

THE STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED

Mar 06 2023

S.C. SUPREME COURT

Certiorari to the Court of Appeals
Appellate Case No. 2018-000054
Appeal from Horry County Court of Common Pleas
The Honorable William H. Seals, Circuit Court Judge

Appellate Case No. 2022-001625

Theodore Wills Jr.,.....Petitioner,

v.

State of South Carolina,.....Respondent.

MOTION TO TRANSPORT EXHIBIT & AMEND APPENDIX WITH CONSENT

Petitioner, Theodore Wills, Jr., by and through undersigned counsel, hereby moves to transport the State's Exhibit 21, a copy of the recording of Petitioner's proffer statement to law enforcement, which was admitted into evidence at trial. This exhibit was also part of the appellate record before the Court of Appeals for this case (App. No. 2018-000054). Undersigned apologizes for the oversight in not seeking transport for the appellate case pending before this Court.

From ctrack, it would appear that the exhibit was not returned to the Horry County Clerk of Court at the close of the case before the Court of Appeals. Petitioner now requests this Court to order transportation of the exhibit from the Court of Appeals or transportation of an additional copy from the Horry County Clerk of Court. Petitioner also requests that the exhibit be treated as included in the record before this Court.

Prior to filing this motion, Undersigned contacted Counsel for Respondent, Assistant Attorney General Chelsey Marto, by email. Ms. Marto has consented to this motion.

The inclusion of Exhibit 21 would complete the record before this Court and this Court's opportunity to review the exhibit in conjunction with the other materials contained in the Appendix is necessary for thorough consideration of the issues raised for review.

WHEREFORE Petitioner moves this Court to order the transportation of the above-listed exhibit and amendment of the Appendix to include this exhibit.

Respectfully Submitted,

William G. Yarborough III

Lauren C. Hobbis

By: s/ Lauren C. Hobbis, SC Bar No. 103190

William G. Yarborough III, Attorney at Law, LLC

308 West Stone Avenue

Greenville, South Carolina 29609

COUNSEL FOR PETITIONER