

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

APPEAL FROM PICKENS COUNTY
COMMON PLEAS COURT

AUG 05 2013

Edward W. Miller, Circuit Court Judge

S.C. SUPREME COURT

Case No. 2012-CP-39-140

Joshua Johnson, Petitioner,
v.
State of South Carolina, Appellant.

2013-000478

MOTION

Applicant moves to seal the record in this case. The record has been redacted for basic personal identifiers in compliance with this Court's Interim Order however, the record contains a large amount of mental health records which are subject to 45 CFR Part 160 (HIPPA); 42 CFR Part 2, (Alcohol and Drug Treatment) and Section 44-22-100, Code of Laws of South Carolina. This Court's Interim Order instructs counsel to consider all sensitive data and information when submitting records and in this case, redaction of the above material can not be effectively performed without

removing material necessary for the Court's review of the case.

Wherefore, to comply with the above provisions of state and federal law, the Applicant moves to seal the record in this case.

Respectfully submitted,



J. Falkner Wilkes, 12893
114 Whitsett Street
Greenville, SC 29601
(864) 282-1292
(864) 271-6035 *facsimile*

Counsel for Petitioner

August 1, 2013.



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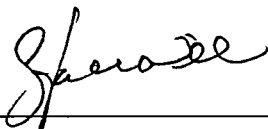
Case No. 2012-CP-39-140

Joshua Johnson, Petitioner,
v.
State of South Carolina, Respondent.

CERTIFICATE OF SERVICE

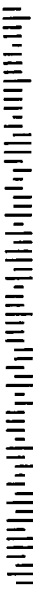
I certify that I have served the Respondent with the Motion to seal the record by depositing a copy in the United States Mail, postage prepaid, on August 1, 2013, addressed to counsel of record as follows:

Karen Ratigan
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211



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Counsel for Petitioner

August 1, 2013.



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