

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Feb 03 2023

SC Court of Appeals

Certiorari to Greenville County
Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT

V.

VERNON EVANS JORDAN,

APPELLANT

APPELLATE CASE NO. 2021-000801

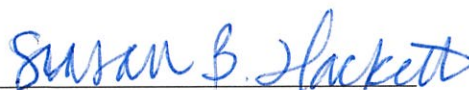
MOTION TO SUBSTITUTE A COPY
FOR AN ORIGINAL IN THE RECORD ON APPEAL

Counsel for Appellant moves this Court for an Order allowing Appellant to substitute a copy for an original item of evidence in the Record on Appeal. In a multi-count indictment, a Greenville County grand jury indicted Appellant for murder and possession of a weapon during the commission of a violent crime. R. 338. The state, represented by Jeff Weston and Alexis Kluska, called the case to trial before the Honorable Edward W. Miller and a jury on July 12-14, 2021. R. 1. Stuart Sarratt and Kaitlyn Diaz represented Appellant. R. 1. Ultimately, the jury acquitted Appellant of murder, but found him guilty of voluntary manslaughter and possession of a weapon during the commission of a violent crime. R. 315, ll. 9-16. Judge Miller sentenced Appellant to thirty years imprisonment for voluntary manslaughter and five years imprisonment for the weapon. R. 321, l.1; R. 340. On July 23, 2021, Appellant served his notice of appeal.

Undersigned counsel filed an Anders Brief of Appellant, Designation of Matter, and Record on Appeal on behalf of Appellant on March 14, 2022. On the same day, undersigned counsel requested a transportation order be issued for items listed in Appellant's Designation of Matter, which included State's Exhibit #33, video of the police interrogation of Appellant. On March 15, 2022, this Court ordered the Greenville County Clerk of Court to release the items contained in Appellant's Designation of Matter, including State's Exhibit #33.

According to a letter dated January 30, 2023, this Court received State's Exhibit #33; however, this Court is unable to view the video file on this exhibit. It is undersigned counsel's belief that she is able to view the video contained on a digital file of State's Exhibit #33, received from the Greenville Clerk of Court, by use of software which the Court does not have available. Undersigned counsel's information technology specialist converted the video to a format that should be accessible to the Court and burned the converted video to a DVD.

Appellate counsel respectfully asks this Court to allow undersigned counsel to substitute a DVD containing a converted copy of State's Exhibit #33 in lieu of the unreadable disc in this Court's possession. Appellate counsel consulted with William Blicht, the attorney representing the state, and Mr. Blicht does not object to this Court accepting the substitute DVD in lieu of the exhibit.



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February 3, 2023

ATTORNEY FOR APPELLANT

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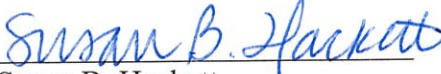
VERNON EVANS JORDAN,

APPELLANT

APPELLATE CASE NO. 2021-000801

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 substitute a copy for an original in the record on appeal in the above-referenced case has been served upon William M. Blitch, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), which is wblitch@scag.gov, and on Vernon Evans Jordan, #214263, at Evans Correctional Institution, 610 Hwy. 9 West, Bennettsville, SC 29512, this 3rd day of February, 2023.



Susan B. Hackett
Appellate Defender

South Carolina Commission on Indigent Defense
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ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BLITCH WILLIAM](#); [SC - COLLINS CAROLINE](#)
Cc: [Hackett, Susan](#)
Subject: Jordan, Vernon - Motion to Substitute Copy for Original Item in the Record - 2021-000801
Date: Friday, February 3, 2023 2:38:00 PM
Attachments: [Jordan, Vernon - Motion to Substitute Copy for Original Item in the Record - 2021-000801 - AG Cover Letter.pdf](#)
[Jordan, Vernon - Motion to Substitute Copy for Original Item in the Record - 2021-000801.pdf](#)

Mr. Blitch,

Please find attached for service the Motion to Substitute Copy for Original Item in the Record for Vernon Jordan's appeal which will be filed today with the Court of Appeals. Our office will deliver a copy of the DVD containing State's Exhibit #33 to your office and the Court of Appeals this afternoon.

Thank you.

Chris

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