

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Jul 17 2023

S.C. SUPREME COURT

Certiorari to Horry County

Honorable Letitia H. Verdin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GARY M. WIRTZ,

PETITIONER.

APPELLATE CASE NO. 2023-001062

MOTION TO AMEND APPENDIX

Counsel for Petitioner, Gary M. Wirtz, seeks to amend the appendix, pursuant to Rule 243(e), SCACR. In support of this motion, Counsel shows:

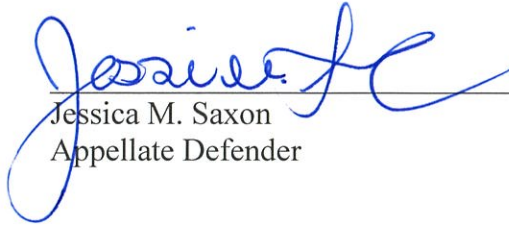
1. Petitioner filed a petition for writ of certiorari to the Court of Appeals and appendix on July 3, 2023.
2. The final reply brief of Appellant was inadvertently omitted from the appendix. For the appendix to comply with Rule 242(e), SCACR, it is necessary to amend the appendix to include the final reply brief of Appellant.
3. Counsel makes this request in good faith and not for the purposes of delay.
4. Counsel for Respondent, Mark Farthing, informed Counsel that the reply brief was not included in the original appendix, has been informed of this request to amend, and does

not oppose the motion to amend the appendix.

5. The amended appendix is being filed simultaneously with this request.

Counsel respectfully requests that this Court allow the appendix to be amended to include the final reply brief of Appellant.

Respectfully submitted,



Jessica M. Saxon
Appellate Defender

This 17th day of July, 2023.