

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Spartanburg County  
Court of Common Pleas  
The Honorable R. Scott Sprouse, Circuit Court Judge

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Appellate Case No. 2016-001686

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KEVIN C. CASEY,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

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**MOTION TO SUPPLEMENT APPENDIX**

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Pursuant to Rule 240 of the South Carolina Appellate Court Rules, counsel for Respondent moves for this Court to supplement the Appendix. In support of this motion, Respondent would present the following:

1. The Petition for Writ of Certiorari and Appendix in this case were filed on May 17, 2017. The Appendix, however, does not contain the following documents relevant to this action. Those documents include:

- A. State's Exhibit 4, a SLED forensics laboratory report, made part of the record during Petitioner's guilty plea;
- B. State's Exhibit 9, Petitioner's criminal history, made part of the record during Petitioner's guilty plea;

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C. A letter dated December 22, 2014 from Petitioner to the Honorable Deadra L. Jefferson with attachments<sup>1</sup>;

D. Exhibits E, F, and G from Petitioner's motion for continuance contained in Appendix at page 99;

E. A letter dated March 30, 2015, from Petitioner to the Honorable Roger L. Couch providing the names and addresses of Petitioner's witnesses to be subpoenaed; and

F. A proposed order granting PCR with an affidavit from Teresa Pickens submitted to the Honorable R. Scott Sprouse by Petitioner on June 22, 2015.

2. Without these additional documents, the appellate record is incomplete and, as such, it must be included in the Appendix. Inasmuch as the aforementioned documents are relevant and pertinent material under Rule 243(f), SCACR that should be included in the Appendix, Respondent moves this Court to include the same in a Supplemental Appendix.

*[Remainder of page left blank intentionally]*

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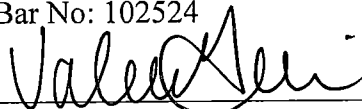
<sup>1</sup> Petitioner's evidentiary hearing was scheduled to be heard before Judge Jefferson on January 16, 2015. After receiving notice, Petitioner wrote to Judge Jefferson requesting her to assist him.

WHEREFORE, as the Appendix is incomplete, counsel for Respondent respectfully requests this Court to: (1) grant the motion to supplement the Appendix and (2) accept the Supplemental Appendix as filed with this motion.

Respectfully submitted,

ALAN WILSON  
Attorney General

VALERIE GARCIA GIOVANOLI  
Assistant Attorney General  
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BY:   
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ATTORNEYS FOR RESPONDENT

August 24, 2017

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Spartanburg County  
Court of Common Pleas  
Honorable Scott R. Sprouse, Circuit Court Judge

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S.C. SUPREME COURT

Appellate Case No. 2016-001686

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LORETTA GALLOWAY BRANYON,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

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RESPONDENT,

**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that a true copy of the **Motion to Supplement Appendix and Supplemental Appendix**, has been served upon opposing counsel by mailing two (1) copies in the United States mail, postage prepaid:

**Laura R. Baer, Esquire**  
**S.C. Commission on Indigent Defense**  
**P.O Box 11589**  
**Columbia, SC 29201**

This 24<sup>th</sup> day of August, 2017

  
JENNIFER JENNISON  
LEGAL ASSISTANT