

STATE OF SOUTH CAROLINA  
In The Supreme Court

**RECEIVED**

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

DEC - 3 2015

The Honorable Edward W. Miller, Circuit Court Judge **S.C. Supreme Court**

Appellate Case No. 2015-001310

Shane K. Young, ..... Petitioner,

v.

State of South Carolina, ..... Respondent.

**MOTION TO STRIKE APPENDIX**

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, counsel for Respondent moves for this Court to compel Petitioner to strike portions of the Appendix in this case. In support of this motion, Respondent would present the following facts:

1. On November 19, 2013, Petitioner pled guilty – pursuant to a negotiated plea agreement – to 8 counts of attempted murder and 1 count each of first-degree burglary and murder. The Honorable Letitia H. Verdin sentenced Petitioner to consecutive sentences of 30 years for each count of attempted murder, life imprisonment for first-degree burglary, and life imprisonment for murder. Petitioner did not appeal.

2. Petitioner filed an application for post-conviction relief (PCR) on June 17, 2014 (2014-CP-23-3381). A hearing was held on April 23, 2015. In an order filed June 8,

2015, the Honorable Edward W. Miller denied and dismissed the application.

3. The Petition for Writ of Certiorari and Appendix in this case were filed on or about November 3, 2015. The Appendix, however, is not properly paginated. Instead of being sequentially paginated as one cohesive filing, the Appendix is broken into seven separate sections and some of these sections are not paginated. The organization of the Appendix will make it difficult to properly cite to items within it.

4. Counsel moves this Court to compel Petitioner to strike the Appendix and require Petitioner to submit a properly paginated Appendix.

WHEREFORE, counsel for Respondent requests this Court to grant the motion to compel Petitioner to strike the Appendix. Counsel also requests its time limits to file the Return to Petition for Writ of Certiorari be held in abeyance pending the outcome of this motion.

Respectfully submitted,

ALAN WILSON  
Attorney General

KAREN C. RATIGAN  
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(803) 734-3737

By:   
ATTORNEYS FOR RESPONDENT

December 3, 2015

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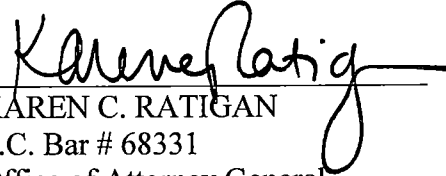
**CERTIFICATE OF SERVICE**

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I, Karen C. Ratigan, certify that I have today served the within Motion to Strike Appendix upon Petitioner by depositing a copy of the same in the United States mail, addressed to:

L. Whitney Thwaites, Esquire  
604 University Ridge  
Greenville, South Carolina 29601

I further certify that all parties required by Rule to be served have been served. This 3rd day of December, 2015.

  
KAREN C. RATIGAN  
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ATTORNEY FOR RESPONDENT