

STATE OF SOUTH CAROLINA  
In the Court Of Appeals

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RECEIVED

APPEAL FROM CHARLESTON COUNTY  
Kristi Lea Harrington, Circuit Court Judge

OCT 16 2017

SC Court of Appeals

Appellate Case No. 2017-001151

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THE STATE,

Respondent,

v.

EDRIAN WRIGHT,

Appellant.

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**RETURN TO MOTION TO UNSEAL RECORDS  
AND MOTION TO TRANSPORT**

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Respondent (the State), by and through undersigned counsel and making Return to the Motion to Unseal Records, would respectfully show unto this Court:

1. Appellant Edrian Wright was indicted at the September 2014 term of the grand jury of Charleston County for second-degree burglary. (Indictment No. 2014-GS-10-05389). He was subsequently indicted at the April 2015 term for first-degree burglary (Indictment No. 2015-GS-10-01986). Appellant was represented by Assistant Public Defender Cantrell M. Frayer of the Ninth Circuit Public Defender's Office and the State was represented by Assistant Solicitor T. Richard Waring of the Ninth Circuit Solicitor's Office. On August 5, 2015, Appellant pled guilty as indicted before the Honorable Kristi L. Harrington. He was sentenced thirty (30) years' imprisonment for first-degree burglary and fifteen (15) years' concurrent imprisonment for second-degree burglary.

2. On August 11, 2015, Appellant timely filed a motion for reconsideration of his sentence. On December 13, 2015, the State filed a memorandum in opposition to the motion to reconsider, and on March 1, 2017, Appellant submitted a memorandum in support of his motion as well as a forensic psychological assessment prepared by Dr. Susan Knight. The two memoranda and the psychological assessment were sealed by the trial court and continue to be filed under seal.

3. Appellant timely filed and served notice of appeal and is now represented by Appellate Defender Robert M. Pachak of the South Carolina Office of Appellate Defense on his direct appeal.

4. On October 4, 2017, Appellant filed the "Motion to Unseal Records" which is the subject of this return now filed on behalf of the State. He asks this Court to unseal the three sealed documents and that copies of those documents be sent out to the Division of Appellate Defense.


5. The State has no objection to the motion to unseal the records for the limited purpose of giving the parties an opportunity to review the sealed documents to determine whether any issue relating to them should be included in Appellant's direct appeal. Therefore, the State hereby joins in Appellant's motion to unseal, but moves that rather than being sent to the Division of Appellate Defense, the sealed documents be transported to this Court, and that the Court make the sealed documents available for review by the parties' counsel. Thus, the State asks this Court to order that the Charleston County Clerk of Court mail the sealed personnel files to this Court by certified mail pursuant to Rule 210(f), SCACR.

Respectfully submitted,

ALAN WILSON  
Attorney General

J. BENJAMIN APLIN  
Senior Assistant Deputy Attorney General

SCARLETT A. WILSON  
Solicitor, Ninth Judicial Circuit

BY:   
J. Benjamin Aplin  
S.C. Bar No: 8729

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

ATTORNEYS FOR RESPONDENT

October 16, 2017

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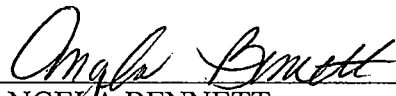
Appellant.

**PROOF OF SERVICE**

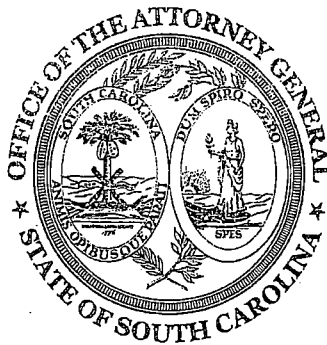
I, Angela Bennett, certify that I have served the Return to Motion to Unseal Records on Appellant by depositing a copy of the same in the United States mail, postage prepaid, addressed to: Robert M. Pachak, Esquire, PO Box 11589, Columbia, SC 29211-1589.

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

This 16<sup>th</sup> day of October, 2017.



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



ALAN WILSON  
ATTORNEY GENERAL

October 16, 2017

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SG Court of Appeals

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

Re: State v. Edrian Wright:  
Appellate Case No. 2017-001151

Dear Ms. Kitchings:

Enclosed for filing are the original and six copies of the Respondent's Return to Motion to Unseal Records in the above-referenced case.

Sincerely,

J. Benjamin Aplin  
Senior Assistant Deputy Attorney General

Enclosures

cc: Robert M. Pachak, Esquire  
T. Richard Waring, Esquire  
Victim Advocacy Division