

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

S.C. Supreme Court

J. Michael Baxley, Circuit Court Judge

Case No. 06-CP-11-223
Appellate Case No. 2012-212107

Jonathan Kyle Binney, #6009, *Petitioner-Respondent*,

v.

State of South Carolina, *Respondent-Petitioner*.

MOTION TO FILE A SUPPLEMENTAL APPENDIX

Petitioner-Respondent, Jonathan Binney, respectfully moves this Court to supplement the Appendix in this matter to include Applicant's PCR Exhibit 15 from the evidentiary hearing of the post-conviction relief action. This exhibit was not originally included in the Appendix because Petitioner-Respondent did not believe it was admitted into evidence. However, counsel for Respondent-Petitioner contacted undersigned counsel and noted that the State believes this exhibit was admitted and has relied upon portions of it in its briefing. The State requested that Petitioner-Respondent prepare a supplemental appendix containing this exhibit. Accordingly,

Petitioner-Respondent requests this Court accept for filing the enclosed Supplemental Appendix.

Respectfully submitted,

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BY: 
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October 9, 2014

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CERTIFICATE OF SERVICE

I, Jill Rider, hereby certify that I have served upon the attorney for the Respondent/Petitioner one (1) copy of the Petitioner/Respondent's Motion to File a Supplemental Appendix and one (1) copy of the Supplemental Appendix in the above-captioned case by depositing a copy of same in the United States Mail, first class, postage pre-paid, addressed as follows:

William Edgar Salter, III
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211-1549

This the 9th day of October, 2014, in Columbia, South Carolina.


JILL RIDER