

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Williamsburg County
Honorable George C. James, Jr., Circuit Court Judge
Appellate Case Tracking No. 2011-204146

The State,

Respondent,

vs.

Marty Baggett,

Appellant.

MOTION TO ACCEPT TRANSCRIPT IN LIEU OF AUDIO RECORDING

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

A copy of the audio recording of the 911 call designated by Appellant was previously transported to the Court in March 2014. This recording is not in the file and not other copy of the recording can be located from either defense counsel or prosecution.

II.

The State has a copy of a transcript of the 911 audio recording. Appellant's counsel also has a copy of the transcript. The parties agree to admit the transcript as an exhibit before the Court in lieu of the missing audio recording of the 911 call. The parties believe it is a sufficient transcript for the Court to be able to render its decision in light of the lack of the audio recording.

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III.

WHEREFORE, Respondent prays that the Court accept this transcript filed concomitant with this motion in lieu of a copy of the audio recording of the 911 call; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General



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ATTORNEYS FOR RESPONDENT

October 21, 2014

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion to Accept Transcript in Lieu of Audio Recording on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Susan B. Hackett, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

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

This 21st day of October, 2014.

Sally Ellison

SALLY ELLISON
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