

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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OCT 08 2012

APPEAL FROM ADMINISTRATIVE LAW COURT **SC Court of Appeals**

Administrative Law Judge Ralph King Anderson, III

Case No. Docket No.: 10-ALJ-04-0637-AP

Thomas Torrence, # 94651.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

**MOTION TO COMPEL APPELLANT TO
SUPPLEMENT THE RECORD**

Comes Now, respondent, the South Carolina Department of Corrections, and requests that this Honorable Court ORDER appellant to supplement the record on appeal. In support of this request, respondent shows this Honorable Court the following:

1. On October 2, 2012 appellant served respondent with a copy of a document entitled "Record on Appeal" which did not contain certain items listed in respondent's Designation of Matter. Specifically, the following items were not included:
 - a. Indictment number 87-GS-10-2761 reflecting guilty plea dated October 30, 1987.
 - b. The Step-One Inmate Grievance form for Grievance Number ECI 633-03.

c. The Step-Two Inmate Grievance form for Grievance Number ECI
633-03.

2. Rule 210(c), SCACR, provides in part that, "The Record on Appeal shall include all matter designated to be included by any party under Rule 209."
3. Appellant has clearly not complied with the rules of this Honorable Court.
4. Respondent has cited to the materials appellant omitted from the Record in its Initial Brief. To file a Final Brief, respondent must have a Record on Appeal containing complete copies of all items respondent listed in its Designation of Matter.

WHEREFORE, respondent respectfully requests that this Honorable Court ORDER appellant to supplement the Record on Appeal with the above listed materials.

Respondent further requests that this Honorable Court ORDER that the final briefs shall be served and filed within twenty days of service of the supplemented Record on Appeal.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS

Attorney for Respondent



Christopher D. Florian
Deputy General Counsel
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, SC 29221-1787
Attorney for Respondent

Columbia, SC
October 4, 2012

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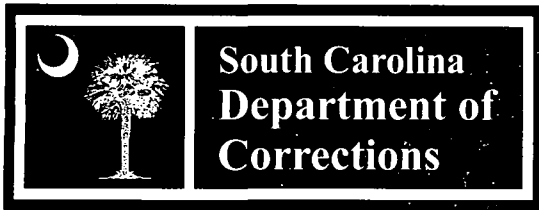
CERTIFICATE OF SERVICE

I hereby certify that I have served Appellant a copy of Respondent's Motion to Compel Appellant to Supplement the Record by depositing a copy of same in the United States Mail, postage prepaid, on October 4, 2012, addressed to the Appellant as follows:

Thomas Torrence, # 94651
Lieber Correctional Institution
P.O. Box 205
Ridgeville, SC 29472



Christopher D. Florian
Deputy General Counsel
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, SC 29221-1787
Attorney for Respondent



NIKKI R. HALEY, Governor
WILLIAM R. BYARS, JR., Director

October 4, 2012

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29201

**Re: Thomas Torrence, # 94651 v. SCDC
ALJ Docket No.: 10-ALJ-04-0637-AP**

Ms. Kitchings,

Please find enclosed an original and seven copies of the following:

- Motion to Compel Appellant to Supplement the Record

Please stamp the extra copy "filed" and return it in the enclosed self-addressed stamped envelope. Please do not hesitate to contact me with any questions. We greatly appreciate your assistance in this matter.

Sincerely,

Christopher D. Florian
Attorney for Respondent

cc: File

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