

The South Carolina Court of Appeals

The State, Respondent,

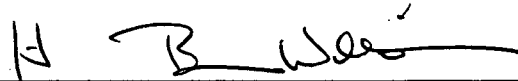
v.

Aaron Mckenzie Capers, Appellant.

Appellate Case No. 2019-000511

ORDER

On March 26, 2019, Appellant timely served a notice of appeal from Appellant's convictions and sentences. On April 17, 2019, this court granted Appellant's motion to hold the appeal in abeyance and remand for the limited purpose of allowing the circuit court to rule on Appellant's pending motions. This court noted the "appeal will be held in abeyance pending the circuit court's rulings on the post-trial motions." On February 19, 2021, the circuit court filed an order denying Appellant's post-trial motions. Respondent has now filed a motion to dismiss the amended notice of appeal because Appellant failed to serve a notice of appeal within ten days of receiving written order denying the post-trial motions. After careful consideration, Respondent's motion to dismiss is denied because this court retained jurisdiction over this appeal based on Appellant's timely appeal of his convictions and sentences.



FOR THE COURT

Columbia, South Carolina

cc:

Tara Dawn Shurling, Esquire
Bryan A. Alfaro, Esquire
Anne Millar Williams, Esquire
Alan McCrory Wilson, Esquire
William M. Blicht, Jr., Esquire
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FILED
Jun 30 2021
