

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Oconee County
Honorable R. Lawton McIntosh, Circuit Court Judge
Appellate Case No. 2013-001895

RECEIVED

MAY 13 2015

SC Court of Appeals

The State

Respondent,

v.

James Richard Bartee,

Appellant.

**MOTION TO SERVE AND FILE
AMENDED FINAL BRIEF OF RESPONDENT**

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

I.

The Final Brief of Respondent and Designation of Matter was served and filed on May 8, 2015.

II.

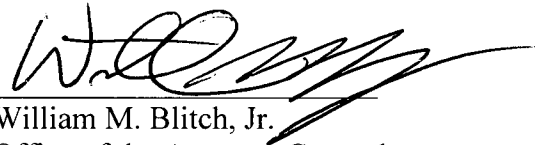
It was brought to the undersigned's attention the Final Brief as printed did not contain pages 11-12. The original filed with this Court may contain those pages, but all copies served on opposing counsel and the remaining copies filed with the Court omitted pages 11-12. As a result, the State asks to serve and file an Amended Final Brief of Respondent to include the omitted pages. The Amended Final Brief of Respondent is being served and filed concomitant with this motion. The undersigned contacted Appellant's counsel who indicated he does not oppose this motion.

WHEREFORE, Respondent asks the Court hold this matter in abeyance until ruling on this motion; allow the State to serve and file an Amended Final Brief of Respondent; accept the Amended Final Brief submitted with this motion as filed; 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



William M. Blitch, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 13, 2015

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion to Serve and File Amended Final Brief of Respondent on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Jack B. Swerling, Esquire
1720 Main Street
Columbia, South Carolina 29201

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

This 13th day of May, 2015.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727