

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

MAR 14 2018

Appeal from Laurens County
Honorable Donald B. Hocker, Circuit Court Judge
Appellate Case Tracking No. 2015-002206

S.C. SUPREME COURT

The State,

Respondent,

vs.

Timothy Artez Pulley,

Appellant.

CONSENT MOTION TO ACCEPT EXHIBIT

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

On March 9, 2018, this Court issued an Amended Order for the transport of several exhibits from the circuit court to this Court. The Order required the South Carolina Attorney General's Office to transport: 1) State's Exhibit 1-DVD; 2) State's Exhibit 4-Dash Cam Video; and 3) Defendant's Exhibit 6-Datamaster Video. The State attempted to pick up the above exhibits from the Laurens County Clerk of Court on Monday, March 12, 2018. The Clerk indicated State's Exhibit 4 from the trial involved in this appeal is a photo, while State's Exhibit 4 from a prior trial of Appellant on July 29, which resulted in a mistrial and is discussed in this appeal, is the Dash Cam Video. The Clerk would not release State's Exhibit 4 from the prior trial.

State's Exhibit 1 from the October trial that serves as the basis for this appeal has been received from the Clerk of Court in Laurens County pursuant to the transportation

order. Upon review, State's Exhibit 1 is a copy of the dash cam video and is the same as State's Exhibit 4 from the prior trial. Both parties agree the two exhibits are the same.

The State believes State's Exhibit 1 is sufficient to allow this Court to review the dash cam video in lieu of receiving both State's Exhibit 1 and State's Exhibit 4. In the event this Court requires submission of both State's Exhibit 1 and State's Exhibit 4, a new transportation order would be necessary requesting release of State's Exhibit 4 from the July 29 trial that resulted in a mistrial. Appellant's counsel indicated his consent to the request to accept solely State's Exhibit 1 by phone with the undersigned on Monday, March 12, 2018.

WHEREFORE, Respondent prays that the Court allow State's Exhibit 1 to be received in lieu of receiving both State's Exhibit 1 and State's Exhibit 4 as they are the same video; accept the Exhibits transported by the South Carolina Attorney General; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Attorney General



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ATTORNEYS FOR RESPONDENT

March 14, 2018

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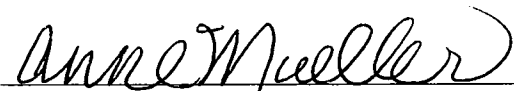
PROOF OF SERVICE

I, Anne A. Mueller, certify that I have served the Consent Motion to Accept Exhibit on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

C. Rauch Wise, Esquire
305 Main Street
Greenwood, South Carolina 29646

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

This 14th day of March, 2018.



ANNE A. MUELLER
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