



ALAN WILSON
ATTORNEY GENERAL

March 10, 2016

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SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, S.C. 29211

RE: State v. Benny L. Webb – Appellate Case No. 2014-001848

Dear Ms. Kitchings:

On December 7, 2015, the State filed a Motion to Compel Filing of Complete Record on Appeal, where Appellant's original Record on Appeal failed to include the vast majority of items included in Respondent's Designation of Matter. On February 11, 2016, this court issued an Order granting Respondent's Motion to Compel Filing of Complete Record on Appeal. In the Order, the Court gave Appellant twenty days to file proof of service with this Court and serve Respondent with a record on appeal that includes all matter designated by Appellant and Respondent.

On March 1, 2016, Appellant filed a "Record on Appeal" and "Certificate of Service of Amended Final Brief" with this Court. As of the date of this letter, the State has not been served with Appellant's "Record on Appeal" or "Certificate of Service of Amended Final Brief." On March 9, 2016, this Court submitted a letter to Appellant noting several deficiencies in his Record on Appeal. The State would note that in addition to the deficiencies noted by this Court, Appellant's Record on Appeal filed March 1, 2016, is identical to his Record on Appeal filed June 17, 2015. Appellant failed to comply with the Order of this Court and include the appropriate matter designated by Respondent.

On March 7, 2016, the State filed a Motion to Dismiss, as the State had not received Appellant's Record on Appeal and there was no indication on C-Track that the record had been filed. While Appellant managed to file a record on appeal within the allotted twenty days, the record filed by Appellant is not in compliance with the Court's Order nor is it in compliance with Rule 210 of the South Carolina Appellate Court Rules. The State would request this Court to

grant the State's Motion to Dismiss and to dismiss the appeal for the aforementioned deficiencies.

Thank you, and if you should have any questions or concerns, please contact me at (803) 734-3727.

Sincerely,



V. Henry Gunter, Jr.
Assistant Attorney General
Bar No. 102259

VHG/

cc: Benny L. Webb
Victim Services