

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM Horry COUNTY
Court of General Sessions
The Honorable Thomas Anthony Russo, Circuit Court Judge

RECEIVED

SEP 17 2018

SC Court of Appeals

Appellate Case No. 2017-001229

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

DAVID HAROLD CAMPBELL,

APPELLANT.

**PETITION FOR STAY OF DIRECT APPEAL AND
REMAND TO THE COURT OF GENERAL SESSIONS**

The Appellant in the above captioned matter has previously requested the stay of his pending direct appeal in order to permit the circuit court to investigate and resolve his challenge to the completeness and accuracy of the trial transcript provided to him and his appellate counsel, Tara Dawn Shurling, by the Court Reporter in this matter. By Order filed May 9, 2018, this Court granted Appellant a sixty (60) day stay for the circuit court to resolve this matter. Attorney Shurling's subsequent requests for extensions of that stay have been treated as extension requests for the filing of the Initial Brief of Appellant. See, Orders from this Honorable Court dated July 19, 2018 and September 4, 2018.

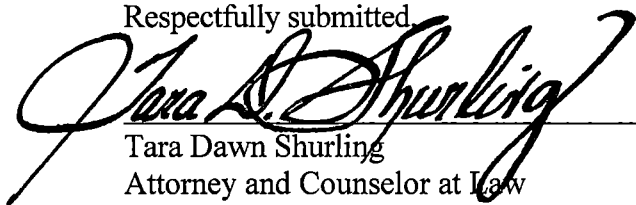
Appellant now respectfully asks that the initial stay issued by this Court's Order dated May 9, 2018 be extended, and that this matter be remanded to the Court of General Sessions until such time as the Honorable Thomas A. Russo, presiding trial judge, makes a finding concerning the

completeness and accuracy of the trial transcript provided to Defendant by the Court Reporter assigned to this case.

Counsel for Appellant proposes to provide this Honorable Court the findings of the circuit court within sixty (60) days of the date of this Order staying this direct appeal. In the event the circuit court has not issued its findings in this matter within that time period, Counsel for Appellant proposes that she be required to provide the South Carolina Court of Appeals a status report concerning the trial court's investigation of Appellant's challenge to the completeness and accuracy of this trial record.

For all the above reasons, Appellant now asks that his direct appeal be stayed until such time as the presiding circuit court judge, Thomas A. Russo, issues his findings with regard to the completeness and accuracy of the trial transcript prepared and served upon Appellate Counsel, Tara Dawn Shurling. He further asks that his time limits for filing the Initial Brief of Appellant be run from the date of the Order of the Circuit Court regarding Appellant's challenge to the completeness and accuracy of the trial transcript in this case.

Respectfully submitted,



Tara Dawn Shurling
Attorney and Counselor at Law
S. C. Bar No. 5099

Attorney for Appellant

This the 11th day of September, 2018.

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In The Court of Appeals

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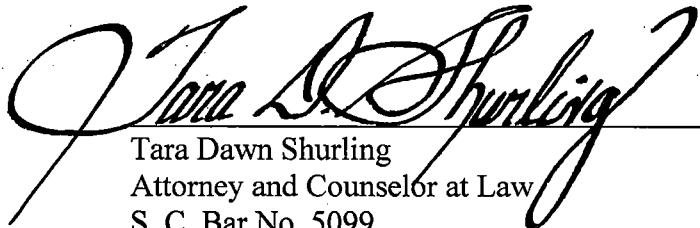
DAVID HAROLD CAMPBELL,

APPELLANT.

CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a copy of the Petition for Stay of Direct Appeal and Remand to the Court of General Sessions in the above-entitled case has been served upon opposing counsel by depositing in the U.S. Mail, postage prepaid, this 11th day of September, 2018 addressed as follows:

J. Benjamin Alpin
Senior Assistant Deputy Attorney General
Office of the Attorney General
P o Box 11549
Columbia, SC 29211


Tara Dawn Shurling
Attorney and Counselor at Law
S. C. Bar No. 5099

Attorney for Appellant

SWORN TO BEFORE me this 11th day
of September, 2018.


Notary Public for South Carolina
My Commission Expires: 2/28/24

LAW OFFICE OF



TARA DAWN SHURLING, PA

Attorney and Counselor at Law

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Columbia, South Carolina 29204

E-Mail: tDSLAW@shurlinglaw.com

(803) 738-8622
(Fax) (803) 738-1600

September 11, 2018

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SEP 17 2018

SC Court of Appeals

Re: State of South Carolina v. David Harold Campbell
Appellate Case No. 2017-001229

Dear Ms. Kitchings:

Enclosed please find for filing the original and one copy of my Petition for Stay of Direct Appeal and Remand to the Court of General Sessions and Certificate of Service in the above captioned matter. I would appreciate your clocking and returning the clocked copy in the enclosed self-addressed, stamped envelope. With my best regards, I remain,

Yours sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Tara Dawn Shurling".

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/sg
Enclosures

cc: J. Benjamin Aplin, Senior Assistant Deputy Attorney General (w/enclosures)
David Harold Campbell, #265686 (w/enclosures)
Jynere Friday (w/enclosures)