

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Beaufort County
The Honorable Carmen T. Mullen, Circuit Court Judge
Appellate Case No: 2017-000085

RECEIVED

FEB 07 2018

SC Court of Appeals

IN THE MATTER OF THE CARE AND TREATMENT OF
GERALD BARRETT, JR.,

Respondent,

v.

THE STATE OF SOUTH CAROLINA,

Appellant.

**MOTION TO SERVE AND FILE
AMENDED RECORD ON APPEAL**

Appellant herein seeks to amend the Record on Appeal, pursuant to Rule 210, SCACR, on the following grounds.

1. Counsel for the Appellant discovered the Hearing Transcript dated October 19, 2016, designated by the Appellant was inadvertently not included in the Record on Appeal filed on January 26, 2018. In addition, the Record on Appeal Index contains a typographical error. Exhibit #3, Petition Pursuant to the Sexually Violent Predator Act [SVPA] with Exhibits A-P should read, Petition Pursuant to the Sexually Violent Predator Act [SVPA] with Exhibits A-I. Counsel for the Appellant submits correcting the Index to the Record on Appeal and adding the Hearing Transcript are necessary and useful to this Court's full and complete understanding of the issues involved in this appeal.

2. The undersigned counsel has prepared the Amended Record on Appeal to include a corrected Index and Hearing Transcript, dated October 19, 2016.

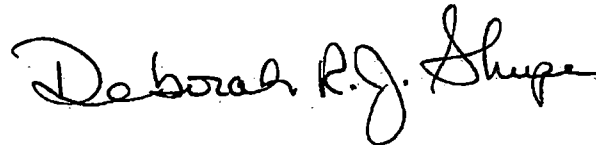
3. The undersigned consulted with counsel for the Respondent, and she is authorized to advise the Court that counsel for the Respondent consent to the requested relief.

WHEREFORE, having made Motion to Amend Record on Appeal, Appellant would respectfully request this Court to grant the Motion to Amend the Record on Appeal to include a corrected Index page and Hearing Transcript dated October 19, 2016, as designated and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General
SC Bar No. 5098



BY: _____

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29212
(803) 734-3727

ATTORNEYS FOR APPELLANT

February 7, 2018

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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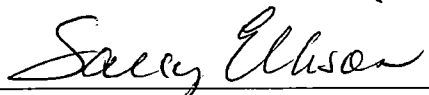
PROOF OF SERVICE

I, Sally Ellison, certify that I have served an Amended Record on Appeal and Motion to Serve and File an Amended Record on Appeal on Respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

David Alexander, Appellate Defender
SCCID
Post Office Box 11589
Columbia, South Carolina 29211-15889

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

This 7th day of February, 2018


Sally Ellison, Legal Assistant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3970



ALAN WILSON
ATTORNEY GENERAL

February 7, 2018

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SC Court of Appeals

David Alexander
Assistant Appellate Defender
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

RE: In the Matter of the Care and Treatment of Gerald Barrett, Jr.
Appellate Case No. 2017-000085

Dear Mr. Alexander:

Enclosed are two copies of a Motion to Amend Record on Appeal in the above matter, along with two copies of the Amended Record on Appeal, with proof of service. If you have any questions, please do not hesitate to contact me

Sincerely,

Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

Enclosures

cc: ~~Honorable~~ Jenny A. Kitchings (original Amended Record on Appeal with 15 copies and original Motion to Amend with 6 copies enclosed)
Victim Advocacy Division