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Apr 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Deadra L. Jefferson, Circuit Court Judge

Appellate Case No. 2023-001978

THE STATE,

Appellant,

v.

JOSHUA FELIPE SIMMONS,

Respondent.

**JOINT MOTION TO PERMIT THE INCLUSION OF COPIES
OF VIDEOS IN THE RECORD ON APPEAL**

The State and Respondent Joshua Felipe Simmons, through their respective undersigned counsel, would show unto the Court as follows:

I.

In December 2023, Respondent proceeded to pretrial motions concerning his indictment for trafficking cocaine before the Honorable Deadra L. Jefferson. (R. 1, 3).

II.

Among Respondent's pretrial motions was a motion to suppress evidence, including certain portions of law enforcement body camera footage and the drug evidence, found during a search of

Respondent's vehicle after a proper traffic stop. (R. 75-76). Three body camera videos, each approximately thirty minutes long, were identified so relevant portions of the videos could be played for the jury if admissible. (R. 22-23).

III.

Upon information and belief, Judge Jefferson reviewed all three body camera videos in full. (R. 162, 178-79, 183). Judge Jefferson determined that everything, including the drug evidence, after a certain point in the videos would not be admissible, which is the subject of this State's appeal. (R. 162; App. Br. 1). The following morning, the State informed Judge Jefferson that it edited the body camera footage into clips pursuant to Judge Jefferson's ruling the day prior. (R. 174).

IV.

Court's Exhibit 2 appears to contain only the clips of the three 30-minute videos instead of the full-length videos.

V.

Based on the issue raised by the State on appeal, the State designated all three full length videos for the Court's review. *See* Rule 210(c), SCACR (allowing for matter "presented to the lower court" to be included in the Record on Appeal if properly designated for inclusion by any party). However, because the full 30-minute clips were not included on the USB drive marked as Court's Exhibit 2 and kept in the custody and control of the Charleston County Clerk of Court's Office, the undersigned counsel for the State contacted the Ninth Circuit Solicitor's Office and obtained from that office what are believed to be true and accurate copies of the full 30-minute videos. The videos, which are on a CD drive, have been included as Video Attachment.

[continued on following page]


VI.

Wherefore, the State and Respondent Joshua Felipe Simmons jointly request that the Court allow the inclusion of what are believed to be full and accurate copies of the full-length body camera videos into the Record on Appeal and for any such other and further relief as the Court may deem just and proper.

ALAN WILSON
Attorney General

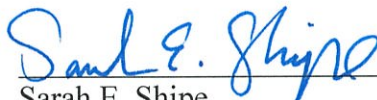
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ATTORNEY FOR RESPONDENT

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PROOF OF SERVICE

I, Grace Sommer, certify that I have served this Joint Motion to Permit the Inclusion of Copies of Videos in the Record on Appeal on Sarah E. Shipe, Esq., counsel of record for the Respondent, by electronic mail to the address listed for counsel in the South Carolina Attorney Information System.

I further certify that all parties required by Rule 262(c) of the South Carolina Appellate Court Rules to be served have been served.

This 27th day of April 2026.



Grace Sommer
Legal Assistant

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