

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Apr 22 2020
SC Court of Appeals

Appeal from Greenville County
Honorable Robin B. Stilwell, Circuit Court Judge

THE STATE,

Respondent,

vs.

SHANNON EARL GARLAND,

Appellant.

Appellate Case No. 2018-002085

**MOTION TO HOLD
TIMELINES IN ABEYANCE
DUE TO DELAYS IN OBTAINING EXHIBITS**

Respondent now moves for this Court to hold timelines in abeyance until this office is able to transport State's Exhibits No. 1 and No. 2 (compact disc recordings of the forensic interviews). Respondent will need to review the exhibits prior to completing briefing in this case as the evidence is relevant to the analysis of the issues raised on appeal. This Court previously granted the State's motion to issue an order of transportation and issued the Order of Transportation on March 27, 2020. Due to issues related to the coronavirus epidemic and the resulting effect on this office's normal operations, our office has not been able to retrieve these exhibits and transport them to this Court. As this Court is aware, the effects of the coronavirus epidemic on the normal

operations on our agencies is ongoing and therefore, Respondent would submit a motion to hold timelines in abeyance is appropriate.

II.

Respondent also moves to hold the time-lines in abeyance until this Court rules on the State's motion.

III.

WHEREFORE, Respondent prays that this Court hold the filing deadlines in abeyance until the State is able to retrieve the above exhibits and transport them to this Court; 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

BY: s/David Spencer
DAVID SPENCER

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ATTORNEYS FOR RESPONDENT

April 22, 2020

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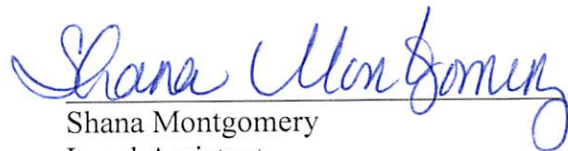
SHANNON EARL GARLAND,

Appellant.

PROOF OF SERVICE

I, Shana Montgomery, certify that I have served The Motion to Hold Timelines in Abeyance Due to Delays in Obtaining Exhibits on Appellant by electronic mail to the address listed for counsel in AIS, and depositing one copy of the same in the United States mail, postage prepaid addressed to Susan B. Hackett, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.
This 22th day of April, 2020.



Shana Montgomery
Legal Assistant
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