

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Honorable R. Knox McMahon, Circuit Court Judge
Appellate Case No. 2012-211983

RECEIVED
JUL 24 2013
SC Court of Appeals

THE STATE,

Respondent,

vs.

TYRIS BERNARD GLOVER,

Appellant.

**MOTION TO ALLOW FILING OF
SUPPLEMENTAL RECORD ON APPEAL**

Respondent ("the State"), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

On June 20, 2013, the State filed and served its Initial Brief of Respondent and Designation of Matter. The State cited to pages 32, 288, and 290 of the trial transcript in its Initial Brief but inadvertently left those pages out of its Designation of Matter. Additionally, in the State's Designation of Matter, the State properly designated pages 130-134 of the trial transcript for inclusion in the Record on Appeal. However, those pages were inadvertently left out of the Record on Appeal, which was served by Appellant on July 22, 2013.

II.

Because the State relied upon pages of the trial transcript that were inadvertently left out of the State's Designation of Matter and properly designated matter was inadvertently omitted from the Record on Appeal, the State believes it is necessary to file a Supplemental Record on Appeal containing the inadvertently omitted matter. See Rule 210(c), SCACR ("The Record on Appeal shall include all matter designated to be included by any party under Rule 209[.]").

III.

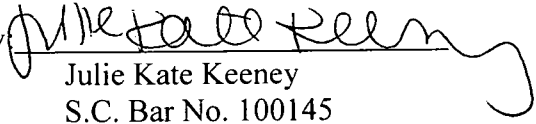
Counsel for Appellant has indicated to the undersigned counsel for the State that he has no objection to the request. For the foregoing reasons, the State asks this Court to permit the filing of a Supplemental Record on Appeal containing the matter that was inadvertently omitted from the State's Designation of Matter and the Record on Appeal.

WHEREFORE, Respondent prays that this Court will the parties to file a Supplemental Record on Appeal; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

JULIE KATE KEENEY
Assistant Attorney General

By: 
Julie Kate Keeney
S.C. Bar No. 100145

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July 24, 2013

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PROOF OF SERVICE

I, Ellen R. DuBois, certify that I have served the within Motion to Allow Filing of Supplemental Record on Appeal on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

David Alexander, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.
This 24th day of July, 2012.

Ellen R. DuBois

ELLEN R. DuBOIS
Legal Assistant

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