

Original

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Sumter County
Howard P. King, Circuit Court Judge

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NOV 14 2012

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

MARK BAKER,

APPELLANT

APPELLATE CASE NO. 2010-172951

MOTION TO SUBSTITUTE THE RECORD AND BRIEF
IN COMPLIANCE WITH THIS COURT'S ORDER ON PERSONAL
DATA IDENTIFIERS

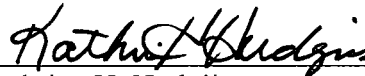
Counsel for Mark Baker seeks to substitute the previously filed record and brief with a record and brief in compliance with this Court's order, dated August 13, 2007, regarding personal data identifiers. In support of this motion counsel shows:

1. A jury found Petitioner guilty of four counts of lewd act on a minor.
2. According to the Order of this Court dated August 13, 2007, the names of the minor witnesses should have been redacted and replaced with a term such as victim or child.
3. In preparation for oral argument, counsel realized that the redactions had not been done properly and the minors were identified by first name and last initial, in some instances, and in other instances identified by their full names.

4. Counsel takes full responsibility for the errors and apologizes to the Court for the inconvenience this causes.
5. Counsel corrected the errors in the record and in the brief by replacing the minor's names with witness one and witness two. Counsel requests that this court allow the corrected brief and record to be substituted in place of the brief and record in non-compliance with this court's Order.
6. William Blich, Counsel for the Attorney General's office, had been informed of this request and has no objection to the corrections, as evidenced by his signature below.

WHEREFORE, the undersigned counsel respectfully requests this Court to allow the record and brief to be substitutes with a new record and brief that in compliance with this Court's Order regarding personal data identifiers.

Respectfully submitted,

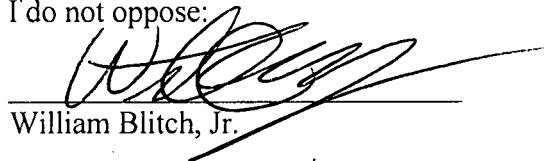


Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

This 14th day of November, 2012.

I do not oppose:


William Blich, Jr.