

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

MAR 31 2017

SC Court of Appeals

Appeal from Richland County

Honorable William P. Keesley, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KEVIN LAMAR GARY,

APPELLANT

APPELLATE CASE NO 2016-001603

MOTION TO WITHDRAW INITIAL BRIEF OF APPELLANT AND  
FILE AMENDED INITIAL BRIEF OF APPELLANT

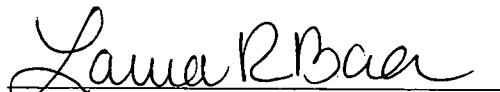
Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned counsel moves to withdraw the Initial Brief of Appellant and Designation of Matter filed on March 29, 2017, and replace it with the Amended Initial Brief of Appellant and Designation of Matter accompanying this motion. In support of this motion, counsel submits the following:

1. Undersigned counsel filed an Initial Brief of Appellant and Designation of Matter in this case on March 29, 2017.
2. Counsel inadvertently failed to merge the table of authorities into the brief, such the page ii has only the heading "Table of Authorities" but otherwise appears blank.

3. Undersigned counsel has discussed this motion and the accompanying brief with Counsel for Respondent, J. Benjamin Aplin, Esquire, who indicated his consent to the filing of this motion and the filing of the accompanying brief.

**WHEREFORE, counsel moves this Court to withdraw the Initial Brief of Appellant and Designation of Matter filed on March 29, 2017, and replace it with the Amended Initial Brief of Appellant and Designation of Matter accompanying this motion.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Laura R. Baer". The signature is written in black ink and is positioned above a horizontal line.

Laura R. Baer  
Appellate Defender

Attorney for Appellant

March 31, 2017

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CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the Motion to withdraw initial brief of appellant and file Amended Initial Brief of Appellant in the above referenced case has been served upon J. Benjamin Aplin, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 31<sup>st</sup> day of March, 2017.



Laura R. Baer  
Appellate Defender

Attorney for Appellant

SUBSCRIBED AND SWORN TO before me  
this 31<sup>st</sup> day of May, 2017.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 3, 2023