

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Beaufort County

Brooks P. Goldsmith, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

JUL 16 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

PRESTON RYAN OATES,

APPELLANT

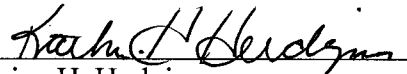
APPELLATE CASE NO. 2014-001404

\_\_\_\_\_  
**MOTION TO AMEND**  
\_\_\_\_\_

Counsel respectfully moves to amend the relief sought in the conclusion of the initial brief. On July 13, 2015, counsel filed the initial brief of appellant. In the conclusion on page 26 of the initial brief counsel wrote, "As a third alternative, based on issue three, this court should reverse the convictions and sentence and remand the case for a new trial." Based on State v. Cooley, 342 S.C. 63, 536 S.E.2d 666 (2000), the proper relief requested should be a reversal of the convictions and sentence. Counsel respectfully moves to amend the above sentence to read, "As a third alternative, based on issue three, this court should reverse the convictions and sentence." Counsel has attached an amended conclusion page and respectfully asks the Court to allow the amendment to be included in the final brief. As indicated by

his signature below, attorney for the Respondent, Mark R. Farthing, does not object to the amendment.

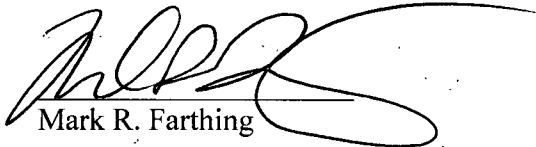
Respectfully submitted,

  
Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR APPELLANT

July 16, 2015

I DO NOT OPPOSE:

  
Mark R. Farthing

## **CONCLUSION**

Based on the argument presented in issue one, this Court should find that Appellant was immune from prosecution pursuant to the Protection of Persons and Property Act. Alternatively, based on issue two, this Court should reverse the convictions as Appellant acted in self defense. As a third alternative, based on issue three, this Court should reverse the convictions and sentence.

Respectfully submitted,

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Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR APPELLANT