

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenwood County
The Honorable Frank R. Addy, Jr., Circuit Court Judge

RECEIVED
FEB 18 2020
SC Court of Appeals
Respondent,

THE STATE,

vs.

DAZZELLE SMITH,

Appellant.

Appellate Case No. 2018-000952

**MOTION TO HOLD APPEAL IN
ABEYANCE PENDING RECEIPT OF
A COPY OF THE SUPPRESSION
HEARING TRANSCRIPT**

The State's initial brief and designation of matter is due to be served and filed today. However, the State ordered a copy of the transcript of the suppression hearing designated by appellant on January 27, 2020. This office sent a follow-up request for a copy of the transcript on February 11, 2020. As of today's date, the State has not received a copy of the transcript. Accordingly, the State would respectfully request the appeal be held in abeyance until the transcript is received.

II.

Respondent also moves to hold all time-lines in abeyance until this Court rules on the

State's motion and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General
Bar # 68571

BY: 

DAVID SPENCER

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

February 18, 2020

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenwood County
The Honorable Frank R. Addy, Jr., Circuit Court Judge

THE STATE,

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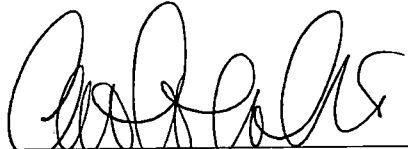
Appellant
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **Motion to Hold Appeal in Abeyance Pending Receipt of a Copy of the Suppression Hearing Transcript**, has been served upon opposing counsel by mailing two (2) copies in the United States mail, postage prepaid:

William G. Yarborough, III, and Laruen C. Hobbis, Esquires
William G. Yarborough III, Attorney at Law, LLC
308 W. Stone Avenue
Greenville, South Carolina 29609

This 18th day of February, 2020.



Caroline Collins
Administrative Coordinator



ALAN WILSON
ATTORNEY GENERAL

February 18, 2020

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

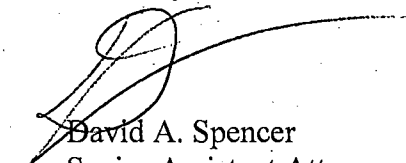
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RE: State of South Carolina v. Dazzelle Smith
Appellate Case No. 2018-000952

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the **Motion to Hold Appeal in Abeyance Pending Receipt of a Copy of the Suppression Hearing Transcript** in the above mentioned case.

Sincerely,


David A. Spencer
Senior Assistant Attorney General
SC Bar No. 68571

DAS/cc

cc: Lauren C. Hobbis, Esquire
William G. Yarborough, III, Esquire