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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

JAN 15 2016

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Roger M. Young, Circuit Court Judge

Case Nos. 2014-GS-10-00763
2014-GS-10-00765 and 2014-GS-10-00767

Appellate Case No. 2015-000709

The State, Respondent,

v.

Denzel Heyward Appellant

Motion to Withdraw and Substitute Initial Brief of Appellant

Donald Michael Mathison, Bar # 101803
215 S. Holly Street
Columbia, SC 29205
T: (843) 384-3761
Email: dmichaelmathison@yahoo.com

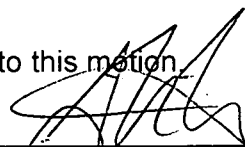
Columbia, South Carolina.

January 14, 2015.

Appellant, Denzel Heyward, by and through his appointed attorney, D. Michael Mathison, moves for the following relief pursuant to Rule 240, SCACR: Appellant requests that he be permitted to withdraw and substitute the Initial Brief of Respondent, to correct references to the record.

The Attorney for the Appellant filed the Initial Brief of Appellant on January 11, 2015, by depositing same at the United States Post Office on Hilton Head Island, South Carolina. Through an error of counsel, the brief that was mailed contained erroneous and omitted record citations. Upon realizing the errors on January 13, 2016, Appellant's counsel contacted John Aplin at the Attorney General's office about correcting the deficiencies. The Appellant's attorney offered to supplement or amend the brief to provide corrected record citations. Mr. Aplin suggested a Motion to Withdraw and Substitute the Initial Brief of Appellant. Upon information and belief, correcting the errors in the initial brief will not prejudice Respondent and will assist Respondent in preparing its responsive brief. A copy of the proposed substituted brief is attached hereto, and a copy of the brief and this motion have been provided to Respondent's Office.

Mr. Aplin, counsel for the Respondent, consents to this motion.



D. Michael Mathison
215 S. Holly Street
Columbia, SC 29205
T: (843) 384-3761
dmichaelmathison@yahoo.com
Attorney for the Appellant

January 14, 2016.

Columbia, South Carolina.

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PROOF OF SERVICE

I certify that, on January 15, 2016, I served the Motion to Withdraw and Substitute Initial Brief of Appellant on the attorneys for the Respondent, by depositing a copy of same with sufficient first-class postage prepaid at the United States Post Office located at Columbia, South Carolina, addressed as follows:

John Benjamin Aplin, Esquire
Alan M. Wilson, Esquire
Office of the Attorney General
P.O. Box 11549
Columbia, S.C. 29211



D. Michael Mathison
Attorney for the Appellant

Donald Michael Mathison

Attorney at Law

215 S. Holly Street
Columbia, SC 29205

Telephone: (843) 384-3761

Email: dmichaelmathison@yahoo.com

January 15, 2016

The Honorable Jenny Abbott Kitchings
Clerk of Court for the South Carolina
Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JAN 15 2016
SC Court of Appeals

Re: The State of South Carolina v. Denzel Marquise Heyward
Appellate Case No. 2015-000709

Dear Ms. Kitchings,

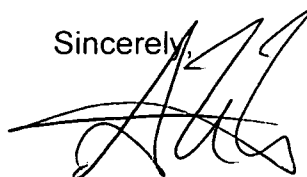
Enclosed please find the original and six copies of the Appellant's Motion to Withdraw and Substitute Initial Brief of Appellant in the matter referenced. Also enclosed is the original Proof of Service.

Pursuant to Rule 240(d), this motion does not require a filing fee, because it relates to a criminal matter.

Please let me know if anything further is needed.

With kind regards, I am

Sincerely,



D. Michael Mathison

Cc: John Benjamin Aplin, Esq.
Alan M. Wilson, Esq.