

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Dec 01 2022
SC Court of Appeals

Appeal from Georgetown County

Honorable Robert J. Bonds, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ALEXANDER RHUE, JR.,

APPELLANT.

APPELLATE CASE NO. 2021-001306

MOTION TO AMEND THE DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, counsel moves to amend the designation of matter filed with the initial brief of Appellant on November 14, 2022, to substitute State's Exhibit #29, which had been voided and withdrawn from evidence, with State's Exhibit #5, and to include the order signed by the Honorable Robert J. Bonds dated October 6, 2021, which was inadvertently omitted.


1. Counsel realized she referenced the order signed by the Honorable Robert J. Bonds dated October 6, 2021 in the initial brief of Appellant, but failed to list this order in the designation of matter to be included in record on appeal filed with the initial brief of Appellant on November 14, 2022.
2. Counsel also realized she referenced State's Exhibit #29 in the initial brief of Appellant, but this exhibit was withdrawn from evidence and substituted with

State's Exhibit # 5 during the trial (Trial transcript page 601, lines 3-4). Counsel failed to list State's Exhibit # 5 in the designation of matter to be included in record on appeal filed with the initial brief of Appellant on November 14, 2022.

3. Counsel moves to amend the designation of matter to include the order signed by the Honorable Robert J. Bonds dated October 6, 2021 and to substitute State's Exhibit #29, which had been voided and withdrawn from evidence during the trial, with State's Exhibit #5.

Based on the above showing, counsel for Appellant respectfully moves this Court to allow the filing of an amended designation of matter to include the order signed by the Honorable Robert J. Bonds dated October 6, 2021 and to substitute State's Exhibit #29 with State's Exhibit #5.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

Attorney for Appellant

December 1, 2022

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Dec 01 2022
SC Court of Appeals

Appeal from Georgetown County

Honorable Robert J. Bonds, Circuit Court Judge

THE STATE,

RESPONDENT,

V.


ALEXANDER RHUE, JR.,

APPELLANT.

APPELLATE CASE NO. 2021-001306

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to Amend the Designation of Matter to Be Included in Record on Appeal in the above-referenced case has been served upon Julianna Battenfield, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 1st day of December, 2022.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [Julianna Battenfield](#); [SC - RANKIN BRANDY](#)
Cc: [Hudgins, Kathrine](#); [Flynn, Sean](#)
Subject: Rhue, A. - Motion to Amend Designation of Matter and Amended Designation of Matter - 2021-001306
Date: Thursday, December 1, 2022 5:31:00 PM
Attachments: [Rhue, A. - Motion to Amend Designation of Matter - 2021-001306 - AG Cover Letter.pdf](#)
[Rhue, A. - Amended Designation of Matter - 2021-001306.pdf](#)
[Rhue, A. - Motion to Amend Designation of Matter - 2021-001306.pdf](#)

Ms. Battenfield,
Please find attached for service the Motion to Amend Designation of Matter and Amended Designation of Matter for Alexander Rhue, Jr.'s appeal which will be filed today with the Court of Appeals.
Thank you.
Chris

Chris Stock
Administrative Assistant
Commission on Indigent Defense
Appellate Division
(803) 734-1330