



RECEIVED

Jun 08 2022

SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

June 8, 2022

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

RE: State v. Aaron McKenzie Capers – Appellate Case No. 2019-000511

Dear Ms. Kitchings:

In the above-referenced criminal appeal, Appellant Aaron McKenzie Capers is appealing his sentence following the trial judge's denial of a post-trial motion seeking resentencing. In this case, the lower court proceedings included a pre-trial hearing, a trial, and two separate hearing on Appellant's post-trial motion seeking resentencing. At present, the State is in possession of transcripts from the trial and one of the two post-trial hearings, and the State has made requests to the pertinent court reporters for copies of the transcripts from the other two hearings due to the fact those transcripts may contain information relevant to Appellant's appeal. However, to date, the transcripts from the pre-trial hearing and the other of the two post-trial hearings have not yet been obtained.

In light of the pending transcript requests, the State respectfully asks this Court to hold the deadlines for the filing of the Initial Brief of Respondent and Designation of Matter in abeyance until the additional transcripts are able to be obtained by the State. Thank you very much, and please let me know if you have any questions or if any further actions are needed at this time.

Sincerely,

Mark R. Farthing
Senior Assistant Attorney General
S.C. Bar Number 76901

MRF/

cc: Tara Dawn Shurling, Esquire (via email service)
Victim Advocacy Division

Caroline Collins

From: Caroline Collins
Sent: Wednesday, June 8, 2022 11:31 AM
To: Tara Shurling
Cc: tdshurling@aol.com; Mark Farthing; William Blich
Subject: The State v. Aaron McKenzie Capers (2019-000511)
Attachments: Capers.Abeyance Letter (03002433xD2C78).PDF

Good Morning Ms. Shurling,

Attached please find a letter requesting that the case be held in abeyance pending the State's receipt of transcripts in The State v. Aaron McKenzie Capers (2019-000511). This letter will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System.

If you will, please reply to confirm receipt of this email.

CAROLINE COLLINS, Administrative Coordinator
South Carolina Attorney General's Office
Criminal Appeals | Office 803-734-3723 | ccollins@scag.gov
P.O. Box 11549 | Columbia, SC 29211
scag.gov



This email, which includes any attachments, is considered confidential and may be legally privileged. If you have received it in error, please notify the sender immediately by reply email and then delete this message from your system. Please do not copy it, use it for any purposes, or disclose its contents to any other person, unless otherwise directed. This email is subject to FOIA requests. Thank you for your cooperation.