

**ORIGINAL**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
J. Derham Cole, Circuit Court Judge

**RECEIVED**

Appellate Case No. 2014-001528

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JUL 01 2015

SC Court of Appeals

THE STATE,

Respondent,

vs.

JAMES MCABEE,

Appellant.

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**SUPPLEMENTAL RECORD ON APPEAL**

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ATTORNEYS FOR RESPONDENT

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ATTORNEYS FOR RESPONDENT

**TABLE OF CONTENTS**

Page 254.....1  
Page 255.....2  
Certificate of Counsel .....3

1 woman who was the healthcare person, who said you were a  
2 really difficult, obnoxious drunk who was struggling with  
3 her the whole way while she was trying to help you, she was  
4 trying to take care of you?

5 A In pain.

6 Q In pain, yes. But still you had been walking around.  
7 You had attacked the car yet again of the victim, kicking  
8 it, banging on it, screaming and cursing at him? Yes or  
9 no? Is that not correct?

10 A I was screaming at him why did you shoot me.

11 Q Again, you're a very big man. Would you agree you're  
12 a mean and obnoxious drunk?

13 MR. SNYDER: Objection, Your Honor.

14 THE COURT: Sustained.

15 Q How about a bully?

16 MR. SNYDER: Objection, Your Honor.

17 THE COURT: Sustained.

18 Q Would you agree that on the night in question you were  
19 drunk? Yes or no?

20 A Correct.

21 Q Would you agree that you were according to your  
22 description badgering patrons of the bar that you claimed  
23 is where you got drunk when you accidentally mistook that for  
24 another bar that you were going to? Would you disagree  
25 that you were badgering them?

James Scott McAbee  
Cross-examination by Mr. Ghent

1 A I don't disagree that I was asking them for a call, to  
2 make a call for me and I --

3 Q You chose the word badgering earlier.

4 A You're right.

5 Q Can I continue with that?

6 A Yes, sir.

7 Q Is badgering behavior, that of a bully?

8 MR. SNYDER: Objection, Your Honor. He's just  
9 attacking the witness.

10 MR. GHENT: That's -- I'm attacking his credibility  
11 and story, Your Honor.

12 THE COURT: All right. Overruled.

13 Go ahead.

14 Q Would you agree that badgering total strangers in a  
15 bar where you don't know the people is the conduct of a  
16 bully?

17 A I wasn't bullying them.

18 Q But you were told to leave.

19 A I was.

20 Q And supposedly your excuse why you were going around  
21 to them, questioning them, asking them this and that was  
22 that you just needed a cell phone because you knew you'd  
23 had too much to drink and you didn't want to drive.

24 A That's correct.

25 Q So you went right out into the parking lot, got in

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**CERTIFICATE OF COUNSEL**

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The undersigned certifies that this Supplemental Record on Appeal complies with Rule 211(b), SCACR, and the April 15, 2014, order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

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ATTORNEYS FOR RESPONDENT

July 1, 2015

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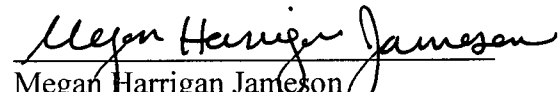
Appellant.

**PROOF OF SERVICE**

I, Megan Harrigan Jameson, certify that I have served the within Supplemental Record On Appeal on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Laura R. Baer, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
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I further certify that all parties required by Rule to be served have been served.  
This 1<sup>st</sup> day of July, 2015.

  
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The Honorable J. Derham Cole, Circuit Court Judge

Appellate Case No: 2014-001528

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THE STATE,

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JAMES SCOTT McABEE,

Appellant.

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**PROOF OF SERVICE**

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I, Anne Mueller, certify that I have served the Motion to Serve and File a Supplemental Record on Appeal on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record Laura R. Baer, Esquire, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589.

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

This 1<sup>st</sup> day of July, 2015.

  
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