

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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AUG 13 2014

SC Court of Appeals

Appeal from Spartanburg County
J. Derham Cole, Circuit Court Judge
2011-GS-42-5626

Appellate Case No. 2012-213672

THE STATE,

RESPONDENT,

V.

KEITH LETMON,

APPELLANT

SUPPLEMENTAL RECORD ON APPEAL

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ATTORNEYS FOR RESPONDENT

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1 identification of the person they knew to be Slow.

2 This is not a case where they did not know the person.
3 They just did not know his real name. They were familiar
4 with the man known to be Slow.

5 The officers were trying to put a name with the face,
6 and that's why they undertook this process. We don't feel
7 there's any suggestiveness involved.

8 THE COURT: All right. Well, based upon the evidence
9 presented I find that there is no unduly suggestive
10 procedure used and that the procedure that was used is not
11 in any way conducive towards an irreparable
12 misidentification of the defendant by a witness picking out
13 a photograph.

14 So if your motion was to exclude any in-court
15 identification, or out-of-court identification for that
16 matter, the ground as presented, that motion is denied.

17 Any other ground?

18 MR. SHEALY: Not at this time, Your Honor.

19 THE COURT: All right. Anything further before we
20 recess for lunch?

21 MR. BULSA: Not from the state. I believe you had
22 something else.

23 MR. SHEALY: No.

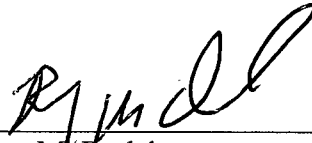
24 Oh, Your Honor, I do need to renew my motion.

25 Your Honor, a buccal swab was taken my client. We

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

August 13, 2014



Robert M. Dudek
Chief Appellate Defender

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ATTORNEY FOR APPELLANT

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CERTIFICATE OF SERVICE

I certify that a true copy of the Supplemental Record on Appeal in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 13th day of August, 2014.

Brandon Hall

Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 13th day of August, 2014.

Rhonda Demaris Foxworth (L.S.)
Notary Public for South Carolina
My Commission Expires: October 17, 2021