C.R. CASE # 2014-CP-23-5047

APPELLATE CASE # 2016-000995

THE HEREBY UNDERSIGNED STATES UNDER THE PENALTY OF PERJURY THAT HE HAS SERVED A "MOTION FOR APPEAL TO BE PLACED IN ABEYANCE" UPON "DANIEL E. SHEPARDISE," CLERK OF COURT, S.C. SUPREME COURT AND A TRUE EXACT COPY UPON "PATRICK SCHMECKPEPER," ATTORNEY GENERAL'S OFFICE, P.O. BOX 11549, COLUMBIA, SC 29211-1549, THE PETITIONER ACCOMPLISHED THIS BY ADDRESSING THIS DOCUMENT TO: "MR. CHRIS SWENSKI," LEGAL ASSISTANT OF APPELLATE DEFENSE COMMISSION TO GET ~~THREE~~ (3) COPIES AND MAIL TO ORIGINAL TO CLERK'S OFFICE, A COPY TO DISTRICT ATTORNEY'S OFFICE AND RETURNED THE OTHER TO PETITIONER. ON THE 6TH DAY FEBRUARY, 2017 FROM MCCORMICK CORRECTIONAL INSTITUTION.

/s/ Bobby Joe Barton, Pro Se

BOBBY JOE BARTON, #163629

MCCORMICK COR. INST.

386 REDEMPTION WAY

MCCORMICK, SC 29899

CC: PATRICK SCHMECKPEPER, ESQ. / PRO SE

BOBBY JOE BARTON, PRO SE PETITIONER

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