

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Dillon County

Honorable Roger E. Henderson, Circuit Court Judge

RECEIVED

JAN 03 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DANIEL ANTWAN ROGERS

APPELLANT

APPELLATE CASE NO. 2019-000704

MOTION TO HOLD IN ABEYANCE

Counsel for Daniel Antwan Rogers respectfully requests that this case be held in abeyance until receipt of the drug court termination hearing transcript. In support of this request, counsel shows:

1. It was assumed that there was no transcript of the termination hearing in drug court because the court reporter for the sentencing hearing at the Dillon County Court of General Sessions did not transcribe the termination hearing, nor could any other circuit court reporter be found to have taken the hearing.

2. Recently, undersigned Counsel discovered that the drug court termination hearing was held before the Honorable Robert A. Stanton in magistrate's court in Marlboro County.

3. After contacting Judge Stanton, undersigned Counsel learned that a court reporter working for a private company, Q&A Reporting, was present at the drug court termination hearing.

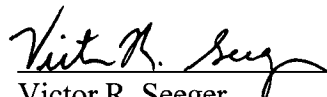
4. On January 2, 2020, our office ordered the transcript from Q&A Reporting and was assured that we would receive the transcript within three weeks. This transcript is essential for Appellant's direct appeal

5. Undersigned Counsel will notify this Court upon receipt of the transcript.

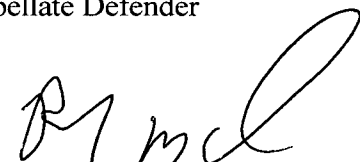
6. Undersigned Counsel requests a deadline for submission of Appellant's Brief and Designation of matter for ten days after our office receives the transcript.

WHEREFORE, the undersigned Counsel would respectfully request that the time limits for filing the brief be held in abeyance until receipt of the drug court termination hearing transcript.

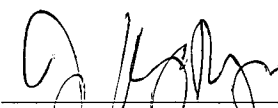
Respectfully submitted,



Victor R. Seeger
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director