

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM YORK COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2009-CP-46-3273

Darrell Efird, #322883, Petitioner,

v.

State of South Carolina, Respondent.

MOTION TO SUPPLEMENT APPENDIX

Pursuant to Rule 240, SCACR, counsel for Respondent moves to supplement the Appendix in this case. In support of this motion, Respondent presents the following facts:

1. The Appendix does not contain the signed copies of the search warrant and affidavit from this case.
2. Respondent submits the omitted documents were admitted into evidence at the evidentiary hearing as Defendant's Exhibit No. 1 and thus were before the PCR court when it denied relief. See App. 619.
3. These documents are directly relevant to one of Petitioner's claims on appeal.
4. In as much as these documents are relevant and pertinent to the Appendix under Rule 243(e), SCACR, Respondent moves to supplement the Appendix.

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S.C. Supreme Court

WHEREFORE, as the Appendix is incomplete, counsel for Respondent respectfully requests that this Court grant the motion to supplement the Appendix.

Respectfully submitted,

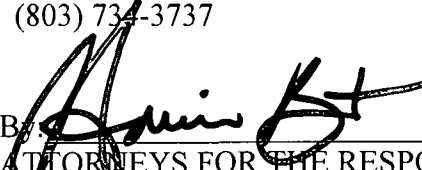
ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Sr. Assistant Deputy Attorney General

HARRISON D. BRANT
Assistant Attorney General

P.O. Box 11549
Columbia, S.C. 29211
(803) 734-3737


By: _____
ATTORNEYS FOR THE RESPONDENT

September 19, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From York County
Honorable John C. Hayes, III, Circuit Court Judge

DARRELL EFIRD

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

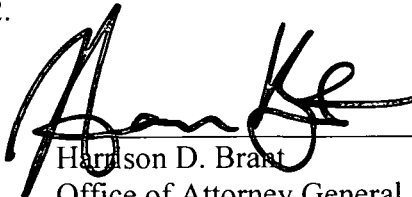
Respondent.

PROOF OF SERVICE

I, Harrison D. Brant certify that I have served the Motion To Supplement Appendix and the Supplemental Appendix on petitioner by depositing two copies of each in the United States mail, postage prepaid, addressed to Darrell Efird, #322883, Perry Corr. Inst. 430 Oaklawn Rd., Pelzer, SC 29669.

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

This 19th day of September, 2012.



Harrison D. Brant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEY FOR RESPONDENT