

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge H.W. Funderburk, Jr.

ALC Case 17-ALJ-04-0507-AP

JAKARTA YOUNG, #276572,

RESPONDENT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

APPELLANT.

MOTION TO HOLD IN ABEYANCE

The South Carolina Department of Corrections filed a Notice of Appeal in the above captioned case on July 11, 2018 as well as a Motion for Supersedeas in the Administrative Law Court (ALC). Therefore, in accordance with Rule 208, SCACR, the Department's Initial Brief is due today. However, on July 27, 2018, the Honorable Judge Funderburk, Jr. granted the Department's Motion for Supersedeas and filed a letter with this Court requesting it remand the case back to the ALC. Therefore, the Department respectfully requests this case be held in abeyance pending a response to Judge Funderburk's letter.

RECEIVED
AUG 10 2018
SC Court of Appeals

Other Counsel of Record/Pro Se

Jakarta Young #276572
Evans Correctional Institution
610 Highway 9 West
Bennettsville, SC 29512

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

A handwritten signature in black ink, appearing to read "Kensey Barrett", is written over a horizontal line.

KENSEY BARRETT
Staff Attorney
Office of General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR APPELLANT

Columbia, SC
August 10, 2018

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge H.W. Funderburk, Jr.

ALC Case 17-ALJ-04-0507-AP

JAKARTA YOUNG, #276572,

RECEIVED
AUG 10 2018
SC Court of Appeals

RESPONDENT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

APPELLANT.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on August 10, 2018, she mailed a copy of the foregoing **Motion to Hold in Abeyance** to the Honorable H.W. Funderburk via U.S. Mail addressed as follows: Honorable H.W. Funderburk, Jr., South Carolina Administrative Law Court, 1205 Pendleton Street, Columbia, South Carolina 29201.



Kensey Barrett
Staff Attorney
Office of General Counsel
S. C. Department of Corrections
Post Office Box 21787
Columbia, S. C. 29221
(803) 896-8508

August 10, 2018

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge H.W. Funderburk, Jr.

ALC Case 17-ALJ-04-0507-AP

JAKARTA YOUNG, #276572,

RESPONDENT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

APPELLANT.

RECEIVED
AUG 10 2018
SC Court of Appeals

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on August 10, 2018, she mailed a copy of the foregoing **Motion to Hold in Abeyance** to the Honorable H.W. Funderburk via U.S. Mail addressed as follows: Jakarta Young, #276572, Evans Correctional Institution, 3A-0287-A, 610 Highway 9 West, Bennettsville, South Carolina, 29512.



Kensey Barrett
Staff Attorney
Office of General Counsel
S. C. Department of Corrections
Post Office Box 21787
Columbia, S. C. 29221
(803) 896-8508

August 10, 2018



South Carolina
Department of
Corrections

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

OFFICE OF GENERAL COUNSEL

August 10, 2018

The Honorable Jenny A. Kitchings
Clerk of Court, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
AUG 10 2018
SC Court of Appeals

RE: Jakarta Young, # 276572, v. South Carolina Department of Corrections

Dear Ms. Kitchings:

Enclosed is the original and six copies of Appellant's **Motion to Hold in Abeyance**, along with the corresponding **Certificates of Service**, in the above captioned appeal.

Thank you for your attention to these matters, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Kensey Barrett
Staff Attorney
South Carolina Department of Corrections

cc: Honorable H.W. Funderburk, Jr.
South Carolina Administrative Law Court
1205 Pendleton Street
Columbia, South Carolina 29201

Jakarta Young #276572
Evans Correctional Institution
610 Highway 9 West
Bennettsville, SC 29512
3A-0287-A