

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from York County  
Honorable John C. Hayes, III, Circuit Court Judge  
Appellate Case Tracking No. 2015-001408  
\_\_\_\_\_

RECEIVED  
JUN 13 2016  
SC Court of Appeals

The State,

Respondent,

vs.

Rion McKissick Rutledge,

Appellant.

\_\_\_\_\_  
**MOTION TO AMEND DESIGNATION OF MATTER  
AND SERVE AND FILE SUPPLEMENTAL RECORD ON APPEAL**  
\_\_\_\_\_

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

Respondent began working on completing the Final Brief of Respondent and realized several pages were omitted from Respondent's Designation of Matter and, therefore, were not included in the Record on Appeal. The pages were cited by Respondent in the Initial Brief of Respondent and are necessary to complete to present a full argument in the Final Brief.

II.

Respondent asks to be able to amend its Designation of Matter to add pages 295 and 315-325. Further, Respondent asks to be allowed to serve and file a Supplemental Record on Appeal to include the added pages. Further, in completing the Record on Appeal, Respondent noticed page 297, which was properly designated, was omitted from

the Record on Appeal. Respondent will include this page in the Supplemental Record on Appeal.

III.

This request is not intended for purposes of delay, but rather to ensure the arguments of Respondent are properly and fully presented to the Court. I would therefore request permission to amend Respondent's Designation of Matter and to serve and file a Supplemental Record on Appeal. Appellant's counsel has consented to this request.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion; allow Respondent to amend its Designation of Matter to include the above referenced pages; allow Respondent to serve and file a Supplemental Record on Appeal to include the pages being added to the State's Designation of Matter as well as the page omitted from the Record which was already designated; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General

BY: 

William M. Blitch, Jr.  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

June 13, 2016

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from York County  
Honorable John C. Hayes, III, Circuit Court Judge  
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**PROOF OF SERVICE**

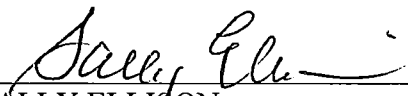
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I, Sally Ellison, certify that I have served the Motion to Amend Designation of Matter and Serve and File Supplemental Record on Appeal on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Stephen D. Schusterman, Esquire  
Schusterman Law Firm, PA  
Post Office Box 4211  
Rock Hill, South Carolina 29732

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

This 13<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
SALLY ELLISON  
Office of Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

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SC Court of Appeals

June 13, 2016

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

Re: State v. Rion M. Rutledge  
Appellate Case Tracking No. 2015-001408

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion to Amend Designation of Matter and Serve and File Supplemental Record on Appeal along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.  
Assistant Attorney General

Enclosures

cc: Stephen D. Schusterman, Esquire  
Victim Services