

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Aug 10 2022

S.C. SUPREME COURT

On Petition for Writ of Certiorari to the Court of Appeals
Honorable J. Mark Hayes, II, Post-Conviction Relief Judge
Honorable R. Keith Kelly, Trial Judge
Appellate Case No. 2022-000434

DANIEL SPADE,

Petitioner-Respondent,

vs.

THE STATE,

Respondent-Petitioner.

CONSENT MOTION TO SEAL THE SUPPLEMENTAL APPENDIX

Pursuant to this Court's April 15, 2014, Order RE: Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings, Petitioner-Respondent moves to seal the supplemental appendix in the above-captioned post-conviction relief appeal. In support of the motion, Petitioner-Respondent would respectfully show this Court:

1. Petitioner-Respondent is filing the appendix and supplemental appendix in this post-conviction relief appeal on today's date in conjunction with this motion. The supplemental appendix is comprised only of the consent order requiring the filing of DSS records under seal issued by the post-conviction relief judge and the DSS records (which were filed under seal in the lower court action).

2. Counsel for Petitioner-Respondent consulted with counsel for Respondent-Petitioner before completing the appendix and supplemental appendix. After consultation and

upon mutual agreement, the parties agreed the sealed materials would be filed in a separate supplemental appendix and a motion to seal by consent would accompany the supplemental appendix.

3. Pursuant to this Court's April 15, 2014, Order RE: Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings, Petitioner-Respondent requests this Court allow the filing of the supplemental appendix under seal as it contains a complete copy of the DSS records previously filed under seal in the lower court action and before the lower court in compliance with Rule 243, SCACR.

4. Undersigned counsel has consulted with counsel for Respondent-Petitioner, who consents to this motion and agrees the supplemental appendix should be filed under seal.

WHEREFORE, Petitioner-Respondent prays that this Court grant this consent motion to file the supplemental appendix under seal such other and further relief as this Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General
S.C. Bar. No. 100108

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

By: *s/Megan Harrigan Jameson*
Megan Harrigan Jameson
ATTORNEYS FOR RESPONDENT

August 10, 2022