

RECEIVED
JUN 20 2016
SC SUPREME COURT

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO HORRY COUNTY
Court of Common Pleas

The Honorable Michael G. Nettles, Circuit Court Judge

Appellate Case No. 2015-001635

ANTHONY M. RIGGINS, Petitioner,

v.

STATE OF SOUTH CAROLINA, Respondent.

MOTION TO SUPPLEMENT APPENDIX

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, counsel for Respondent moves to supplement the Appendix in this case. In support of this motion, Respondent would present the following facts:

1. Petitioner was indicted for armed robbery on July 10, 2008. Represented by Kia T. Wilson he proceeded to trial before the Honorable John C. Hayes and a jury on June 20, 2013. Petitioner was found guilty as indicted and sentenced to thirty years in prison.
2. Petitioner filed an appeal, but the appeal was dismissed after Petitioner voluntarily withdrew his appeal. The Remittitur was issued on April 18, 2014.
3. On April 8, 2014, Petitioner filed his application for post-conviction relief

(Case Number 2014-CP-26-2120). A PCR hearing was held on May 12, 2015, before the Honorable Michael G. Nettles. Judge Nettles denied and dismissed the PCR in an order filed June 26, 2015.

4. The Petition for Writ of Certiorari and Appendix in this case were filed on February 3, 2016. The Appendix, however, does not contain the Remittitur, Order dismissing the appeal, and the affidavit of Petitioner withdrawing his appeal. These documents are all part of the lower record. Without these documents, the appellate record is incomplete and, as such, it must be included in the Appendix.

5. Inasmuch as these documents are relevant and pertinent material under Rule 243(f), SCACR that should be included in the Appendix, counsel respectfully requests to include the same in a Supplemental Appendix.

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

Respectfully submitted,

ALAN WILSON
Attorney General

JOHANNA C. VALENZUELA
Senior Assistant Deputy Attorney General
S.C. Bar # 79834

Post Office Box 11549
Columbia, S.C. 29211
(803) 734-3737

By: 
ATTORNEYS FOR RESPONDENT

June 20, 2016.

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO HORRY COUNTY
Court of Common Pleas

The Honorable Michael G. Nettles, Circuit Court Judge

Appellate Case No.: 2015-001635

ANTHONY M. RIGGINS,

Respondent,

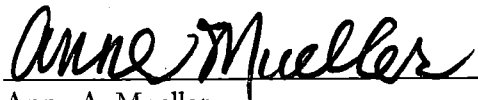
v.

STATE OF SOUTH CAROLINA,

Petitioner.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copies of the Motion to Supplement Appendix were served upon Petitioner by depositing the same in the United States mail, postage prepaid, addressed to his attorney of record, Laura R. Baer, Esquire, Division of Appellate Defense, South Carolina Commission on Indigent Defense, Post Office Box 11589, Columbia, South Carolina, 29211, on this the 20th day of June, 2016.



Anne A. Mueller
Legal Assistant for Petitioner

SWORN to before me this
20th day of June, 2016.

 (L.S.)

Notary Public for South Carolina.

My Commission Expires: 12/16/2024