

The Supreme Court of South Carolina

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May 20, 2015

Robert Michael Dudek, Esquire
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Melody Jane Brown, Esquire
PO Box 11549
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Re: The State v. Ricky Lee Blackwell
Appellate Case No. 2014-000610

Dear Counsel:

Enclosed is the order issued in the above entitled matter.

Please be advised the Initial Brief of Respondent and Designation of Matter should be served and filed within thirty (30) days of the date of this order. The redacted copies of the initial briefs on behalf of both parties shall also be served and filed within this same time limit.

The time limits for serving and filing the record on appeal and final briefs will proceed in accordance with Rule 210(a) and (b) and 211(a) of the South Carolina Appellate Court Rules.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

CLERK

The Supreme Court of South Carolina

The State, Respondent,

v.

Ricky Lee Blackwell, Appellant.

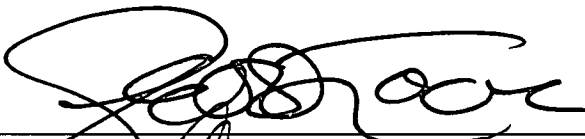


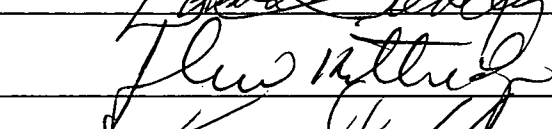
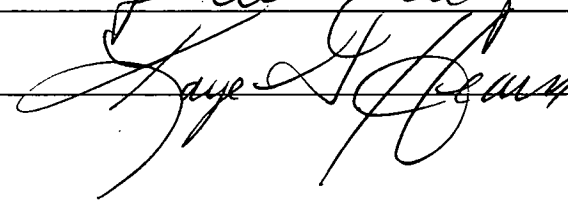
Appellate Case No. 2014-000610

ORDER

The State moves the Court to seal appellant's initial brief, or in the alternative, strike the brief and designation of matter to be included in the record on appeal. The State also moves the Court to prohibit inclusion of privileged medical records of a witness not accepted in the record below in the briefs and the record on appeal. Appellant does not object to the State's motion to seal the initial briefs, but objects to the remainder of the relief the State requests. The State has also filed a motion for access to an order issued under seal in this matter. Appellant does not consent to the motion.

We deny the State's request to strike. However, we grant the State's motion to seal appellant's initial briefs as well as the State's initial brief. Both parties shall also file a redacted copy of their initial briefs that omits the references to the records at issue and which will not be sealed.

We also deny the State's request to strike the records from the designation of matter to be included in the record on appeal and to prohibit appellant from including them in the record on appeal. However, appellant shall file the order and records at issue, along with an unredacted copy of the transcript, in a separate record on appeal under seal. A redacted copy of the transcript, in which references to the records at issue have been removed, should be included in the unsealed record on appeal. Finally, we deny the State's request for a copy of or access to the sealed order for purposes of responding to appellant's return to the State's motion.

 C.J.
 J.
 J.
 J.
 J.

Columbia, South Carolina

May 20, 2015

- cc:
Robert Michael Dudek, Esquire
Barry Joe Barnette, Esquire
Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire
David Alexander, Esquire
The Honorable Roger L. Couch