

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Sep 22 2020
SC Court of Appeals

Appeal from York County

Honorable Daniel D. Hall, Circuit Court Judge

THE STATE,

APPELLANT,

V.

BRUCE STANLEY JONES,

RESPONDENT

APPELLATE CASE NO. 2018-000224

MOTION TO DISMISS APPEAL AS MOOT

Respondent, Bruce Stanley Jones, by and through undersigned counsel, asks this Court to dismiss this appeal as moot. The State brought this appeal alleging that the trial court erroneously awarded respondent one hundred and fifty (150) days of credit for pretrial detention. This case is currently scheduled for oral argument on October 13, 2020.

The Honorable Daniel D. Hall sentenced Respondent to six years in prison in accordance with a negotiated plea agreement. He was given time served for a total of 570 days. After completing the sentence imposed by Judge Hall, the Department of Corrections released Respondent in December 2019.

Because Respondent has now served his full sentence as set forth by Judge Hall, no case or controversy exists for this Court to decide. “This court will not issue advisory opinions on questions for which no meaningful relief can be granted.” In Interest of Kaundra C., 318 S.C. 484, 486, 458 S.E.2d 443, 444 (Ct. App. 1995). The case should be considered moot similar to this Court’s recent case of State v. Simpson, 429 S.C. 83, 837 S.E.2d 669 (Ct. App. 2020) (citing, *inter alia*, Hayes v. State, 413 S.C. 553, 558, 777 S.E.2d 6, 9 (Ct. App. 2015) (explaining an individual's completion of a sentence renders an appeal on the propriety of that sentence moot); See also McClam v. State, 386 S.C. 49, 57, 686 S.E.2d 203, 207 (Ct. App. 2009) (finding State’s appeal moot).

Appellant’s counsel has conferred with Mr. Blitch, counsel for the State, regarding this motion and Mr. Blitch advised he does not oppose this motion or the dismissal of the case.¹ Therefore, this Court should grant Respondent’s motion and dismiss this case as moot.

s/ David Alexander

DAVID ALEXANDER
Appellate Defender

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ATTORNEY FOR RESPONDENT

¹ Mr. Blitch inherited this case from prior counsel who filed the State’s brief.

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion to Dismiss Appeal As Moot in the above-referenced case has been served upon William M. Blich, Jr., Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 22nd day of September, 2020.

s/David Alexander

David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT