

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Newberry County
Honorable Eugene C. Griffith, Jr., Circuit Court Judge
Appellate case Tracking No. 2012-212643

RECEIVED
AUG 21 2013
SC Court of Appeals

The State,

Appellant,

vs.

Woodrow Mozee,

Respondent.

**MOTION TO AMEND
DESIGNATION OF MATTER**

Appellant, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Designation of Matter was served and filed on April 29, 2013.

II.

Due to an oversight by the undersigned, I did not include a copy of the transcript of the hearing in circuit court in the State's Designation of Matter. The transcript is referenced several times in the brief and the arguments presented are integral to a determination of this case on appeal. Further, the transcript is clearly appropriate for inclusion in the Record on Appeal.

III.


Appellant has contacted Respondent, and Respondent has indicated his consent to amending the Designation of Matter.

WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, and grant the Motion to Amend the Designation of Matter to allow the State to include the transcript of the circuit court hearing in the Record on Appeal; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General



WILLIAM M. BLITCH, JR.
Assistant Attorney General
S.C. Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

August 21, 2013

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion to Amend Designation Of Matter on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Pete G. Diamaduros, Esquire
White, Diamaduros & Diamaduros
Post Office Box 643
Union, South Carolina 29379

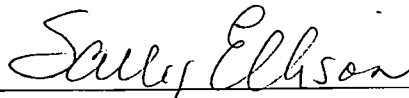
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I further certify that all parties required by Rule to be served have been served.

This 21st day of August, 2013.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727