

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

APPEAL FROM RICHLAND COUNTY  
Robert E. Hood, Circuit Court Judge

OCT 02 2017  
**SC Court of Appeals**

Appellate Case No. 2017-000921

The State,.....Respondent

v.

Mack Wells, .....Appellant

**UPDATE RE: MOTION TO SUSPEND APPEAL AND GRANT LEAVE TO MAKE A  
MOTION FOR A NEW TRIAL BASED ON AFTER DISCOVERED EVIDENCE**

J. Todd Rutherford, Esquire  
SC Bar #12097  
Attorney for Appellant  
2113 Park Street  
Columbia, South Carolina 29202  
(803) 256-3003 Telephone  
(803) 256-9698 Facsimile

Defendant, through his attorney filed a Motion for a New Trial Based on After Discovered Evidence in the General Sessions Court for the Fifth Circuit. The motion is currently set to be heard on October 24, 2017 before Judge Robert E. Hood.

Respectfully Submitted,



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J. Todd Rutherford, Esquire  
SC Bar #12097  
Attorney for Appellant  
2113 Park Street  
Columbia, South Carolina 29202  
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October 2, 2017  
Columbia, South Carolina

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**PROOF OF SERVICE**

I, J. Todd Rutherford, certify that I served the within Update on Motion to Suspend Appeal and Grant Leave to Make a Motion for a New Trial Based on After Discovered Evidence on the Respondent by depositing three copies in the United States mail, postage prepaid, on June 19, 2017, addressed to the Office of the Attorney General, 1000 Assembly Street, Suite 501, Columbia, South Carolina 29201.



J. Todd Rutherford, Esquire  
SC Bar #12097  
Attorney for Appellant  
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Columbia, South Carolina 29202  
(803) 256-3003 Telephone  
(803) 256-9698 Facsimile