

The State of SC, County of Horry in the court of Appeals

State

vs.

Fanotti N Neal

Motion To Supplement  
Record on Appeal

RECEIVED

DEC 15 2025

SC Court of Appeals

The appellant, Fanotti Neal / Respondent, pursuant to Rule 212(B) SCACR, hereby moves the court for an order allowing the appellant to Supplement the record on Appeal in order to address the issues presented by the Respondent in it's final brief.

In support of the motion, the appellant shows the following to the Court:

- 1) Leave to supplement the record on Appeal will not prejudice the Respondent because the facts that are being presented are not accurate to the trial transcript.

2) Supplementation of the Record on Appeal is necessary to allow the appellant A fair appeal. Supplementation is also necessary because the respondent is misleading the courts by advertising false briefs. The facts that the respondent are presenting are not on the record. Documents of the respondents final brief are attached to this motion, along with highlighted errors and notes.

WHEREFORE, the

appellant respectfully request that the court permit it to Supplement the Record on Appeal in order to address the issue of false briefs raised by the respondent in it's final brief.

December 8th 2025 \_\_\_\_\_

David E. Rigney  
Attorney for Appellant  
1500 Highway 17 North Suite 212  
Surfside Beach SC 29575

CERTIFICATE OF SERVICE

I did this date serve Motion to Supplement Record on Appeal, by placing A copy of the same in A United States Postal Service mail box, postage paid, and addressed as follows

December 8th. 2025

CC: Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

Attorney General  
1000 Assembly Street  
Columbia, SC 29201

David E Rigney  
Attorney for Appellant  
1500 Highway 17 North Suite 212  
Surfside Beach SC 29575

Sarotti Neal

Fanotti Neal #392562

## Respondent Briefs

PG 3 - "Robinson then woke up to the sound of two people tussling and when he looked, he saw that someone wearing A black hoodie, and A beanie had shot the victim and ran out the door (trial tr p 232)

- This is not the correct testimony

- The correct testimony to tr page 232-233 is

Q; "what did the person that shot him look like? what do you remember seeing him look like? wearing? any description"

A; It was A black hoodie. He had the hood on, and it was A black gun

- In facts Tr PG 256 testimony is Marion Robinson stating the person (appellate) who woke him out of his sleep is not the person that shot the victim

## Respondent Briefs

PG 4 - "Robinson testified that he did not find A gun on or around the victim (trial tr pg 270-271)

- Kevin Belt investigator report says different 10/26/2023
- "Baker did see Joshua lying on his side with his left arm under him and his right arm across his stomach. Baker did see A handgun next to Joshua's right hand/arm but was not certain if it was in his hand or next to it on the floor."


PG 10 - "It appears Appellant has A tan gun in his waistband similar to the one recovered at his co-defendants residence (Trial tr P. 615)

- Says nothing like that which misleads the court.
- The statement is "something light colored" which means Detective Allan Huggins does not know for sure (Tr PG 615)
- NEVER SAYS IT'S A TAN GUN (Tr PG 615)

PG 11 - "Showed Appellant entering the residence with what appears to be A gun"

- The declarant states he has never seen Appellant with A weapon (Tr pg 289 17-23)



  
**State of South Carolina**  
**Office of the Solicitor**  
**Fifteenth Judicial Circuit**  
**Investigative Unit**

INVESTIGATIVE REPORT

STATE V.	Fanotti Neal/Micah Pressley
INVESTIGATIVE NUMBER:	
FILE NUMBER:	22H02621/23H00740

October 25, 2023

I, Investigator Kevin Belt, was asked by Solicitor Nancy Livesay to conduct a follow up interview with Cameron Baker reference this case. I held a phone interview with Ms. Baker at 4:47 p.m. Ms. Baker provided the following information.

Baker and her boyfriend, Jalen McPherson, were asleep in her room when they were awakened by Marion Ross knocking on their door. Baker heard Ross and Shakira Rose outside her door. Jalen went out first while Baker was getting up. Jalen came back in and put on a shirt then went back out of the room. Baker went and stood in her doorway where Ross and Rose spoke to her. Ross told her the back sliding door was open. Baker looked over at the sliding door and saw the wooden stake used to secure the door was not in the position she put it in before she went to bed. Baker saw Joshua McPherson lying on the floor. Baker went over to the sliding door and pushed the wooden stake back down. Baker then closed and locked the front door. ~~Baker did see Joshua lying on his side with his left arm under him and his right arm across his stomach. Baker did see a handgun next to Joshua's right hand/arm but was not certain if it was in his hand or next to it on the floor.~~ Baker doesn't recall during this event when she exactly saw the gun. Jalen yelled to call the police. Baker was assisting Rose with talking to 911 when Jalen walked past her carrying a handgun. Baker observed Jalen put the handgun into her bedroom closet. Jalen then turned Joshua onto his back after being directed by 911. Jalen began CPR. Baker got a glass of water for Jalen to give to Joshua. Baker and Rose stayed on the phone with 911 until the police arrived.

Our interview concluded at 5:24 p.m.

  
 INVESTIGATOR KEVIN BELT

Fanotti N Neal 392562

December 8th 2025

RECEIVED

DEC 15 2025

SC Court of Appeals

1220 Senate Street  
Columbia, SC 29201

RE: 2023-GS-26-0414

Dear Honorable Clerk,

Enclose you will find the original motion to Supplement the Record on Appeal for your filing.

Thank You

Sincerely

Fanotti Neal

Enclosure

CC:

Fanotti Neal 392562 F613 2208  
Lee Correctional inst.  
990 Wisacky Hwy  
Bishopville, SC 29010



US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 29010 \$ 001.80<sup>0</sup>  
02 4W  
0000373846 DEC 09 2025



FOREVER / USA

Court of appeals  
1220 Senate Street  
Columbia, SC 29201

RECEIVED

DEC 15 2025

SC Court of Appeals

SCDS  
Christmas  
Packet