

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Berkeley County

Kristi Lea Harrington, Circuit Court Judge

RECEIVED
AUG 01 2013
SC COURT OF APPEALS

THE STATE,

RESPONDENT,

V.

MICHAEL C. ANDES,

APPELLANT

APPELLATE CASE NO. 2011-204706

MOTION TO AMEND THE DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Counsel for Michael C. Andes respectfully requests the Court's permission to amend the designation of matter to be included in the record on appeal. In support of this motion counsel shows:

1. The Initial Brief of Appellant and Designation of Matter were due to be filed and served by August 14, 2013.
2. Counsel submitted to the Court the Initial Brief and Designation of Matter on July 19, 2013.
3. Counsel included the entire transcript from trial in its Designation of Matter.
4. Counsel respectfully moves that this Court to allow him to amend the Designation to remove portions of the transcript pursuant to Rule 209, SCACR.

4. Counsel David Spencer of the South Carolina Attorney General's Office has kindly consented by telephone to this request.

5. Counsel makes this request in good faith and not for purposes of delay.

WHEREFORE, the undersigned counsel respectfully requests this Court's permission to amend the Designation of Matter To Be Included in the Record on Appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Benjamin John Tripp", written over a horizontal line.

Benjamin John Tripp
Appellate Defender

Attorney for Appellant

August 1, 2013

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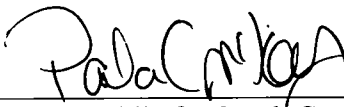
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Amend the Designation of Matter to be included in the record on appeal in the above referenced case has been served upon David Spencer, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, SC 29201, this 1st day of August, 2013.


Benjamin John Tripp
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 1st day of August, 2013.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 24, 2022