

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

L. Casey Manning, Circuit Court Judge

RECEIVED

DEC 11 2013

SC Court of Appeals

EX PARTE: TARA DAWN SHURLING,

APPELLANT,

IN RE: STATE OF SOUTH CAROLINA,

RESPONDENT

V.

BEJAY HARLEY,

DEFENDANT

Appellate Case No. 2013-001298

AFFIDAVIT OF RESPONDENT

Pursuant to Rule 240(c)(3), SCACR, the Respondent, South Carolina Commission on Indigent Defense, files this affidavit with Appendix for Respondent's motion to dismiss containing documents germane to the motion.

The Appendix, Respondent's motion to dismiss and Respondent's memorandum of law, include those facts relied upon in support of the motion to dismiss.

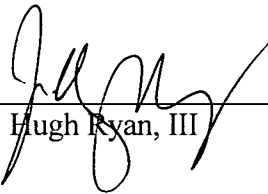
The Appendix incorporated in this affidavit is as follows:

1. Initial Brief of Appellant dated November 12, 2013; Appendix 1-15.
2. Designation of Matter to be included in Record on Appeal dated November 12, 2013; Appendix 16-17.

3. Transcript of December 28, 2011 hearing before the Honorable Clifton Newman;
Appendix 18-70.

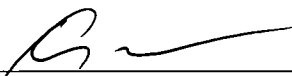
4. February 12, 2013 letter of Judge Newman's law clerk, Sutania A. Radlein;
Appendix 71.

FURTHER AFFIANT SAYETH NOT.



J. Hugh Ryan, III

SUBSCRIBED AND SWORN TO before
me this 11th day of December, 2013


_____(L.S.)
Notary Public for South Carolina
My Commission Expires: August 21, 2023.