

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
The Honorable J. Michelle Childs, Circuit Court Judge

2003-CP-40-5973

Israel Wilds, RESPONDENT/PETITIONER,

v.

State of South Carolina, PETITIONER/RESPONDENT.

**MOTION TO SERVE AND FILE
AMENDED CONCLUSION TO BRIEF**

Petitioner/Respondent, the State, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

Petitioner/Respondent served and filed a brief in response to grant of certiorari in this case on October 30, 2012.

II.

Upon review of the brief, the undersigned realized it was sent with a conclusion not applicable to the circumstances of this PCR appeal. The undersigned inadvertently used a form for the brief that is typically used for direct appeals.

III.

The undersigned believes an Amended Conclusion would better relate to its prayer for relief in this PCR appeal from grant of certiorari. Because the conclusion is not substantive to the matters on appeal, the undersigned does not believe Respondent/Petitioner would be prejudiced by this request. As a result, the undersigned asks the Court to allow the service and filing of an Amended Conclusion.

WHEREFORE, Petitioner/Respondent prays that the Court allow the service and filing of the proposed Amended Conclusion, which is attached to this motion; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

JENNIFER ELLIS ROBERTS
Assistant Attorney General

BY: 

Jennifer Ellis Roberts
Office of the Attorney General
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Post Office Box 11549
Columbia, SC 29211
(803) 734-3737

ATTORNEYS FOR PETITIONER/RESPONDENT

November 7, 2012

CONCLUSION

For all the foregoing reasons, it is respectfully submitted that the PCR court's findings of ineffective assistance of appellate counsel be reversed.

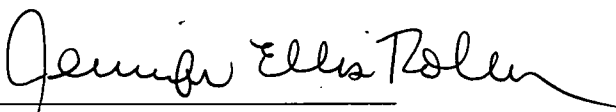
Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

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Honorable J. Michelle Childs, Circuit Court Judge

Israel Wilds, 274010,

Respondent/Petitioner,

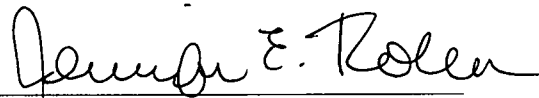
v.

STATE OF SOUTH CAROLINA,

Petitioner /Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Motion to Serve and File Amended Conclusion to Brief has been served upon opposing counsel, Tara D. Shurling by mailing two (2) copies addressed to: 3614 Landmark Drive, Suite D; Columbia, SC 29204; with postage prepaid, this 7th day of November, 2012.



JENNIFER E. ROBERTS
ATTORNEY FOR PETITIONER/RESPONDENT

SWORN to before me this 7th
day of November, 2012.



(L.S.)

Notary Public for South Carolina.

My Commission Expires: My Commission Expires
January 30, 2013