

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable Larry R. Paterson, Plea Court Judge
The Honorable R. Knox McMahon, Post-Conviction Relief Judge

Appellate Case No. 2013-000512

RECEIVED

FEB 03 2014

S.C. Supreme Court

Linwood Carson,.....Petitioner,

v.

State of South Carolina,Respondent.

MOTION TO SUPPLEMENT THE RECORD ON APPEAL

The Respondent, the State of South Carolina, hereby moves this Court to grant permission to supplement the Record on Appeal with pages of the transcript that were not included in the Appendix submitted by the Petitioner.

Rule 212(b) of the South Carolina Appellate Court Rules states, "With the written consent of all attorneys of record, a party may supplement the Record on Appeal at any time before argument commences. Without such consent or after argument commences, a party desiring to supplement the Record on Appeal must move the appellate court for leave to do so. In response to that motion, the other party(s) shall designate any supplemental materials which that party desires to add if the court grants the motion."

Pursuant to this Rule, Respondent hereby moves this court to supplement the Record on

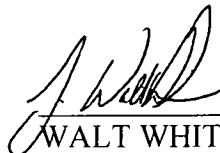
Appeal with the solicitor's "Notice of Intention to Seek Life Sentence without Parole" filed on January 11, 2006 with the Lexington County Clerk of Court. Respondent moves to have the following attached certified convictions incorporated in the Notice, (1999-GS-32-2375; -2376; -2377; -2378) and (1997-GS-32-3022) included. These Clerk of Court records were before the PCR Judge and were specifically referenced in the Record. (App.p.97). Furthermore, the PCR judge noted his review of the record before him in its entirety in the Order of Dismissal. (App.p.123).

Wherefore, having made this Motion to Supplement the Record on Appeal, Respondent would respectfully request this Court grant the Motion to include the above mentioned Lexington County Clerk of Court Records and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

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ATTORNEYS FOR RESPONDENT

Feb. 3rd, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Lexington County
Court of Common Pleas

The Honorable R. Knox McMahon, Circuit Court Judge

LINWOOD CARSON,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

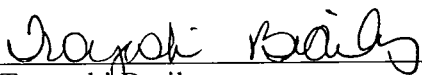
RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **Motion to Supplement the Record on Appeal** has been served upon opposing counsel by mailing two (2) copies in the United States mail, postage prepaid:

Carmen V. Ganjehsani, Esq.
SC Commission of Indigent Defense
1330 Lady St. Suite 401
Columbia, SC 29201

This 3rd day of February, 2014



Troyeshi Brailey
LEGAL ASSISTANT for the Respondent