

STATE OF SOUTH CAROLINA
In the Court of Appeals

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Apr 27 2020

SC Court of Appeals

Appeal from Edgefield County

The Honorable Frank Addy, Circuit Court Judge

THE STATE,

Respondent,

v.

DAMEION EDWIN THOMAS,

Appellant.

Appellate Case No. 2019-001794

**MOTION TO HOLD TIME LIMITS IN ABEYANCE PENDING
RECEIPT OF TRANSCRIPT**

Pursuant to Rule 207(a), SCACR, Appellant ordered a transcript of proceedings below. However, Appellant ordered only a portion of the trial record. Undersigned counsel for Respondent, after consultation with counsel for Appellant, wishes to order the remainder of the trial record. Counsel for Appellant does not oppose this motion to hold time limits in abeyance pending receipt of the remainder of the trial transcript. In support of this motion, Respondent would respectfully show the Court:

1. Appellant ordered a transcript of the continuance motion heard October 7, 2019. Appellant received that transcript and has filed his initial brief. In the initial brief, Appellant has raised only a challenge to the denial of the motion for continuance heard on October 7, 2019. In his designation of matter, he designates only portions of that October 7, 2019 transcript.

2. Respondent ordered a copy of the previously requested transcript from October 7, 2019, on March 13, 2020. Respondent received a copy of the initial brief on April 17, 2020.

Upon review of each, Respondent believes it is necessary to order the entirety of the trial transcript and review that transcript prior to completing its initial response brief.

3. After consultation with Appellant pursuant to Rule 207(a)(1), SCACR, there is no agreement to order the additional trial transcript. However, opposing counsel does not object to Respondent's motion to hold the time limits of the appeal in abeyance pending receipt of the additional transcript.

4. Attached is a copy of the transcript request form which has been submitted to the court reporter today.

WHEREFORE, premises considered, Respondent respectfully moves, with Appellant's consent, to hold the time limits of this appeal in abeyance pending receipt of the ordered transcript.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN,
Senior Assistant Deputy Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: 

MELODY J. BROWN
S.C. Bar No. 14244

April 27, 2020

ATTORNEYS FOR RESPONDENT

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name <u>Angela Brown</u>	Phone Number <u>803-734-0368</u>	Email Address <u>Abennett@scag.gov</u>	
Mailing Address <u>P.O. Box 11549</u>	City <u>Columbia</u>	State <u>SC</u>	Zip Code <u>29211</u>
Transcript Information			
Docket Number <u>2017-GS-19-063</u>	Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>The State v. Dameion Edwin Thomas</u>		
Date(s) of Proceeding <u>October 10, 2019</u>	Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>	County <u>Edgefield</u>	
Presiding Judge <u>Judge Frank Addy</u>	Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	RECEIVED Apr 27 2020	
Court Reporter(s) <u>Steven LeBlanc</u>	Opposing Counsel <u>Tyrone Walls</u>		
SC Court of Appeals			

Requestor's Signature: Angela Bennett Brown
(Typed name will serve as signature)

Date: April 27, 2020

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____	Date Received _____	Email Address _____	
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

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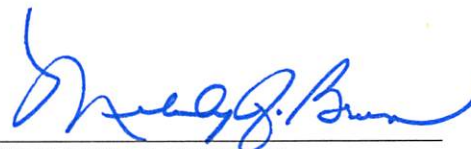
Appellate Case No. 2019-001794

PROOF OF SERVICE

I, Melody J. Brown, counsel for the Respondent, certify that I have served a copy of the foregoing *Motion to Hold Time Limits in Abeyance Pending Receipt of Transcript* on Appellant by email service to counsel at calltyronewalls@gmail.com pursuant to the March 20, 2020 Order of the Chief Justice, and also by U.S. mail addressed as follows:

Tyrone J. Walls, Esq.
601 Broad Street
Augusta, Georgia 30901

This 27th day of April, 2020.



MELODY J. BROWN
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

Angela Bennett

From: Angela Bennett
Sent: Monday, April 27, 2020 2:38 PM
To: 'calltyronewalls@gmail.com'
Subject: Dameion Edwin Thomas
Attachments: 02266610.pdf

Mr. Walls, attached please find the State's Motion to Hold Time Limits in Abeyance Pending Receipt of Transcript in the matter of Dameion Thomas, which will be filed with the Court of Appeals on today, April 27, 2020.

*Angela Brown
Administrative Coordinator
Criminal Division*

*Office of the Attorney General
Post Office Box
Columbia, South Carolina
(803) 734-0368*

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