

**RECEIVED**  
**Oct 22 2025**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Chester County

Honorable Donald B. Hocker, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JAMES B. CURRY,

APPELLANT

APPELLATE CASE NO. 2024-002075

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JOINT MOTION TO AMEND DESIGNATIONS OF MATTER

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Counsel for Appellant James Bernard Curry respectfully requests leave to serve and file an Amended Designation of Matter on Appeal in this case. In support of this motion, counsel for Appellant would show this Court:

1. The Record on Appeal is due to be filed with this Court on Monday, October 27, 2025.
2. In preparing the Record on Appeal, counsel for Appellant noticed a scrivener's error in Appellant's designation of matter – Item (7) “King 10.5.09 order” should read “King 10.13.09 order.”
3. Inasmuch as Rule 210(c), SCACR, requires the Record on Appeal to include all matter designated by the parties, it is necessary to amend the designation as an order on from Judge King dated October 5, 2009, does not exist in this case.
4. Opposing counsel, J. Benjamin Aplin, has graciously consented to this motion and the filing of an Amended Designation of Matter.

Counsel for Respondent, the State, respectfully requests leave to serve and file an Amended Designation of Matter in this case. In support of this motion, counsel for Respondent would show this Court:

5. Counsel for Respondent cited:

- a. Pages 473-480 of the trial transcript;
- b. Pages 1, 14, and 19-21 of the July 20, 2022, hearing transcript;
- c. Various appellate court documents listed as Items 2, 4, 7, 14-22, 25, 26, and 27 in Respondent's Designation of Matter.

6. In preparing the Record on Appeal, the parties agreed that the designated items were not necessary for inclusion in the Record on Appeal as the documents primarily concerned the procedural history of the case which is not in dispute, or referenced information that was already contained in the other documents designated for the Record on Appeal.

7. Inasmuch as Rule 210(c), SCACR, requires the Record on Appeal to include all matter designated by the parties, it is necessary to amend the designation to remove these items.

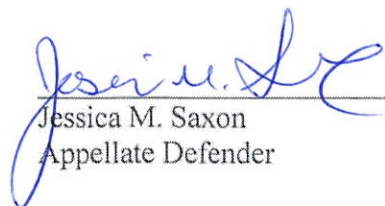
8. Opposing counsel, Jessica M. Saxon, has graciously consented to this motion and the filing of an Amended Designation of Matter.

Counsel for Appellant and counsel for Respondent have agreed and consent to the filing of the Joint Motion to Amend the Designation of Matter, the contemporaneous filing of the Amended Designation of Matter of Appellant and the accompanying filing of the Amended Designation of Matter of Respondent.

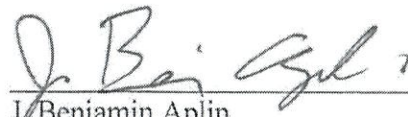
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WHEREFORE, the undersigned counsels would respectfully request that this Court: (1) grant the Motion to Amend the Designation of Matter; (2) accept the Amended Designation of Matter as filed by Appellant with this motion; and (3) accept the Amended Designation of Matter as filed by Respondent with this motion.

Respectfully submitted,

  
\_\_\_\_\_  
Jessica M. Saxon  
Appellate Defender  
ATTORNEY FOR APPELLANT

Respectfully submitted,

  
\_\_\_\_\_  
J. Benjamin Aplin  
Office of the Attorney General  
ATTORNEY FOR RESPONDENT

October 22, 2025.

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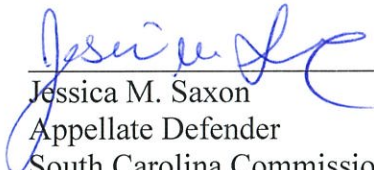
APPELLANT

APPELLATE CASE NO. 2024-002075  
**AMENDED APPELLANT'S DESIGNATION OF MATTER TO BE  
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictment(s): 07-GS-12-529, 07-GS-12-530, 07-GS-12-531, 07-GS-12-532;
- (2) Sentencing Sheets;
- (3) Transcript Dated Nov. 21, 2024;
- (4) Order and Rule to Show Cause filed July 22, 2024;
- (5) Contempt Order filed Nov. 26, 2024;
- (6) Goldsmith 3.18.10 order;
- (7) King 10.13.09 order;
- (8) King 12.17.09 order;
- (9) OOD 2010-CP-12-0228;
- (10) Conditional OOD and Final OOD 2012-CP-12-0184;
- (11) Gibbons 7.21.14 order;
- (12) Gibbons 12.4.14 order;
- (13) Griffith 11.5.21 order;
- (14) Griffith 12.10.21 order;
- (15) Order Denying *Pro Se* Motion 4.15.22;
- (16) Order Denying Rehearing 5.16.22.

I certify that this designation contains no matter which is irrelevant to this appeal.

  
\_\_\_\_\_  
Jessica M. Saxon  
Appellate Defender  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330  
ATTORNEY FOR APPELLANT

This 22<sup>ND</sup> day of October, 2025.

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APPEAL FROM CHESTER COUNTY  
Donald B. Hocker, Circuit Court Judge

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Appellate Case No. 2024-002075

The State, .....Respondent,

v.

James B. Curry, .....Appellant.

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**AMENDED DESIGNATION OF MATTER**

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In addition to the matter designated by Appellant, Respondent proposes the following matter be included in the Record on Appeal:

- (1) February 12-14, 2008 Tr.p.1-p.3
- (2) February 9, 2009 Tr.p.1-p.2; p.121-p.122;
- (3) Amended Motion dated and filed June 30, 2009;
- (4) "Defendant's pro-se Motion for New-Trial based on after discovered evidence" dated December 21, 2009, and filed December 29, 2009;
- (5) "Affidavit in Support of Motion" dated December 21, 2009;
- (6) "Defendants Additional Grounds of New-Trial Motion, + Request for Subpoena's" and "Defendant's 3<sup>rd</sup> and Final Ground in Support of New-Trial Motion;
- (7) Form 4 Orders: 08-CP-12-0523; 08-CP-12-0649; 09-CP-12-044; 09-CP-12-0225; 09-CP-12-0836;
- (8) April 19, 2011, Order of Judge Kinard;
- (9) February 21, 2014, Order of Judge Newman;


(10) August 10, 2022 Order of Judge Gibbons;

The undersigned hereby certifies this Designation contains no matter which is irrelevant to this appeal.

ALAN WILSON  
Attorney General

J. BENJAMIN APLIN  
Assistant Attorney General

RANDY E. NEWMAN, JR.  
Solicitor, Sixth Judicial Circuit

BY:   
J. Benjamin Aplin  
S.C. Bar No. 8729

ATTORNEYS FOR RESPONDENT

Columbia, South Carolina  
October 22, 2025

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THE STATE,

RESPONDENT,

V.

JAMES B. CURRY,

APPELLANT

APPELLATE CASE NO. 2024-002075

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Joint Motion to Amend the Designation of Matter and Amended Respondent's Designation of Matter in the above-referenced case have been served upon Jessica M. Saxon, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 22nd day of October, 2025.

  
\_\_\_\_\_  
Benjamin Aplin

Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211-1549

ATTORNEY FOR RESPONDENT

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Chester County

Honorable Donald B. Hocker, Circuit Court Judge

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THE STATE,

RESPONDENT,

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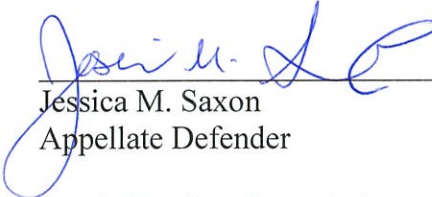
APPELLATE CASE NO. 2024-002075

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Joint Motion to Amend the Designation of Matter and Amended Appellant's Designation of Matter in the above-referenced case have been served upon J. Benjamin Aplin, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 22nd day of October, 2025.



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Jessica M. Saxon  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT