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**Apr 09 2026**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Horry County  
Honorable Bentley Price, Circuit Court Judge  
Appellate Case No. 2022-001075

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THE STATE,

Respondent,

vs.

MAZAR NATHANIEL STURDIVANT,

Appellant.

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**MOTION TO ALLOW FILING OF  
AMENDED DESIGNATION OF MATTER  
AND  
SUPPLEMENTAL RECORD ON APPEAL**

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

**I.**

In December of 2018, Appellant Mazar Nathaniel Sturdivant was arrested following an investigation into a series of highly-similar armed robberies that had been committed over the span of several consecutive nights in Mrytle Beach, South Carolina. In April of 2019, the Horry County Grand Jury indicted Sturdivant for three counts of armed robbery. That same month, the Horry County Grand Jury indicted Dlanor Phillip Tilton—one of Sturdivant’s accomplices—for three counts of armed robbery and Shamoray Rockel Holmes—another of Sturdivant’s accomplices—for one count of armed robbery. On July 18, 2022, a joint jury trial was

commenced in the Horry County Court of General Sessions with the Honorable Michael S. Holt, circuit court judge, presiding. Ultimately, following in limine discussions, the trial proceeded forward solely on two of Sturdivant's and Tilton's armed robbery charges with the Honorable Bentley Price, circuit court judge, presiding. At the conclusion of the three-day trial, the jury convicted Sturdivant and Tilton as indicted. Following the verdict, the trial judge sentenced Sturdivant to concurrent terms of imprisonment of ten years for his two convictions. Sturdivant then timely initiated an appeal.

## **II.**

At present, Sturdivant's appeal is currently pending before this Court. So far on appeal, initial briefing has been completed, the parties have filed their designations of matter, and the Record on Appeal has been filed along with the final briefs. Additionally, Sturdivant's case has been scheduled for oral argument at this Court on May 5, 2026, at 10:40 a.m. in Courtroom I.

## **III.**

Based on the arguments that have been raised on appeal in Sturdivant's case, the State designated State's Exhibit # 7, which was a recording of surveillance footage, for inclusion in the Record on Appeal because that exhibit supported the State's arguments about Sturdivant's appearance around the time of his crimes. (Resp. Br. p. 18). However, that particular exhibit was inadvertently not transported to this Court, and, last week, this Court asked for a copy of the exhibit to be provided to it by counsel. In response, counsel promptly prepared a copy of State's Exhibit # 7 and delivered it the Court.

## **IV.**

While preparing the copy of State's Exhibit # 7 for delivery to the Court, the undersigned counsel for the State decided to again review the exhibits introduced during Sturdivant's trial.

Based on that review, the State has concluded State's Exhibit # 74, which was a photograph of Sturdivant that was admitted into evidence during trial and depicts Sturdivant's appearance in December of 2018 around the time of his arrest, may *also* be relevant to this Court's resolution of the issue and arguments raised on appeal in Sturdivant's case and should have been designated for inclusion in the Record on Appeal in the State's original Designation of Matter. (R. p. 9; pp. 289-290).

#### V.

Pursuant to our state's appellate court rules, the Record on Appeal shall contain all matter designated by the parties and can include any matter presented to the lower court or tribunal. Rule 210(c), SCACR. Relatedly, those rules permit both the parties and the appellate court itself to supplement the Record on Appeal with additional matter that was *not* previously included in it. Rule 212, SCACR.

#### VI.

In the case at bar, State's Exhibit # 74 unquestionably could appropriately be designated for inclusion and be included in the Record on Appeal since that exhibit was admitted into evidence during trial and was a part of the trial court record in Sturdivant's case. Rule 209(b), SCACR; Rule 210(c), SCACR. Accordingly, since that exhibit could properly be included in the Record on Appeal and may assist in this Court's resolution of the issue and arguments that have been raised on appeal, the State asks this Court to: (1) permit the State to now file an Amended Designation of Matter adding State's Exhibit # 74 to the list of matter designated for inclusion in the Record on Appeal; and (2) allow the State to file a Supplemental Record on Appeal containing State's Exhibit # 74, which has now been identified in its Amended Designation of Matter.

**VII.**

Along with this motion, the State has contemporaneously submitted both its Amended Designation of Matter and the Supplemental Record on Appeal. Furthermore, undersigned counsel for the State sincerely apologizes for any inconvenience the State's failure to include State's Exhibit # 74 in its original Designation of Matter has caused for the appellant, opposing counsel, or the Court.

**WHEREFORE**, Respondent prays that this Court will allow the State to file an Amended Designation of Matter and Supplemental Record on Appeal; accept the filing of the State's Amended Designation of Matter and Supplemental Record on Appeal; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Senior Assistant Deputy Attorney General



By: \_\_\_\_\_  
Mark R. Farthing  
S.C. Bar Number 76901

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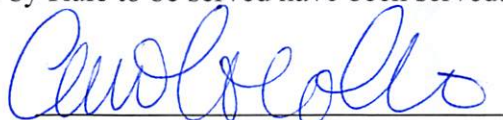
**PROOF OF SERVICE**

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I, Caroline Collins, certify I have served the within Motion to Allow Filing of Amended Designation of Matter and Supplemental Record on Appeal, Amended Designation of Matter, and Supplemental Record on Appeal on Appellant by sending electronic copies via email to the address listed in AIS for the following individual:

Joanna K. Delany, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.  
This 9th day of April, 2026.



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CAROLINE COLLINS  
Administrative Support Manager  
Office of the Attorney General