

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Abbeville County

R. Lawton McIntosh, Circuit Court Judge

RECEIVED

OCT 20 2014

S.C. Supreme Court

MARSHALL MILLER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-001076

SECOND SUPPLEMENTAL APPENDIX

ALAN WILSON
Attorney General

ASHLEY A. MCMAHAN
Assistant Attorney General

P. O. Box 11549
Columbia, SC 29211

ATTORNEYS FOR RESPONDENT

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PROTECTION ORDER (Dated January 6, 2006)(with handwritten note)..... 1

A TRUE COPY

Attest: James R. Parks, Clerk

By: *Margaret J. Seely*
Deputy Clerk

STATE OF SOUTH CAROLINA)
COUNTY OF ABBEVILLE)
STATE OF SOUTH CAROLINA)
VS.)
MARSHALL MILLER,)
DEFENDANT.)

IN THE COURT OF
GENERAL SESSIONS FOR THE
EIGHTH JUDICIAL CIRCUIT

CASE NO. 2002-GS-47-32

PROTECTIVE ORDER

FILED

JAN 9 2006

USA C. DUNBAR,
CLERK, STATE GRAND JURY

This matter having been brought to the attention of the Court upon motion of the Attorney General and the Court having been fully advised of this matter, pursuant to South Carolina Code Ann. Sections 14-7-1700 and 14-7-1720, including the fact that Defendant Marshall Miller was found guilty on Count I of Indictment Number 2002-GS-47-32, trafficking in methamphetamine (conspiracy) -- and the fact that the Defendant has appealed his conviction to the South Carolina Court of Appeals.

IT IS HEREBY ORDERED that the Attorney General is protected if, as part of the appeal, he discloses the State Grand Jury discovery materials in the investigation entitled "Crankdown" to Robert M. Dudek of the South Carolina Office of Appellate Defense. This protection is being authorized pursuant to South Carolina

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Please address all concerns about this matter with your attorney. There is nothing ~~that~~ *can do or should do in this matter.* Thank you. *M. Seely*

order and a copy of this order for the purpose of allowing Defendant Marshall Miller the opportunity to review said materials. The prison officials are prohibited from reviewing the State Grand Jury materials and are ordered to maintain the discovery materials locked in a secure location. Defendant Marshall Miller shall be entitled to

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Code Ann. Section 14-7-1720(a) for the purpose of allowing the Attorney General to "comply with constitutional, statutory, or other legal requirements or to further justice."

IT IS FURTHER ORDERED that any prior Protective Order issued in this case remains effective with respect to all State Grand Jury testimony, interviews of witnesses, and any other documents developed during the grand jury investigation of this matter that are not otherwise disclosed pursuant to this Order during the Defendant's appeal from his conviction.

IT IS FURTHER ORDERED that Defendant Marshall Miller is entitled to review the State Grand Jury discovery materials in the investigation entitled "Crankdown". Defendant Marshall Miller, however, is currently in the custody of the South Carolina Department of Corrections and is housed at Lieber Correctional Institute in Ridgeville, South Carolina. Therefore, Appellate Defender Robert M. Dudek is entitled to send the State Grand Jury discovery material in this matter to the officials at Lieber Correctional Institute along with a copy of the original protective order and a copy of this order for the purpose of allowing Defendant Marshall Miller the opportunity to review said materials. The prison officials are prohibited from reviewing the State Grand Jury materials and are ordered to maintain the discovery materials locked in a secure location. Defendant Marshall Miller shall be entitled to

review the State Grand Jury discovery materials in a secure location other than in his cell among the general population where the State Grand Jury material could be compromised. After the initial brief of Appellant has been filed with the Clerk of the Court of Appeals, Robert M. Dudek shall, within fifteen (15) days of the filing, take possession of the State Grand Jury discovery materials and return the same to the Office of the Attorney General as soon as reasonably possible.

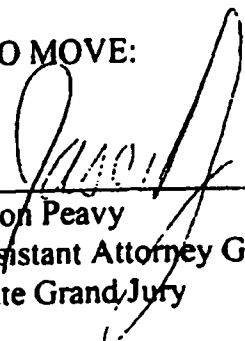
IT IS SO ORDERED.



WYATT T. SAUNDERS, JR.
CIRCUIT COURT JUDGE

at Laurin, South Carolina

January 06th, 2006

I SO MOVE:


Jason Peavy
Assistant Attorney General
State Grand Jury

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