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Nov 14 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of General Sessions

Daniel McLeod Coble, Circuit Court Judge

Appellate Case No. 2023-001415

THE STATE,

Respondent,

v.

ANTONIO LAVAR BETHEL,

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 filed and served on September 11, 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 titled 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 he 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

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PROOF OF SERVICE

I, Grace Sommer, certify that I have served the within Motion to Amend Final Brief of Respondent on Robert M. Dudek, 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 4:01 PM
To: Dudek, Robert
Cc: Brian Gibbs; Warren, Kaylynn
Subject: The State v. Antonio Lavar Bethel (2023-001415)
Attachments: BETHEL Antonio - Amended FBOR.pdf; BETHEL Antonio - Motion to Amend FBOR.pdf

Good Afternoon Mr. Dudek,

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 Lavar Bethel (2023-001415). 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
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