

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

R. Knox McMahon, Circuit Court Judge

RECEIVED
APR 09 2018
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MICHAEL SCOTT SIMMONS,

APPELLANT

APPELLATE CASE NO. 2016-001975

PETITION TO FILE SUPPLEMENTAL RECORD

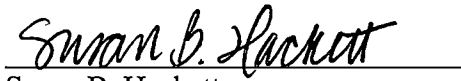
Pursuant to Rule 212(b) of the South Carolina Appellate Court Rules, undersigned counsel requests leave to supplement the record on appeal. In support of the motion, counsel submits the following.

1. The initial brief of appellant and designation of matter in this case were filed with the Court on September 14, 2017. On February 20, 2018, the initial brief of respondent and designation of matter were filed with the Court.
2. On March 22, 2018, undersigned counsel prepared and filed the record on appeal, which was filed with the Court on that date.
3. The final brief of appellant is due on April 11, 2018. While preparing the final brief of appellant, undersigned counsel realized she inadvertently failed to designate Court's Exhibit #3 when she filed her designation of matter. Counsel cited to the exhibit repeatedly in her brief, but neglected to designate it. On this date, counsel has filed a motion to amend the designation of matter. In order to

prepare the final brief accurately, counsel requests permission to supplement the record on appeal.

4. As indicated below, opposing counsel consents to this request.

WHEREFORE, counsel for appellant requests leave to supplement the record on appeal.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT

April 9, 2018

I consent:


William M. Blitch, Esquire

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THE STATE,

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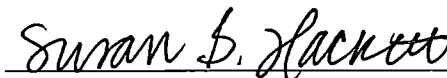
V.

MICHAEL SCOTT SIMMONS,

APPELLANT

CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the Petition to File Supplemental Record in the above referenced case has been served upon William M. Blich, Esquire, this 9th day of April, 2018.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 9th day of April, 2018.



(L.S.)
Notary Public for South Carolina
My Commission Expires: October 30, 2022.



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

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Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

April 9, 2018

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APR 09 2018
SC Court of Appeals

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

Re: The State v. Michael Scott Simmons, Appellate Case No. 2016-001975

Dear Ms. Kitchings:

Enclosed are an original and six copies of the Petition to File Supplemental Record on Appeal in the above-captioned case. Thank you for your assistance in this matter.

Sincerely,

Susan B. Hackett

Susan B. Hackett
Appellate Defender

Enclosure

cc: William M. Blich, Esquire (w/ enclosure)