

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

RECEIVED
OCT 19 2017
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JONATHAN GREEN,

APPELLANT.

APPELLATE CASE NO. 2016-002256

MOTION TO HOLD APPEAL IN ABEYANCE

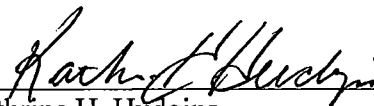
Appellant Jonathan Green, through undersigned counsel, moves this Court to place the deadline for filing the initial brief of appellant and designation of matter in abeyance pending receipt of a transcript of pre-trial hearings. Counsel for appellant states the following in support of this motion:

1. The initial brief and designation are due to be filed on Monday October 23, 2017. This Court has granted four previous extensions of time in which to file the initial brief and designation.
2. On December 5, 2016, the Office of Appellate Defense requested from the court reporter the transcripts for the above case and provided four dates,

October 24, 25, 26, 27, 2016. On April 24, 2017, the Office of Appellate Defense received the transcript from three of the four requested dates, October 25, 26, 27, 2016. The Office of Appellate Defense overlooked the fact that the court reporter failed to provide the transcript from October 24, 2016, and the case was assigned counsel.

3. On October 5, 2017, counsel realized that the court reporter had not provided the transcript from the pre-trial hearings held on October 24, 2016. Counsel contacted the court reporter on October 5, 2017, by e-mail, and requested the pre-trial hearing transcript from October 24, 2016, as requested in the December 5, 2016, letter.
4. Counsel hoped that the court reporter would be able to provide the pre-trial hearing transcript and counsel would be able to file the initial brief on the October 23, 2017, filing date. The court reporter, however, has not been able to provide the pre-trial hearing transcript held on October 24, 2016. Counsel cannot complete the initial brief without the pre-trial hearing transcript.

Based on the above factors counsel for appellant Jonathan Green asks this Court to place the deadlines for this case in abeyance pending receipt of the transcript from the pre-trial hearing held on October 24, 2016.


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

This 19th day of October, 2017.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

RECEIVED
OCT 19 2017
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

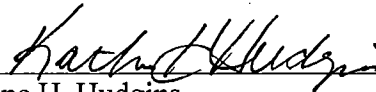
JONATHAN GREEN,

APPELLANT.

APPELLATE CASE NO. 2016-002256

CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the Motion to Hold Appeal in Abeyance in the above referenced case has been served upon J. Benjamin Aplin, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201 this 19th day of October, 2017.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 19th day of October, 2017.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.