

RECEIVED

Nov 14 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court Of General Sessions

Maite Murphy, Circuit Court Judge

Appellate Case No. 2023-001337

THE STATE,

Respondent,

v.

ANTONIO LONG,

Appellant.

**MOTION TO SUBMIT AMENDED
FINAL BRIEF OF RESPONDENT**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Final Brief of Respondent was served and filed on September 23, 2024.

II.

Yesterday, the undersigned became aware that the Final Brief of Respondent inadvertently contained an improper titled argument which submitted that the probative value of the photographs did not substantially outweigh the danger of unfair prejudice, rather than the probative value was not outweighed by the danger of unfair prejudice. The remainder of the brief correctly argued the State’s position. As a result, the State asks to serve and file an Amended Final Brief of Respondent

to correct the improper title argument. The Amended Final Brief of Respondent is being served and filed concomitant with this motion.

III.

Undersigned counsel has contacted opposing counsel, who indicated she does not oppose this motion.

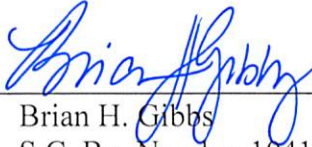
WHEREFORE, Respondent asks the Court to hold this matter in abeyance until ruling on this motion and accept the Amended Final Brief submitted with this motion as filed; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

BRIAN H. GIBBS
Assistant Attorney General

BYRON E. GIPSON
Solicitor, Fifth Judicial Circuit

By: _____
Brian H. Gibbs
S.C. Bar Number 104137

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

November 14, 2024

RECEIVED

Nov 14 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court Of General Sessions

Maite Murphy, Circuit Court Judge

Appellate Case No. 2023-001337

THE STATE,

Respondent,

v.

ANTONIO LONG,

Appellant.

PROOF OF SERVICE

I, Grace Sommer, certify that I have served the within Motion to Amend Final Brief of Respondent on Joanna K. Delany, counsel of record for the Appellant, by 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 14th day of November, 2024.



Grace Sommer
Legal Assistant

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

Grace Sommer

From: Grace Sommer
Sent: Thursday, November 14, 2024 3:48 PM
To: Delany, Joanna
Cc: Brian Gibbs; Mcinnis, Sara
Subject: The State v. Antonio Long (2023-001337)
Attachments: LONG Antonio - Motion to Amend FBOR.pdf; LONG Antonio - Amended FBOR.pdf

Good Afternoon Ms. Delany,

Attached please find a motion to file an amended Final Brief of Respondent and an Amended Final Brief of Respondent in The State v. Antonio Long (2023-001337). This motion and Brief will be filed today via the AIS OneDrive System.

If you will, please confirm receipt of this email.

Thank you!

Grace Sommer, Legal Assistant
South Carolina Attorney General's Office
Criminal Appeals | Office 803-734-3835 | gracesommer@scag.gov
P.O. Box 11549 | Columbia, SC 29211
scag.gov



This email, together with any attachments, may be legally privileged. If you have received it in error, please notify the sender immediately, and then delete it from your system. This email and any replies to this email may be subject to disclosure under the Freedom of Information Act.