

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Deborah Brooks Durden, Administrative Law Court Judge

Docket No. 2012-211047

Mark Schnee, Appellant.

v.

West Columbia Police Department and
South Carolina Department of Motor Vehicles, Respondents,

Motion to Stay Driver's License Suspension

The Appellant, Mark Schnee, hereby moves for an Order to Stay the effect of the Final Order and resulting driver's license suspension during the pendency of this appeal.

S.C. Code §56-5-2951(G) as amended states:

(G) An administrative hearing is a contested case proceeding under the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with its appellate rules. **The filing of an appeal stays the suspension until a final decision is issued on appeal.** (emphasis added).

The Appellant, therefore requests this Court stay the suspension of Appellant's driver's license and notify the South Carolina Department of Motor Vehicles that the license is not suspended.

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JAN 08 2013

SC Court of Appeals

January 8, 2013



T. Micah Leddy, Attorney for Appellant
The Leddy Law Firm, LLC.
2008 Lincoln Street
Columbia, SC 29201
micah@leddylaw.com

Other Counsel of Record:

Linda A. Grice
Assistant General Counsel
South Carolina Department of Motor Vehicles
P.O. Box 1498
Blythewood, SC 29016-0020

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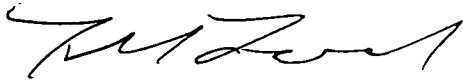
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PROOF OF SERVICE

I hereby certify that a true copy of the Motion to Stay Driver's License Suspension by Appellant in the above-referenced case has been served upon opposing counsel by delivering same this date to her office at the South Carolina Department of Motor Vehicles, P.O. Box 1498, Blythewood, SC 29016-0020.

January 8, 2013



T. Micah Leddy, Attorney for Appellant
The Leddy Law Firm, LLC.
2008 Lincoln Street
Columbia, SC 29201
micah@leddy.com

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