

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County

Robin B. Stilwell, Circuit Court Judge

Opinion No. 5428 (S.C. Ct. App. Filed July 20, 2016)

13-GS-23-9298, 14-GS-23-5445A, 5446A & 5490A

RECEIVED
OCT 17 2016
S.C. SUPREME COURT

THE STATE,

RESPONDENT,

V.

ROY L. JONES,

PETITIONER

MOTION TO FILE
SUPPLEMENTAL APPENDIX

Counsel for Roy Lee Jones seeks to supplement the appendix pursuant to Rule 242, SCACR. In support of this motion counsel shows:

1. The petition for writ of certiorari to the Court of Appeals and copies of the appendix were served and filed on October 4, 2016.
2. On October 11, 2016, the state notified undersigned counsel's assistant by email that the appendix was missing footnote four of the Court of Appeals' opinion and the last line of text that appears on that same page. Counsel's assistant was on maternity leave from July 18, 2016 until

today. When counsel's assistant returned this morning, she notified undersigned counsel of the state's email.

3. Counsel confirmed that footnote four of the Court of Appeals' opinion and the last line of text that appears on that same page were inadvertently excluded from the appendix likely due to a copying error.

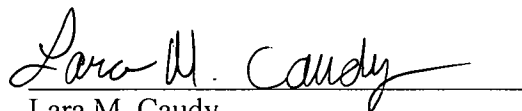
4. Therefore, inasmuch as Rule 242(e)(3), SCACR, requires a copy of the decision of the Court of Appeals be included in the appendix, counsel requests leave to file a supplemental appendix containing a complete copy of the Court of Appeals' opinion.

5. Counsel makes this request in good faith and not for purpose of delay.

6. The supplemental appendix is being filed simultaneously with this motion.

WHEREFORE, the undersigned counsel respectfully requests this Court allow the appendix to be supplemented to include a complete copy of the decision of the Court of Appeals based on the above circumstances.

Respectfully submitted,

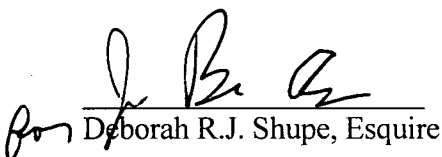


Lara M. Caudy
Appellate Defender

Attorney for Petitioner

October 17, 2016

I consent:



Deborah R.J. Shupe, Esquire

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THE STATE,

RESPONDENT,

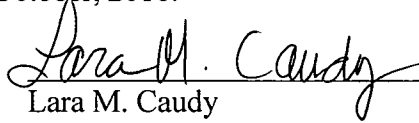
V.

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CERTIFICATE OF SERVICE

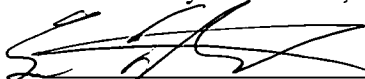
The undersigned attorney hereby certifies that a true copy of the Motion to File Supplemental Appendix and the Supplemental Appendix in the above referenced case have been served on Deborah R.J. Shupe, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 17th day of October, 2016.



Lara M. Caudy
Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me
this 17th day of October, 2016.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: October 30, 2022.