

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Dorchester County

Honorable Robert J. Bonds, Circuit Court Judge

HERBERT LEROY HOLMES,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE 2022-001369

MOTION TO FILE AMENDED APPENDIX

Undersigned counsel respectfully moves for this Court to allow Petitioner to amend the appendix in this case. In support of this motion, the undersigned would show this Court:

(1) The petition for writ of certiorari, brief of appellant pursuant to White v. State, and appendix were filed with this Court on March 10, 2023. The undersigned submitted the appendix in good faith that the appendix had been redacted to protect certain personal identifying information.

(2) Today, the undersigned became aware that personal identifying information was inadvertently not redacted from four pages of the appendix (pages 582 – 585). Inasmuch as this Court’s April 15, 2014 Order, “Re: Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings,” requires caution in including personal

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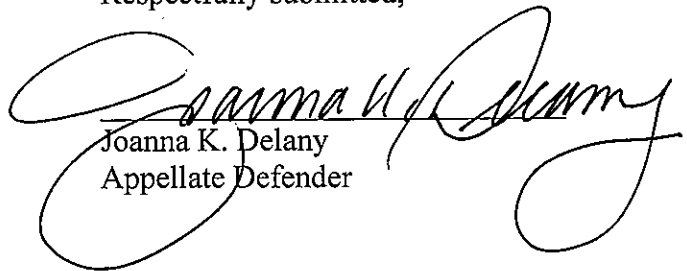
information regarding the victim of a crime in appellate court filings, it is necessary to amend the appendix.

(3) Undersigned counsel has spoken to opposing counsel, L. David Leggett, III, and opposing counsel has graciously consented to this motion and the filing of such an amended appendix.

(4) Inasmuch as this Court's April 15, 2014 Order, "Re: Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings," requires caution in including personal information regarding the victim of a crime, undersigned counsel moves to amend the appendix to redact the victim's personal identifying information from pages 582 – 585 of the appendix. Simultaneously with this motion, undersigned counsel is filing such an amended appendix.

WHEREFORE, undersigned counsel respectfully requests that this Court: (1) grant the motion to amend the appendix ; and (2) accept the amended appendix as filed with this motion.

Respectfully submitted,


Joanna K. Delany
Appellate Defender

This 26th day of July, 2023.