

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO RICHLAND COUNTY
Court of Common Pleas

The Honorable L. Casey Manning, Circuit Court Judge

Appellate Case No. 2013-000653

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APR 28 2014

S.C. Supreme Court

LEHENRY S. RILEY,RESPONDENT,

v.

STATE OF SOUTH CAROLINA,PETITIONER.

MOTION TO FILE A SUPPLEMENTAL APPENDIX

Counsel for Petitioner hereby moves that this Court supplement the Appendix, pursuant to Rules 210(c) and (f), and Rule 212(b) of the South Carolina Appellate Court Rules. In support of this motion counsel shows the following:

1. The petition for writ of certiorari and accompanying appendix was served and filed on December 3, 2013.
2. On April 28, 2014, opposing counsel, Robert M. Dudek, notified counsel that Applicant's Exhibit No. 1 was missing from the appendix. This exhibit was introduced at the evidentiary hearing and is a part of the lower court record.
3. This Court requires that a Petition for a Writ of Certiorari include the *entire* lower court record. Rule 227(f)(1), SCACR (*emphasis added*). Applicant's Exhibit No. 1 is material to this Court's review of the lower court's decision.

4. The omission of page 10 of the appendix was a mistake and counsel now seeks to supplement the appendix to include Applicant's Exhibit No. 1.

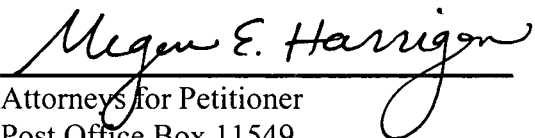
Counsel respectfully requests that this Court allow the appendix to be supplemented with Applicant's Exhibit No. 1 based on the above circumstances.

Respectfully submitted,

ALAN WILSON
Attorney General

MEGAN E. HARRIGAN
S.C. Bar. No. 100108
Assistant Attorney General

By:



Attorneys for Petitioner
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

April 28, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
The Honorable L. Casey Manning, Circuit Court Judge
Case No. 2009-CP-40-7428
Appellate Case No. 2013-000653

LEHENRY RILEY

RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

PETITIONER.

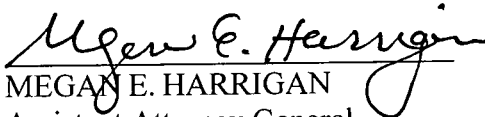
PROOF OF SERVICE

I, Megan E. Harrigan, certify that I have served the within **Motion to File a Supplemental Appendix and Supplemental Appendix** on Respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Robert M. Dudek, Chief Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211

I further certify that all parties required by Rule to be served have been served.

This 28th day of April, 2014.


MEGAN E. HARRIGAN
Assistant Attorney General
S.C. Bar No. 100108

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737



ALAN WILSON
ATTORNEY GENERAL

April 28, 2014

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

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APR 28 2014

S.C. Supreme Court

Re: LeHenry S. Riley v. The State of South Carolina
Appellate Case No. 2013-000653

Dear Mr. Shearouse:

Enclosed for filing are the original and six (6) copies of Petitioner's Motion to File a Supplemental Appendix and Supplemental Appendix.

Sincerely,

Megan E. Harrigan
Assistant Attorney General
S.C. Bar No. 100108

MEH/ko
Enclosure

cc: Robert M. Dudek, Chief Appellate Defender
Trisha Allen, Victim's Services