

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of General Sessions
Roger M. Young, Circuit Court Judge

Appellate Case No. 2016-001264

RECEIVED

MAY 01 2017

SC Court of Appeals

The State,Respondent

v.

Larry Durant,.....Appellant.

**Petition to Hold Filing Deadlines in Abeyance Until Additional Transcript is
Obtained**

The appellant, Larry Durant, respectfully petitions this Court for an order holding the filing deadlines in abeyance until an additional transcript is obtained. This petition is prompted by the Court's order dated April 4, 2017 setting a deadline for filing the initial brief of appellant.

As the record reflects, undersigned counsel entered an appearance after former appellate counsel moved to be relieved. Although there has not been a formal ruling on the motions of prior counsel to be relieved or for undersigned counsel to be substituted, undersigned counsel is operating under the assumption that he will be representing Mr. Durant through the conclusion of this appeal.

An issue arose regarding a written order denying Mr. Durant's post-trial motions. By letter dated March 15, 2017, a copy of which is attached, undersigned counsel informed this Court that trial counsel recalled the motion being heard and denied on the

record without a written order. Also by letter dated March 15, 2017, a copy of which is attached, the undersigned counsel ordered a copy of the transcript of the post-trial motions hearing. By letter dated April 17, 2017, a copy of which is attached, the court reporter acknowledged receipt of the requests and requested advance payment. As reflected by the string of emails dated April 17-19, a copy of which is attached, undersigned counsel immediately arranged for advance payment.

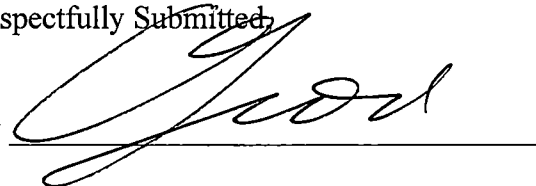
Based on communications with trial counsel, undersigned counsel is informed and believes that the post-trial motions hearing will be relevant to at least one issue to be briefed on appeal. Mr. Durant, therefore, respectfully requests this Court issue and order holding the filing deadlines in abeyance until the post-trial motions hearing transcript is obtained.

Prior to filing this petition, the undersigned counsel communicated with Ben Aplin, counsel for the State, who does not oppose this request.

IT IS SO MOVED.

Respectfully Submitted,

By



E. Charles Grose, Jr.
S.C. Bar Number 66063
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466
(864) 538-4405 (fax)
Email: charles@groselawfirm.com

Attorney for the Defendant

April 27, 2016

The Grose Law Firm, LLC
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

March 15, 2017

The Honorable, Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
Attn: Tonisha Fuller
P.O. Box 11629
Columbia, SC 29211

RECEIVED
MAR 17 2017
SC Court of Appeals

Re: *State of South Carolina v. Larry Durant*
Appellate Case Number 2016-001264

Dear Ms. Kitchens:

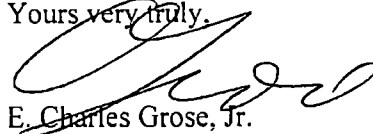
Please allow this letter to follow my letter of March 9, 2017. Since then, I have spoken with Shaun Kent and understand that there is no written order denying the post-trial motions. I understand that there was a hearing and Judge Young denied the motions on the record. Based on the calendar on the Judicial Department website, it appears that this hearing was on June 8, 2016. Enclosed is a copy of my letter requesting the transcript of that hearing.

Additionally, I respectfully request that the filing deadlines be held in abeyance until I receive the transcript. I will keep the Court posted on developments.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: Mr. Larry Durant
Shaun Kent, Esquire
J. Benjamin Aplin, Esquire

The Grose Law Firm, LLC
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

March 15, 2017

Ms. Amanda K. Haffenden
Post Office Box 424
Summerville, SC 29484

RECEIVED
MAR 17 2017
SC Court of Appeals

Re: *State v. Larry DuRant*
Case Number 2014-GS-43-00947

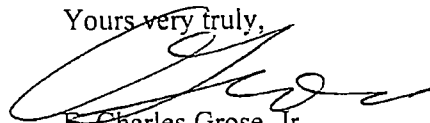
Dear Ms. Haffenden:

I have been retained to represent Mr. DuRant in his direct appeal. I understand that there was a post-trial motions hearing in this Sumter County case on June 8, 2016 before the Honorable Roger Young. This letter is to request a copy of that transcript. I agree to reimburse you for the cost of preparing the transcript.

Thank you for your attention to this matter. If you have any questions or require additional information, please let me know.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: Mr. Larry Durant
Clerk of Court, Court of Appeals
J. Benjamin Aplin, Esquire

AMANDA K. HAFFENDEN, RPR, CRR
P.O. Box 424
Summerville, SC 29484
ahaffenden@sccourts.org

April 17, 2017

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646

IN RE: SC vs. Larry DuRant

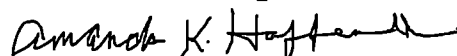
Dear Mr. Grose:

I hereby acknowledge receipt of your request for transcript dated March 15, 2017 in the above-captioned case held in front of Judge Young on June 8, 2016. I have reviewed my records and estimate that your transcript will be 30 pages. Based on the current rate of \$3.25 per page, the cost will be \$97.50, which includes Keyword Index. Under our rules, I have 60 days in which to complete the transcript.

Upon receipt of a certified check or money order (no personal checks, please, but a law firm check is acceptable), for \$97.50, the 60 days will begin. If I have underestimated the number of pages, you will be notified prior to delivery of the transcript of the balance due. If I have over estimated the number of pages, you will be refunded the overpayment.

In the event I need an extension of time to complete the transcript, I will request an extension from Court Administration. You will be notified if the extension is granted.

Sincerely,



Amanda K. Haffenden, RPR, CRR

Subject: Re: STATE V. LARRY DuRANT
Date: Wednesday, April 19, 2017 at 12:51:08 PM Eastern Daylight Time
From: Haffenden, Amanda K.
To: Charles Grose
CC: Laura Wingard

I sure will. Thanks.

Amanda K. Haffenden, RPR, CRR
Circuit Court Reporter
Ninth Circuit
Charleston, SC

From: Charles Grose <charles@groselawfirm.com>
Sent: Tuesday, April 18, 2017 10:12 AM
To: Haffenden, Amanda K.
Cc: Laura Wingard
Subject: Re: STATE V. LARRY DuRANT

Thank you. If you don't receive a check by the end of this week or early next week, please let me know.

Best,
Charles

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
Phone: 864-538-4466
Fax: 864-538-4405
Web: GroseLawFirm.com
Email: charles@groselawfirm.com

-----Original Message-----

From: "Haffenden, Amanda K." <AHaffenden@scccourts.org>
Date: Monday, April 17, 2017 at 6:32 PM
To: Charles Grose <charles@groselawfirm.com>
Subject: STATE V. LARRY DuRANT

Attached please find the deposit letter for the above-captioned case.

Amanda K. Haffenden, RPR, CRR
Circuit Court Reporter
Ninth Circuit
Charleston, SC

~~~~ CONFIDENTIALITY NOTICE ~~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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In The Court of Appeals

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APPEAL FROM SUMTER COUNTY  
Court of General Sessions  
Roger M. Young, Circuit Court Judge

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Appellate Case No. 2016-001264

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The State, .....Respondent

v.

Larry Durant, .....Appellant.

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**Certificate of Service**

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I certify that I have served this pleading on the State of South Carolina by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed to:

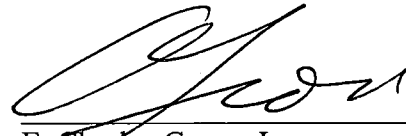
J. Benjamin Aplin, Esquire  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211

This pleading is also being served on

John Dennis Delgado  
Bluestein Nichols Thompson & Delgado, LLC  
1614 Taylor St.  
Columbia, SC 29201

And

Robert Michael Dudek  
S.C. Commission on Indigent Defense  
PO Box 11589  
Columbia, SC 29211



---

E. Charles Grose, Jr.  
The Grose Law Firm, LLC  
404 Main Street  
Greenwood, SC 29646  
(864) 538-4466  
E-mail: [charles@groselawfirm.com](mailto:charles@groselawfirm.com)

April 27, 2017

**The Grose Law Firm, LLC**  
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.  
Phone: 864-538-4466 Fax: 864-538-4405  
E-mail: charles@groselawfirm.com  
Web: GroseLawFirm.com

April 27, 2017

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**SC Court of Appeals**

The Honorable, Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: *State of South Carolina v. Larry Durant*  
Appellate Case Number 2016-001264

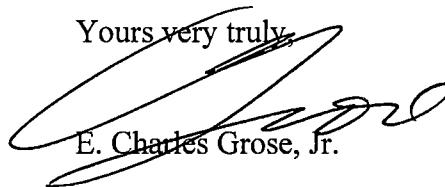
Dear Ms. Kitchens:

Enclosed please find the original and six copies of Mr. Durant's Petition to Hold Filing Deadlines in Abeyance Until Additional Transcript is Obtained, along with a certificate of service.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,



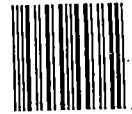
E. Charles Grose, Jr.

cc: John D. Delgado, Esquire  
J. Benjamin Aplin, Esquire  
Robert M. Dudek, Esquire

The Grose Law Firm, LLC  
404 Main Street  
Greenwood, SC 29646

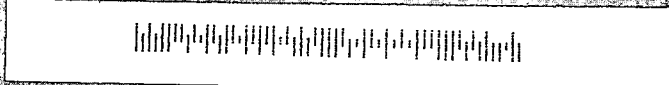


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The Honorable Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
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Columbia, SC 29211

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