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STATE OF SOUTH CAROLINA SC Court of Appeals  
IN THE COURT OF APPEALS

Appeal from Beaufort County

Maite Murphy, Circuit Court Judge

THE STATE

-vs.-

STANLEY L. WRIGHT

Defendant

Appellate Case No.:

2013-002090

**APPELLANT'S RESPONSE TO THE RESPONDENT'S MOTION TO STRIKE PORTIONS OF INITIAL BRIEF OF APPELLANT; STRIKE ITEMS FROM DESIGNATION OF MATTER; HOLD APPEAL IN ABEYANCE; AND REQUIRE AN AMENDED INITIAL BRIEF OF APPELLANT AND DESIGNATION OF MATTER**

Comes now the Appellant, Stanley Wright, through his counsel,  
responds as follows:

1.

The Respondent moved to strike Items 4-8 of the Appellant's  
Designation of Matter which is the affidavit of David Aiken, photographs of

the Appellant's bathroom and vanity and the CAPS and CAD reports referenced in the Initial Brief of the Appellant. Respondent contends that SCACR Rule 210 precludes the presentation of evidence not presented in the trial court. We agree as to Item 4.

Respondent states that Items 5-6 "seem" to be duplicates of State's Exhibits 4 and 5 filed with the trial court during the May 22, 2013 hearing. Since the Respondent is unsure the Items should remain in the Appellant's Designation of Matter

Items 7 and 8 are supplemental to the photographs previously entered as State's Exhibit 1 filed with the trial court during the May 22, 2013 hearing and should be considered.

2.

The Respondent asks the court to strike Item 3 of the Appellant's Designation of Matter alleging that it includes numerous inappropriate and irrelevant items. The Respondent further listed as examples Crown Royal bag, digital scales, marijuana and other items that are not paper exhibits.

SCACR RULE 210 (f) states in part ... "All exhibits other than paper exhibits must be retained in the trial court and delivered to the appellate court only upon receipt of an order from the clerk of the appellate court."

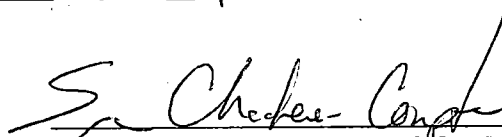
Appellant has not sought an order and does intend to seek an order from this Court requiring the trial court to send any non-paper exhibits. Therefore Item 3 should not be struck from Appellant's Designation of Matter.

3.

Appellant does not object to removing his Issue 3: "Whether trial counsel was ineffective for not interviewing witness who was present at the scene." from his Initial Brief of the Appellant.

WHEREFORE Appellant requests that the portions of the Respondent's Motion objected to be denied.

Respectfully submitted, this 30 day of July, 2015.

  
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SONYA CHACHERE-COMPTON  
State Bar of Georgia Number: 118470

  
\_\_\_\_\_  
VALERIE V. VIE

State Bar of Georgia No. 727617  
5682 Palazzo Way, Suite 102  
Douglasville, Georgia 30134  
(770) 949-1102

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C. Andrew Carroll  
Carroll Law Firm, LLC  
44Marksfield Drive, Suite C  
Charleston, SC 29407

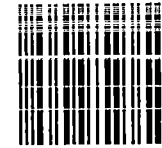
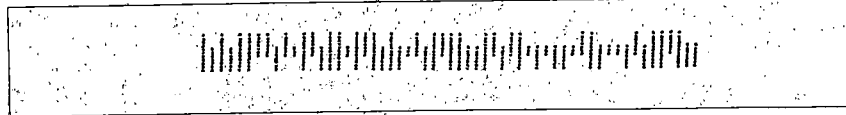
Attorneys for Appellant Stanley Wright

Chachere-Compton  
ney at Law  
Box 5761  
lasville, GA 30154

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SC Court of Appeals

The Honorable Jenny Kitchings  
Clerk, South Carolina Court of  
Appeals  
1015 Sumter Street  
Columbia, SC 29201