

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Richland County
Paul M. Burch, Circuit Court Judge

RECEIVED
MAY 28 2013
SC Court of Appeals

THE STATE,

Respondent,

vs.

WILLIE RITTER,

Appellant.

**MOTION TO REQUIRE
APPELLANT TO CORRECT THE
RECORD ON APPEAL AND INCLUDE ITEMS
DESIGNATED BY BOTH PARTIES AND
EXCLUDE ITEMS NOT DESIGNATED**

Respondent, by and through undersigned counsel, now moves for this Court to require Appellant to correct the Record on Appeal. Under Rule 210(c), SCACR, the record on appeal shall contain all matter designated by the parties. Most of the matter designated by Respondent has not been included in the record on appeal. Additionally, it appears matter not designated by either party was included in the record on appeal. This is difficult to determine in part to the deletion of most of the original transcript page numbers. See Rule 210(c), supra (describing the appropriate process when the court reporter's original pagination has been deleted from the record). Accordingly, Respondent requests this Court to require Appellant: (1) to include all matter designated

by either party; (2) to exclude matter not included by either party; and (3) to provide the original page numbers of the transcript or in the alternative follow the requirements of Rule 210 in that regard.

Additionally, Respondent request that this Court hold the time limits in abeyance for Respondent to file the Final Brief of Respondent as it is impossible to complete the final brief due to the absence of designated matter.

WHEREFORE, Respondent requests that this Court require Appellant to correct the record on appeal and to hold the time limits for submission of the Final Brief of Respondent in abeyance.

Respectfully submitted,
ALAN WILSON
Attorney General

DAVID SPENCER
Assistant Deputy Attorney General
Bar No. 68571

BY: 

DAVID SPENCER

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 28, 2013

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Richland County
Honorable Paul M. Burch, Circuit Court Judge

THE STATE.

Respondent,

vs.

WILLIE RITTER,

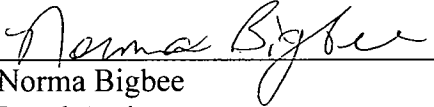
Appellant.

PROOF OF SERVICE

I, Norma Bigbee certify that I have served the Motion To Require Appellant To Correct The Record on Appeal and Include Items Designated by Both Parties And Exclude Items Not Designated on appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, William B. Von Herrmann, Esquire, 216 Elm St., Conway, SC 29526.

I further certify that all parties required by Rule to be served have been served.

This 28th day of May, 2013.


Norma Bigbee
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

May 28, 2013

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SC COURT OF APPEALS

VIA HAND DELIVERY

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

Re: **State of South Carolina v. Willie Ritter**
Appellate Case No: 2012-210570

Dear Ms. Kitchings:

Enclosed for filing are the original and six copies of Respondent's Motion To Require Appellant To Correct The Record on Appeal and Include Items Designated By Both Parties and Exclude Items Not Designated in the above case.

Sincerely,

David Spencer
Assistant Deputy Attorney General
Bar No: 68571

DS/nb

Enclosures

cc: William B. Von Herrmann, Esquire (2 copies enclosed)
Ms. Trisha Allen