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Oct 11 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Darlington County

Roger E. Henderson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ERIC ANTON GRAHAM,

APPELLANT

APPELLATE CASE NO. 2023-000160

MOTION TO SUPPLEMENT
THE RECORD ON APPEAL

Counsel for Eric A. Graham respectfully requests leave to serve and file a Supplemental Record on Appeal in this case. In support of this motion, undersigned counsel would show this Court:

1. On November 17, 2023, undersigned counsel filed and served the Designation of Matter to be Included in the Record on Appeal.
2. On July 22, 2024, undersigned counsel filed and served the Record on Appeal and the Proposed Transportation Order.
3. On October 8, 2024, it came to my attention that several of designated exhibits which were included in the Proposed Transportation Order were paper documents, which could

be provided to the Court in a Supplemental Record on Appeal, rather than requiring the Court to have them transported.

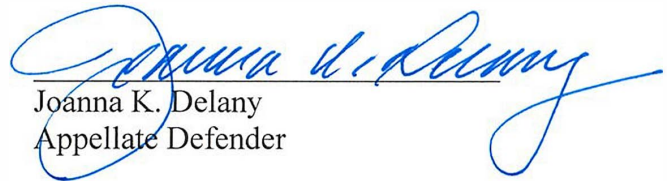
4. On October 9 and 10, 2024, the undersigned communicated with opposing counsel, Tommy Evans, Jr., who graciously consented to the filing of a Motion to Supplement the Record on Appeal and a Supplemental Record on Appeal which contains these previously-designated exhibits: State's Exhibit #1 (Miranda waiver- Eric Graham); State's Exhibit #4 (Miranda waiver- Ernestine McDonald); State's Exhibit #9 (SLED report- latent print department); State's Exhibit #11 (SLED report- firearms department); State's Exhibit #12 (SLED report- toxicology department); State's Exhibit #17 (SLED report- trace department); State's Exhibit #18 (autopsy report); State's Exhibit #19 (indictment- weapons); State's Exhibit #20 (sentence sheet- weapons); State's Exhibit #21 (bond form 07/19/1996); State's Exhibit #22 (Hartsville Magistrate case history); State's Exhibit #23 (DMV driving record); State's Exhibit #24 (bond form 12/12/1996); State's Exhibit #25 (bond certificate 12/12/1996); State's Exhibit #26 (indictment- armed robbery); State's Exhibit #27 (indictment- weapon/carrying concealed); State's Exhibit #28 (final disposition form); State's Exhibit #29 (bond form- 06/10/1998), and the filing of a new Proposed Transportation Order that correctly reflects which remaining exhibits need to be transported.

5. Counsel is, contemporaneously with this Motion, filing a Supplemental Record on Appeal containing these paper exhibits.

6. Counsel is also, contemporaneously with this Motion, filing a new Proposed Transportation Order.

WHEREFORE, the undersigned counsel would respectfully request that this Court: (1) grant the Motion to Supplement the Record on Appeal and (2) accept the Supplemental Record on Appeal as filed with this motion.

Respectfully submitted,



Joanna K. Delany
Appellate Defender

This 11th day of October, 2024.

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to Supplement the Record on Appeal in the above-referenced case has been served upon Tommy Evans, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 11th day of October, 2024.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT