

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of General Sessions  
Robert E. Hood, Circuit Court Judge

**RECEIVED**

DEC 08 2015

Court of Appeals Case No. 2014-001198

**SC Court of Appeals**

The State of South Carolina,

Respondent,

v.

Courtney Shante Thompson,

Appellant.

**MOTION TO FILE A SUPPLEMENTAL RECORD ON APPEAL  
AND HOLD THE TIME FOR FILING  
THE FINAL BRIEF OF RESPONDENT IN ABEYANCE**

*[Handwritten signature]*  
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Respondent herein seeks to supplement the Record on Appeal, pursuant to Rule 210, SCACR, and hold the time for filing the Final Brief of Respondent in Abeyance, pursuant to Rule 263, on the following grounds.

I.


Yesterday, while changing the citations in from the trial transcript to the Record on Appeal for purposes of preparing the Final Brief of Respondents in this case and that of the co-defendant, Robert Antonio Guinyard, the undersigned counsel discovered that three trial transcript pages, which include Appellant's renewal of her motion for a directed verdict at the close of the defense case and the trial court's ruling thereon, had not been included in the Record

on Appeal. They were not included because, while the undersigned counsel cited to such in the Initial Brief of Respondent, neither she nor opposing counsel included those particular pages in their Designations of Matter. The undersigned counsel submits that these pages are relevant to one of the two issues involved in this appeal – Appellant’s challenge to the trial court’s denial of her motions for directed verdict.

II.

On August 19, 2015, this Court granted Respondent’s motion to consolidate this case with *State v. Robert Antonio Guinyard* (No. 2014-001203) for the purpose of allowing the compilation of a single record on appeal. A consolidated Record on Appeal was filed in both cases.

III.

 Respondent is preparing a Supplemental Record on Appeal to include these transcript pages. The undersigned counsel has contacted Mitzi Williams and Robert Michael Dudek, counsel for Courtney Shante Thompson, and Matthew Gregory Gerrald and Robert Michael Dudek, counsel for Appellant, via email to inform them of the missing pages and the undersigned counsel’s desire to prepare and submit a Supplemental Record on Appeal.

IV.

The Final Brief of Respondent in this case is due to be served and filed today. Because of the need to change the citation to the missing pages and because of unrelated formatting issues, the undersigned counsel is unable to finish the Final Brief today.

WHEREFORE, having made Motion to Supplement the Record on Appeal, Respondent would respectfully request this Court to grant the Motion and to hold the time for serving and filing the Final Brief of Respondent until the Motion to Supplement is ruled upon; and for such

other and further relief as this Court may deem just and proper.

Respectfully submitted,

ALAN MCCRORY WILSON  
Attorney General

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BY:   
ATTORNEYS FOR RESPONDENT

December 8, 2015

Columbia, South Carolina

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The State of South Carolina,

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Appellant.

**PROOF OF SERVICE**

I, Anne Mueller, certify that I have served the Motion to File a Supplemental Record on Appeal and Hold the Time for Filing the Final Brief of Respondent in Abeyance on Appellant by depositing one copy of the same in the United States mail, postage prepaid, addressed to each of his two attorneys of record, Mitzi Campbell Williams, Esquire, P.O. Box 84171, Lexington, South Carolina 29073; and Robert M. Dudek, South Carolina Commission of Indigent Defense, Office of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211.

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

  
ANNE MUELLER  
Administrative Assistant  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

December 8, 2015  
Columbia, South Carolina

The Honorable Jenny Abbott Kitchings  
December 8, 2015  
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cc: Mitzi Campbell Williams, Counsel for Appellant  
Robert M. Dudek, Chief Appellate Defender, Counsel for Appellant  
(each with one copy of the Motion and Proof of Service)



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SC Court of Appeals

ALAN WILSON  
ATTORNEY GENERAL

December 8, 2015

**Honorable Jenny Abbott Kitchings**  
Clerk of Court, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: *State v. Courtney Shante Thompson* (Appellate Case No. 2014-001198)

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the State's Motion to File a Supplemental Record on Appeal and Hold the Time for Filing the Final Brief of Respondent in Abeyance in the above-referenced case. I have also enclosed the original Proof of Service for this Motion.

By copy of this letter, opposing counsel is being served with a copy of the Motion.

Also, I'd like to follow up on my letter of November 25 in which I wrote that the South Carolina Appellate Case Management System shows this case as "ended," but it is still an active appeal. I checked the System this morning and it still shows it as being a closed or ended case.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Amie L. Clifford  
Special Assistant Attorney General  
aclifford@cpc.sc.gov  
S.C. Bar No. 1285

Enclosures