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SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
The Honorable Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2019-001477

THE STATE,

Respondent,

v.

BRANDON JEROME CLARK,

Appellant.

**MOTION TO ALLOW FILING OF
AMENDED DESIGNATION OF MATTER AND
SUPPLEMENTAL RECORD ON APPEAL**

The State through its undersigned counsel, would respectfully show unto the Court as follows:

I.

This matter is set for oral argument on October 5, 2022. The undersigned was only recently assigned to handle this matter because the attorney who wrote the brief and prepared the designation of matter is no longer working in this office. In preparation for oral argument the undersigned discovered that the closing arguments of the parties, found on pages 568-623 of the trial transcript, was not designated in the Respondent's Designation Of Matter and therefore was not included in the Record On Appeal. The State does not believe that inclusion of the closing arguments would prejudice the Appellant as they had access to the transcript and the pages referenced.

II.

Respondent has prepared the proposed Supplemental Record On Appeal and a proposed Amended Designation of Matter to include the transcript pages that contain both parties' closing arguments. The undersigned has contacted Cameron Jane Blazer, counsel for the Appellant, by email for consent, and she has no objections to the State's motion.

III.

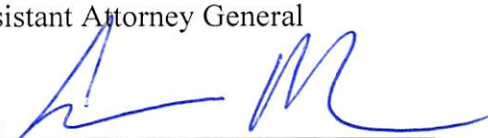
Pursuant to Rule 212(b), SCACR, the State moves for the leave of this Court to supplement the record on appeal to include pages 568-623, which are the closing arguments of both parties. The closing arguments are part of the trial and should be included in the Record On Appeal. The State respectfully submits that it is important for this Court to review the closing argument of the defendant in considering this case.

WHEREFORE, having made its Motion To Supplement The Record On Appeal and Amend its Designation Of Matter, Respondent prays that this Court will allow the State to file a Supplemental Record on Appeal; accept the filing of the State's proposed Supplemental Record on Appeal and its proposed Amended Designation Of Matter; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

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September 28, 2022