

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

May 05 2023

SC Court of Appeals

Appeal from Horry County
Honorable Edward B. Cottingham, Circuit Court Trial Judge
Honorable R. Ferrell Cothran, Jr., Circuit Court Motion Judge
Appellate Case Tracking No. 2021-001271

The State,

Respondent,

vs.

Jamie Goss,

Appellant.

**MOTION TO STRIKE RECORD ON APPEAL AND
REQUIRE AMENDED RECORD ON APPEAL**

Respondent, through its undersigned counsel, would respectfully show unto this Court:

The State received Appellant's *pro se* Record on Appeal April 25, 2023. After a review of the Record, it appears that it is not in compliance with Rule 210, SCACR. As a result, the State asks this Court to strike the current Record on Appeal and require an Amended Record on Appeal.

Initially, the Record contains multiple handwritten pages which appear to summarize various filings, arguments, or matters by the Appellant and are not appropriate material for the Record on Appeal as they were not before the circuit court. For example, on page 8 he has a page labeled Decrees and on page 10 he has a section designated Pleadings both of which contain statements by the Appellant. See Rule 210(c), SCACR ("The Record shall not, however, include matter which was not presented to the lower court or tribunal."). As a result, anything that was not before the circuit court and previously designated by the parties should be excluded from an Amended Record on Appeal.


Additionally, it appears Appellant has failed to include most of the items designated by the State, including: 1) most of the original motion for compassionate release filed by Appellant; 2) both the August and September 2021 Orders; and 3) Appellant's Motion to Alter or Amend. All of which were properly designated and should be included in the Record. All of the documents are available from the Clerk of Court for Horry County. As the items were before the circuit court and designated by the State, they should have been included in the Record on Appeal. See Rule 210(c), SCACR ("The Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267."). As a result, an Amended Record on Appeal is required.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion; strike Appellant's Record on Appeal for containing material not properly included under Rule 210; require an Amended Record on Appeal in compliance with Rule 210 to include all items designated by the parties and no items which were not previously before the circuit court; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General



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May 5, 2023

ATTORNEYS FOR RESPONDENT

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Appellant.

PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Motion to Strike Record on Appeal and Require Amended Record on Appeal on Appellant by depositing a copy in the US Mail addressed to:

Jamie Goss, *Pro Se* Appellant
#294885, BA-0037-A
Ridgeland Correctional Institution
Post Office Box 2039
Ridgeland, South Carolina 29936

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

This 5th day of May, 2023.



CAROLINE COLLINS
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



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ALAN WILSON
ATTORNEY GENERAL

May 5, 2023

Jamie Goss, *Pro Se* Appellant
#294885, BA-0037-A
Ridgeland Correctional Institution
Post Office Box 2039
Ridgeland, South Carolina 29936

Re: The State v. Jamie Goss
Appellate Case Number 2021-001271

Dear Mr. Goss,

Enclosed please find a copy of the Motion to Strike Record on Appeal and Require Amended Record on Appeal in the above-referenced case.

Sincerely,

William M. Blich, Jr.
Senior Assistant Deputy Attorney General

WMB/cc
Enclosure

cc: The Honorable Jenny A. Kitchings (via electronic filing)