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**Jul 09 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of General Sessions

Benjamin H. Culbertson, Circuit Court Judge (On remand)  
Alexander S. Macaulay, Circuit Court Judge (Trial)

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Appellate Case No. 2023-001578

THE STATE,

Respondent,

v.

JOHN ALEXANDER WEBB,

Appellant.

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**MOTION FOR APPELLANT TO FILE  
AN AMENDED RECORD ON APPEAL**

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Undersigned counsel, on behalf of Respondent (the State) respectfully moves for this Court to order Appellant to: (1) file an amended or supplemental record on appeal that includes all matters designated or inclusion in the record on appeal by the State and that properly redacts all personal identifying information from the records previously included; and (2) prepare a proposed exhibit transportation order for the Court in regard to State's Exhibit 1 to ensure it is included in the record on appeal. In support of this motion, the undersigned would show this Court:

I.

Appellant served and filed his record on appeal on June 20, 2024. Neither party has yet served its final brief. The State believes Appellant submitted the record on appeal in good faith

in an attempt to ensure that it constituted a complete and properly redacted record of the items included by the parties in their respective designations of matter; however, it appears some redactions were missed (indictments) and that several items were omitted from the record on appeal despite being designated for inclusion by the State.

## II.

On Friday, June 5, 2024, undersigned counsel became aware that parts of the record on appeal were not properly redacted and that documents designated by the State were inadvertently left out of the record on appeal. These documents include: the State's Motion to Reconsider dated November 15, 2019; Order Denying Motion to Reconsider dated December 20, 2019; Transcript dated August 10, 2023; Order Denying Motion for New Trial dated August 10, 2023; and Transcript dated September 21, 2023. The State also included in its designation State's Exhibit #1 (Redacted Audio of Defendant). This exhibit will need to be transported to the Court. Also, Appellant inadvertently left the Appellate Case Number and the Solicitor of the Fifteenth Judicial Circuit off the cover page of the record.

## III.

Inasmuch as Rule 210, SCACR, requires that the record on appeal include all matter designated by any party, undersigned counsel moves to have Appellant amend or supplement the record to add the missing documents designated by the State, and to serve and file a proposed Exhibit Transportation Order.

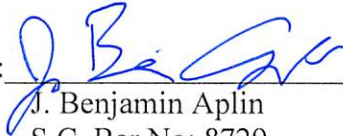
The State further asks this Court to stay all time frames for filing final briefs until ten days after ruling on this motion.

WHEREFORE, Respondent prays that the Court accepts the service and filing of this Motion for Appellant to File an Amended Record on Appeal; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

J. BENJAMIN APLIN  
Assistant Attorney General

By:   
\_\_\_\_\_  
J. Benjamin Aplin  
S.C. Bar No: 8729

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THE STATE,

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**PROOF OF SERVICE**

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I, Grace Sommer, certify that I have served the within Motion for Appellant to File Amended Record on Appeal on Lacey M. Thompson, Esquire, counsel of record for Appellant, by sending electronic mail to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.  
This 9<sup>th</sup> day of July, 2024.



GRACE SOMMER  
Legal Assistant

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