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Mar 04 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

THOMAS S. MCFADDEN, JR.,

APPELLANT

APPELLATE CASE NO. 2023-000566

MOTION TO SUPPLEMENT THE RECORD ON APPEAL

Pursuant to Rule to 212(b), SCACR, counsel for Appellant Thomas S. McFadden, Jr. moves to supplement the Record on Appeal. In support of this motion counsel shows the following:

1. On March 14, 2024, counsel filed Appellant's Designation of Matter designating Court's Exhibit #1 (Search Warrant) for inclusion in the Record on Appeal.
2. The Record on Appeal was served and filed on March 20, 2024.
3. On March 4, 2026, it came to counsel's attention that Court's Exhibit #1 (Search Warrant) was inadvertently omitted from the Record on Appeal.
4. Counsel now moves to supplement the Record on Appeal pursuant to Rules 210(c) and (f), and Rule 212(b) of the South Carolina Appellate Court Rules, to include Court's Exhibit #1 (Search Warrant).

5. A proposed supplemental record on appeal including Court's Exhibit #1 (Search Warrant) is being filed simultaneously with this motion.
6. Counsel conferred with Melody J. Brown, who represents the State, about the filing of this motion and she graciously consented.
7. Counsel makes this request in good faith and not for purpose of delay.

WHEREFORE, Counsel respectfully requests this Court to allow the Record on Appeal to be supplemented with Court's Exhibit #1 (Search Warrant) and filed simultaneously with this motion based on the above circumstances.

Respectfully submitted,



David Alexander
Deputy Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT

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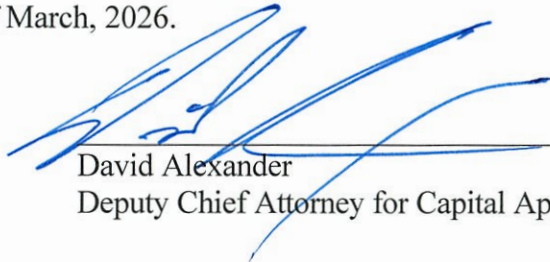
THOMAS S. MCFADDEN, JR.,

APPELLANT

APPELLATE CASE NO. 2023-000566

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 4th day of March, 2026.



David Alexander
Deputy Chief Attorney for Capital Appeals

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

ATTORNEY FOR APPELLANT

Bast, Daniel

From: Bast, Daniel
Sent: Wednesday, March 4, 2026 11:35 AM
To: mbrown@scag.gov
Cc: Alexander, David; abennett@scag.gov
Subject: 2023-00566 - The State v. Thomas S. McFadden, Jr.
Attachments: 2023-000566 - The State v. Thomas S. McFadden, Jr. - Motion to Supplement the Record on Appeal.pdf; 2023-000566 The State v. Thomas S. McFadden, Jr. - Supplemental Record on Appeal.pdf

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SC Court of Appeals

Good morning,

Attached are copies of the Motion to Supplement the Record on Appeal and Supplemental Record on Appeal in the above referenced case which will be filed today, March 4, 2026, with the Court of Appeals.

All the best,

Daniel Bast
Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
(803) 734-1330