

STATE OF SOUTH CAROLINA

In The Supreme Court

CERTIORARI TO YORK COUNTY
Court of Common Pleas

The Honorable John C. Hayes, III, Circuit Court Judge

Appellate Case No. 2017-000843

RECEIVED

FEB 12 2018

S.C. SUPREME COURT

JEREMY CORDERA MOBLEY,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

MOTION TO SUPPLEMENT APPENDIX

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 September 25, 2017. The appendix, however, does not contain the following document relevant to this action:
2. The plea waiver form for 2013-GS-46-04149 is five pages in length, signed and dated on November 19, 2013 by Petitioner, his plea attorney, the assistant solicitor and plea judge. This document was filed as part of Petitioner's Clerk of Court's records. After Petitioner filed his PCR application, the Clerk of Court's Office made a Certified

True Copy dated October 7, 2014, and submitted the PCR application along with this form, arrest warrant, indictment, and sentencing sheet to Respondent. This form was made part of the record and submitted to Petitioner as part of Respondent's Return as the Clerk of Court's Records. The entire lower court record, including this form was submitted to the PCR court at the PCR hearing and the successor PCR judge had the entire record as well.

3. Without this additional document, the appellate record is incomplete and, as such, it must be included in the appendix. Inasmuch as the aforementioned document is 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.

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

JUSTIN JAMES HUNTER
Assistant Attorney General
S.C. Bar No: 101254

BY:  _____

ATTORNEYS FOR RESPONDENT
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February 12, 2018

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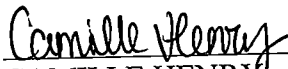
Respondent.

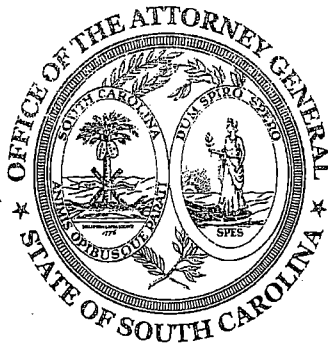
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Motion to Supplement Appendix has been served upon opposing counsel by mailing two (2) copies in the United States mail, postage prepaid:

Kathrine H. Hudgins, Esquire
S.C. Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201

This 12th day of February, 2018


CAMILLE HENRY
LEGAL ASSISTANT



ALAN WILSON
ATTORNEY GENERAL

February 12, 2018

The Honorable Daniel E. Shearouse
Clerk of the South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

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S.C. SUPREME COURT

RE: Jeremy C. Mobley v. State of South Carolina
Appellate Case No. 2017-000843
Lower Court Case No. 2014-CP-46-03296

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the **Motion to Supplement Appendix** in the above mentioned case.

Sincerely,


Justin J. Hunter
Assistant Attorney General
SC Bar No. 101254

JJH/ch

cc: Kathrine H. Hudgins, Esquire