

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
J. Derham Cole, Circuit Court Judge

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Appellate Case No. 2016-002368

THE STATE, .....RESPONDENT

v.

THOMAS STEPHEN ACKER, .....APPELLANT.

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**MOTION TO SERVE AND FILE A SUPPLEMENTAL RECORD ON APPEAL**

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Respondent herein seeks to supplement the Record on Appeal, pursuant to Rule 210, SCACR, on the following grounds.

I.

While attempting to prepare the Final Brief of Respondent, Respondent discovered that the trial transcript pages 5 and 6 had not been designated. The undersigned counsel submits that these pages are necessary and useful to this Court's full and complete understanding of the issues involved in this appeal.

II.

Respondent has prepared the Supplemental Record on Appeal to include these particular transcript pages.

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SEP 01 2017

SC Court of Appeals

WHEREFORE, having made Motion to Supplement the Record on Appeal, Respondent would respectfully request this Court to grant the Motion to include trial transcript pages 5 and 6 for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

J. BENJAMIN APLIN  
Senior Assistant Deputy Attorney General  
S.C. Bar No: 8729

BY:   
J. BENJAMIN APLIN

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

September 1, 2017

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
J. Derham Cole, Circuit Court Judge

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Appellate Case No. 2016-002368

THE STATE, .....RESPONDENT

v.

THOMAS STEPHEN ACKER, .....APPELLANT.

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**PROOF OF SERVICE**

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I, Angela Bennett, certify that I have served the Supplemental Record on Appeal and Motion to Serve and File a Supplemental Record on Appeal on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record Kathrine H. Hudgins, Esquire, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589.


I further certify that all parties required by Rule to be served have been served.

This 1<sup>st</sup> day of September, 2017.

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**SC Court of Appeals**



ANGELA BENNETT  
Administrative Coordinator  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY

The Honorable J. Derham Cole, Circuit Court Judge

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Appellate Case No. 2016-002368

THE STATE, ..... Respondent,

v.

THOMAS STEPHEN ACKER, ..... Appellant.

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**PROOF OF SERVICE**

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I, Destiny Blue, certify that I have served the Motion to Serve and File a Supplemental Record on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to: Kathrine H. Hudgins, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211

I further certify that all parties required by Rule to be served have been served.

This 1<sup>st</sup> day of September, 2017.

**RECEIVED**

SEP 01 2017  
SC Court of Appeals

*Destiny Blue*  
\_\_\_\_\_  
DESTINY BLUE  
Legal Assistant

Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

September 1, 2017

Robert M. Pachak, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, South Carolina 29211-1589

Re: The State v. Thomas Stephen Acker  
Appellate Case No: 2016-002368

Dear Mr. Pachak:

Enclosed please find two (2) copies of the Motion to Serve and File a Supplemental Record on Appeal along with proof of service in the above-referenced case.

Sincerely,

J. Benjamin Aplin  
Senior Assistant Deputy Attorney General  
S.C. Bar No: 8729

JBA/ab

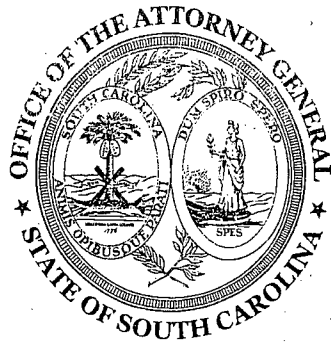
Enclosures

cc: The Honorable Jenny A. Kitchings  
Victim Advocacy Division

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**SC Court of Appeals**



ALAN WILSON  
ATTORNEY GENERAL

September 1, 2017

The Honorable Jenny A Kitchens  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

Re: The State v. Thomas Stephen Acker  
Appellate Case No: 2016-002368

Dear Ms. Kitchens:

Enclosed please find the original and six copies of the Motion to Serve and File a Supplemental Record on Appeal. In addition, enclosed please find the original and nine copies of the Supplemental Record on Appeal along with proofs of service for the motion and the supplemental record on appeal in the above-referenced case.

Sincerely,

J. Benjamin Aplin  
Senior Assistant Deputy Attorney General  
S.C. Bar No: 8729

JBA/db  
Enclosures

cc: Kathrine H. Hudgins, Esquire  
Victim Advocacy Division

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**SC Court of Appeals**