

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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**APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas**

**Marvin H. Dukes, III, Master in Equity**

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**CIRCUIT COURT CASE NO. 2011-CP-07-04722  
APPEAL CASE NO. 2013-001101**

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**CITY OF BEAUFORT ..... Respondent**

**v.**

**JOSEPH C. SUN ..... Appellant**

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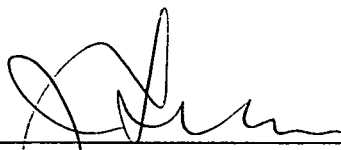
**PROOF OF SERVICE**

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I certify that I have this date pursuant to court order of 1/10/2014, served the Respondent City of Beaufort the <sup>AMENDMENT TO</sup> Record of Appeal that complies with Rule 210 of the South Carolina Appellate Court Rule, by depositing a copy of same in the United States Mail, postage prepaid on January 23, 2014 to the following addresses:

William B. Harvey, III  
P. O. Drawer 1107  
Beaufort, SC 29901-1107  
Attorney for Respondent  
843-524-3109

This 23<sup>th</sup> day of January, 2014

  
\_\_\_\_\_  
JOSEPH C. SUN, pro se  
P. O. Box 151  
Bluffton, SC 29910

**RECEIVED**

JAN 27 2014

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity

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CIRCUIT COURT CASE NO. 2011-CP-07-04722  
APPEAL CASE NO. 2013-001101

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CITY OF BEAUFORT ..... Respondent

v.

JOSEPH C. SUN ..... Appellant

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AMENDMENT TO  
RECORD ON APPEAL

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Joseph C. Sun, pro se  
P. O. Box 151  
Bluffton, SC 29910  
843-227-0963

William B. Harvey, III, Esq.  
Attorney for Respondent  
P. O. Drawer 1107  
Beaufort, SC 29901

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**SC Court of Appeals**

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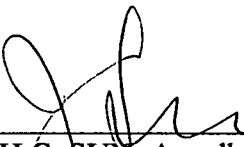
**CERTIFICATE OF COUNSEL**

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I certify that this <sup>Amendment to</sup> Record on Appeal contains all material proposed to be included by any of the parties and not any other material, in compliance with Rule 210, SCACR, and I have this date served the Respondent City of Beaufort a copy of the Record on Appeal by depositing a copy of same in the United States Mail, postage prepaid to the following addresses:

William B. Harvey, III, Esq.  
P. O. Drawer 1107  
Beaufort, SC 29901

This 23<sup>th</sup> day of January, 2014

  
\_\_\_\_\_  
JOSEPH C. SUN, Appellant pro se  
P. O. Box 151  
Bluffton, SC 29910  
843-227-0963

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JAN 27 2014

**SC Court of Appeals**

IN THE COURT OF COMMON PLEAS  
STATE OF SOUTH CAROLINA  
COUNTY OF BEAUFORT

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CLERK OF COURT  
BEAUFORT COUNTY, S.C.

APPEAL FROM THE CITY OF BEAUFORT  
MUNICIPAL COURT

Tupper, Municipal Court Judge

COURT OF COMMON PLEAS CASE NO. 2011-CP-07-4722  
BEAUFORT MUNICIPAL COURT TICKET NO. 58573BC & 58574BC

THE STATE,

Respondent,

v.


JOSEPH C. SUN,

Appellant.

NOTICE OF APPEAL

JOSEPH C. SUN, appeals the Denial of his Motion for a New Trial and Motion to Stay Fine rendered at the Beaufort Municipal Court on Ticket No. 58573BC & 58574BC, on November 3, 2011 in which Judge Ralph E. Tupper presided, to the Beaufort County Court of Common Pleas.

This November 10, 2011.

  
JOSEPH C. SUN, pro se  
P. O. Box 2544  
Bluffton, SC 29910  
843-227-0963

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JAN 27 2014

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Common Pleas  
Beaufort County

APPEAL FROM CITY OF BEAUFORT  
Municipal Court Judge Tupper

Citation No. 58573BC & 58574BC

Court of Common Pleas Case 2011-4722

BEAUFORT MUNICIPAL COURT ..... Respondent  
v.  
JOSEPH C. SUN ..... Appellant

DEPARTMENT OF JUSTICE  
CLERK OF COURT  
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ISSUES ON APPEAL

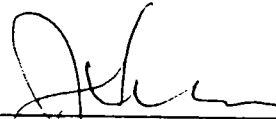
Appellant Joseph Sun respectfully submits the following issues on appeal: SC Court of Appeals

- (1) Appellant's Motion for New Trial should be granted by the Municipal Court because
  - a/ At the trial, Officer Sooknanan presented a traffic record containing false information as evidence against Appellant Sun which document was not given to Appellant prior to trial after the Beaufort Police had ignored Appellant's request for a Rule 5 Discovery.
  - b/ Prior to trial and in violation of Appellant's right to Rule 5 Discovery and his right to Brady v. Maryland, Officer Sooknanan withheld favorable evidence on the defective characteristics of the radar detector which could exonerate Appellant at the trial.
  - c/ Officer Sooknanan withheld the fact that the radar detector in his vehicle only detects something was moving at a speed faster than the limit even when the object was behind

or covered up by another vehicle, thereby misleading the jurors to believe that he saw Appellant's car speeding when in fact it was the car behind Appellant on the next lane that was speeding, even when the other car was covered up by Appellant's vehicle.

- (2) Appellant's Motion to Stay Fine should be Granted.

August 10, 2012



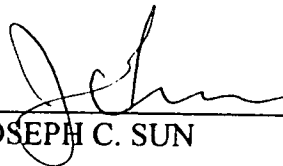
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JOSEPH C. SUN, pro se  
18 Sixth Avenue  
Bluffton, SC 29910  
843-227-0963

**PROOF OF SERVICE**

I certify that I have this date served the Respondent Beaufort Municipal Court a copy of my Issues on Appeal by personally delivering a copy of same to the clerk of Beaufort Municipal Court on August 15, 2012 at the following address:

Beaufort Municipal Court  
1901 Boundary Street  
Beaufort, SC 29902



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JOSEPH C. SUN

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JAN 27 2014

**SC Court of Appeals**

Sun

O Box 151

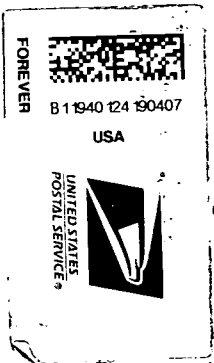
uffton, SC 29910

Clerk of Court

South Carolina Court of Appeals

P. O. Box 11629

Columbia, SC 29211



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