

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County
Maité Murphy, Circuit Court Judge

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AUG 24 2017

SC Court of Appeals

THE STATE,

RESPONDENT

V.

FELIX KOTOWSKI,

APPELLANT

APPELLATE CASE NO. 2016-000842

MOTION TO FILE
SUPPLEMENTAL RECORD ON APPEAL

Pursuant to Rule 212 of the South Carolina Appellate Court Rules (SCACR), undersigned counsel respectfully requests this Court accept the Supplemental Record on Appeal in this case. In support of this motion, counsel respectfully shows this Court:

1. The Initial Brief of Appellant and Designation of Matter were served and filed with this Court on November 3, 2016.
2. On April 26, 2017, Respondent served and filed the Initial Brief of Respondent and Designation of Matter with this Court. Respondent designated Court's Exhibit No. 4 (Search Warrant Affidavit) to be included in the Record on Appeal.
3. The Record on Appeal was filed by undersigned counsel on July 6, 2017.

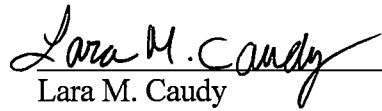
4. However, counsel inadvertently failed to include Court's Exhibit No. 4 in the Record on Appeal.

5. In order to permit this Court a full review of the entire Record on Appeal, as designated by both parties, undersigned counsel respectfully requests this Court accept the Supplemental Record on Appeal pursuant to Rule 212(b), SCACR.

6. As indicated below, opposing counsel consents to this request.

7. The Supplemental Record on Appeal is being filed simultaneously with this motion.

WHEREFORE, counsel for Appellant respectfully requests this Court accept the Supplemental Record on appeal in this case.

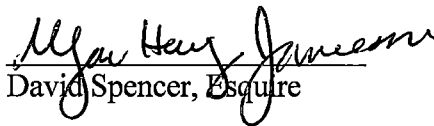


Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT

August 24, 2017

I consent:


for David Spencer, Esquire

STATE OF SOUTH CAROLINA
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THE STATE,

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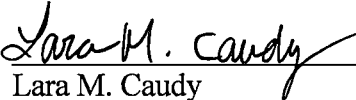
V.

FELIX KOTOWSKI,

APPELLANT

CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the Motion to File Supplemental Record and the Supplemental Record on Appeal in the above referenced case have been served upon David Spencer, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 24th day of August, 2017.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 24th day of August, 2017.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: May 12, 2027.



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

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SC Court of Appeals

August 24, 2017

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: The State v. Felix Kotowski
Appellate Case No. 2016-000842

Dear Ms. Kitchings:

Enclosed are an original and six copies of the Motion to File Supplemental Record on Appeal, and an original and nine copies of the Supplemental Record on Appeal in the above referenced case. Thank you for your assistance in this matter.

Sincerely,

Lara M. Caudy
Appellate Defender

LMC/meb

Enclosure

cc: David Spencer, Esquire