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Jul 18 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ROBERT L. BAILEY,

APPELLANT

APPELLATE CASE NO. 2022-000239

Motion to Supplement the Record on Appeal

Pursuant to Rule to 212(b), SCACR, counsel for Appellant Robert L. Bailey respectfully requests to supplement the Record on Appeal. In support of this motion counsel shows the following:

1. The Record on Appeal was timely served and filed on July 5, 2023.
2. On July 17, 2023 it came to counsel's attention that the Motion to Sever Trials dated January 9, 2022, which was included in Respondent's Designation of Matter filed on June 5, 2023, was inadvertently omitted from the Record on Appeal.
3. Counsel now moves to supplement the Record on Appeal pursuant to Rules 210(c) and (f), and Rule 212(b) of the South Carolina Appellate Court Rules, to include:
 - a. Motion to Sever Trials dated January 9, 2022.

4. Counsel moves to file a Supplemental Record on Appeal simultaneously with this motion, to include the Motion to Sever Trials dated January 9, 2022 originally designated in the Respondent's Designation of Matter.
5. Assistant Attorney General Julianna Battenfield does not object to the motion to file a Supplemental Record on Appeal.
6. Counsel makes this request in good faith and not for purpose of delay.

Counsel respectfully requests this Court to allow the Record on Appeal to be supplemented with the Motion to Sever Trials dated January 9, 2022 and filed simultaneously with this motion based on the above circumstances.

Respectfully submitted,


Kathrine H. Hudgins
Appellate Defender

Attorney for Appellant

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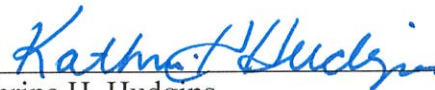
ROBERT L. BAILEY,

APPELLANT

APPELLATE CASE NO. 2022-000239

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 Supplement the Record on Appeal in the above-referenced case has been served upon Julianna E. Battenfield, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 18th day of July, 2023.



Kathrine H. Hudgins
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [Julianna Battenfield](#); [SC - RANKIN BRANDY](#)
Cc: [Hudgins, Kathrine](#)
Subject: Bailey, Robert - Motion to Supplement Record on Appeal & Supplemental Record on Appeal - 2022-000239
Date: Tuesday, July 18, 2023 2:59:00 PM
Attachments: [Bailey, Robert - Supplemental Record on Appeal - 2022-000239.pdf](#)
[Bailey, Robert - Motion to Supplement Record on Appeal - 2022-000239.pdf](#)

Ms. Battenfield,

Please find attached for service the Motion to Supplement Record on Appeal & Supplemental Record on Appeal for Robert Bailey's appeal which will be filed today with the Court of Appeals.

Thank you.

Chris

Chris Stock

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