

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Aiken County  
Doyet A. Early, III, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

OCT 01 2014

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

DAVID EUGENE ROSIER, JR.,

APPELLANT

APPELLATE CASE NO. 2013-002259

\_\_\_\_\_  
MOTION TO AMEND THE DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL AND TO FILE  
A SUPPLEMENTAL RECORD ON APPEAL  
\_\_\_\_\_

Counsel for David Rosier respectfully requests the Court's permission to Amend the Designation of Matter to be included in the Record on Appeal and to file a Supplemental Record on Appeal in this case. In support of this motion counsel shows:

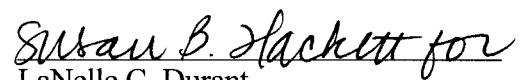
1. The Record on Appeal was filed and served on, September 29<sup>th</sup>, 2014.
2. While preparing the Final Brief of Appellant, counsel discovered that page 343 from the October 7, 8, 9 and 10, 2013 transcript was inadvertently left out of the designation of matter to be included in the Record on Appeal.
3. This page directly relates to an issue briefed on appeal, and counsel respectfully moves this Court to allow counsel to amend the designation and include this page in the record.

4. Counsel, Deborah R. J. Shupe, of the South Carolina Attorney General's Office consents to this request as shown by signature below.

5. Counsel makes this request in good faith and not for purposes of delay.

WHEREFORE, the undersigned counsel respectfully requests this Court's permission to amend the designation of matter to be included in the Record on Appeal and to file a Supplemental Record on Appeal.

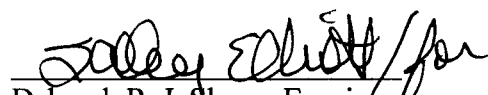
Respectfully submitted,

  
LaNelle C. Durant  
Appellate Defender

Attorney for Appellant.

This 1<sup>st</sup> day of October, 2014.

I Consent:

  
Deborah R. J. Shupe, Esquire

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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Aiken County  
Doyet A. Early, III, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

DAVID EUGENE ROSIER JR.,

APPELLANT

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**AMENDED DESIGNATION OF MATTER TO BE  
INCLUDED IN RECORD ON APPEAL**

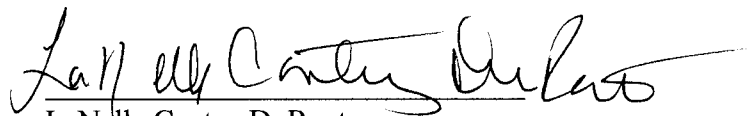
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Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictment(s);
- (2) Trial Transcript Pages 1-5, 33-34,37, 42-60, 117-125, 132-133, 135-137, 139-140, 146-154, 158-168, 273-276, 279-283, 292, 295, 297, 301, 306-308, 312-314, 319-320, 343, 350-371, 384- 435, 437-459.
- (3) Court's Exhibit One: Documents in Support of Defense Argument
- (4) State's Exhibits 19-21: CD's of phone calls & 911 Call
- (5) Defense Exhibits One & Two: CD's of phone calls

I certify that this designation contains no matter which is irrelevant to this appeal.

October 1<sup>st</sup>, 2014



LaNelle Cantey DuRant  
Appellate Defender

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