

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Richland County  
Alison Renee Lee, Circuit Court Judge  
\_\_\_\_\_

**ORIGINAL**  
**RECEIVED**  
DEC 06 2018  
SC Court of Appeals

THE STATE,

APPELLANT,

V.

JAMIE SIMPSON,

RESPONDENT

APPELLATE CASE NO. 2016-002210

\_\_\_\_\_  
MOTION TO AMEND  
FINAL BRIEF OF RESPONDENT  
\_\_\_\_\_

Counsel for Respondent moves this Court to amend the Final Brief of Respondent to address the issue of mootness. In support of this motion, counsel presents the following:

1. The Final Brief of Appellant was filed on November 17, 2017, the Final Brief of Respondent was filed on November 21, 2017. The issue on appeal concerns Respondent's sentence.
2. Specifically, on October 18, 2016, the Honorable Alison R. Lee sentenced Respondent to four years' imprisonment, which she suspended upon the service of two years in home detention supervised through electronic monitoring to be followed by two years of probation.

3. On October 27, 2016, the state served its notice of appeal. The sole issue on appeal is whether Judge Lee had the authority to order that Respondent's imprisonment be served as home detention pursuant to S.C. Code Ann. § 24-13-1530.

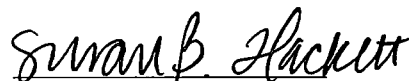
4. Respondent successfully completed his sentence of imprisonment on home detention on October 17, 2018. On October 26, 2018, after receiving documented proof of successful completion, Respondent moved to dismiss the state's appeal as moot. On November 2, 2018, the state responded to the motion, arguing against mootness.

5. On November 19, 2018, the Honorable H. Bruce Williams denied Respondent's motion. In the order denying the motion to dismiss as moot, Judge Williams explained that "[n]othing in th[e] order precludes the parties from moving to amend their briefs to address the issue of mootness."

6. Respondent now moves to amend his final brief to address the issue of mootness.

Counsel respectfully requests to amend his final brief of respondent to address the issue of mootness.

Respectfully submitted,



Susan B. Hackett

Appellate Defender

ATTORNEY FOR RESPONDENT

December 6, 2018

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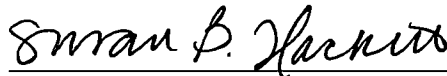
V.

JAMIE SIMPSON,

RESPONDENT

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_


The undersigned attorney hereby certifies that a true copy of the Petition to Accept a Corrected Final Brief of Appellant in the above referenced case has been served upon opposing counsel, William M. Blicht, Jr., Esquire at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201 this 6th day of December, 2018.



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Susan B. Hackett  
Appellate Defender

Attorney for Respondent

SUBSCRIBED AND SWORN TO before me  
this 6th day of December, 2018.

 (L.S.)  
Notary Public for South Carolina  
My Commission Expires: May 2, 2027