

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
The Honorable William P. Keesley, Circuit Court Judge

The State of South Carolina,

Respondent,

vs.

Kevin Lamar Gary,

Appellant.

Appellate Case No. 2016-001603

**MOTION FOR ISSUANCE
OF AN AMENDED ORDER
OF TRANSPORTATION**

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Respondent now moves for this Court to issue an Amended Order of Transportation. Pursuant to the State's designation of matter, this Court issued a transportation order for State's Exhibits Nos. 1-32. However, undersigned counsel overlooked that some of these photographs were not actually introduced into evidence and consequently not in the Richland County Clerk of Court's possession. Further, the State would note it did not designate State's Exhibit No. 34, but it was released to the Attorney General's Office, so the State is moving to amend the order to include this exhibit as well. Accordingly, undersigned counsel moves to amend the transportation order to reflect those photographs actually entered into evidence and received by the Attorney

General's Office, as follows:

State's Exhibits Nos. 1-18; 20, 22, 25, 28-29, 31-32, 34.

Therefore, the State moves to amend the order of transportation accordingly. Undersigned counsel apologizes to this Court for any inconvenience caused by undersigned counsel's oversight.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General

BY: 

DAVID SPENCER

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

October 26, 2018

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THE STATE,

Respondent,

v.

KEVIN LAMAR GARY,

Appellant.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the within Motion For Issuance Of An Amended Order Of Transportation on Appellant by delivering two copies of the same to David Alexander, Esquire, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589.

I further certify that all parties required by Rule to be served have been served.
This 26th day of October, 2018.



Anne A. Mueller
Legal Assistant for the Respondent

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

October 26, 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29201

RE: The State v. Kevin Lamar Gary
Appellate Case No: 2016-001603

Dear Ms. Kitchings:

Enclosed please find an original and six (6) copies of the Motion For Issuance Of An Amended Order of Transportation, including proof of service, in the above-referenced case.

Sincerely,

David Spencer
Senior Assistant Attorney General
S.C. Bar No: 68571

DS/aam
Enclosures

cc: David Alexander (with 2 copies)
Victim Advocacy Division

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