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S.C. SUPREME COURT

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

Honorable Michael Nettles, Circuit Court Judge

Case No. 08-CP-43-00905
Appellate Case No. 2013-001968

Bobby Wayne Stone, Petitioner,

v.

State of South Carolina, Respondent.

**PETITIONER'S MOTION FOR LEAVE
TO FILE A SUPPLEMENTAL APPENDIX**

Petitioner, Bobby Wayne Stone, through undersigned counsel, for the reasons stated below, respectfully requests that this Court grant him permission to file a supplemental appendix. The reasons for this motion are as follows:

1. The Petition for Writ of Certiorari and the Appendix in this matter are currently due for filing on June 16, 2014, after this Court's recent order granting a thirty day extension of time. Prior to the previous due date of May 16, 2014, undersigned counsel compiled the necessary

materials for the Appendix and provided them to an outside printing company for reproduction. The printer produced four copies of the Appendix, which currently spans twelve volumes. However, after the Appendix had been numbered, printed and returned, counsel discovered that: (1) several pages had been poorly reproduced; (2) several others were incorrectly oriented, making the typeface unreasonably small; and, (3) several other items which should have been included in the Appendix were erroneously not included, making the Appendix incomplete.

2. Undersigned counsel contacted the printing company about these errors, and the issues identified in categories (1) and (2), above, have now been corrected. However, the erroneously excluded items (described in category (3)) consist of approximately 1,000 pages from the beginning of the trial transcript from petitioner's first capital trial in 1997, and a small number of pages from the PCR hearing exhibits. In order to include these items in the correct order in the Appendix, all twelve volumes of the Appendix would have to be reprinted.

3. Instead of reproducing all twelve volumes of the Appendix, petitioner requests permission to file a supplemental appendix, which would contain the items that were erroneously excluded from the original printing.

4. Undersigned counsel has contacted counsel for respondent, Alphonso Simon, and he has no objection to this request.

THEREFORE, for the reasons stated above, petitioner respectfully submits that this Court should grant him leave to file a supplemental appendix.

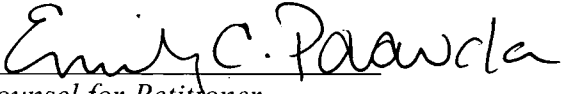
Respectfully submitted,

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By: 
Counsel for Petitioner

May 27, 2014

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

Honorable Michael Nettles, Circuit Court Judge

Case No. 08-CP-43-00905
Appellate Case No. 2013-001968

Bobby Wayne Stone, Petitioner,

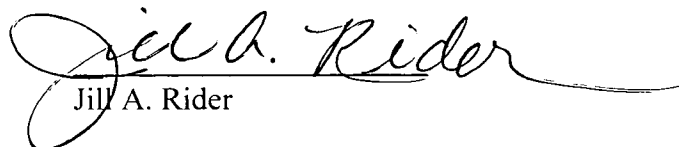
v.

State of South Carolina, Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Petitioner's Motion for Leave to File a Supplemental Appendix was served by first class United States mail, postage prepaid, this 27th day of May, 2014, upon the following:

Alphonso Simon
Assistant Attorney General
P.O. Box 11549
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Jill A. Rider