

STATE OF SOUTH CAROLINA
In the Supreme Court

CERTIORARI TO GEORGETOWN COUNTY
Court of Common Pleas
William H. Seals, Jr. Circuit Court Judge

RECEIVED
DEC 19 2018
S.C. SUPREME COURT

Appellate Case No. 2018-000139

RONALD EDWARD GOODEN,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

MOTION TO SUPPLEMENT APPENDIX

Pursuant to Rules 240 and 243(f) of the South Carolina Appellate Court Rules, counsel for Respondent (the State) moves for this Court to supplement the Appendix. In support of this motion, the State would present the following:

1. The Petition for Writ of Certiorari and Appendix in this case were filed by Petitioner on September 17, 2018. The Appendix, however, does not contain the following documents relevant to this action. Those documents include:

A. The Final Brief of Appellant from Petitioner's direct appeal.

B. The Final Brief of Respondent from Petitioner's direct appeal.

2. These documents were included in the lower court record and were before the post-conviction relief court in the matter below. Without these additional documents, the appellate record is incomplete and, as such, it must be included in the Appendix. Inasmuch as

the aforementioned documents are relevant and pertinent material under Rule 243(f), SCACR that should be included in the Appendix, Petitioner moves this Court to include the same in a Supplemental Appendix.

WHEREFORE, as the Appendix is incomplete, counsel for the State respectfully requests this Court to: (1) grant the motion to supplement the Appendix and (2) accept the Supplemental Appendix as filed with this motion. The State has consulted with counsel for Petitioner, LaNelle C. DuRant, Esquire, and understands she has no objection to this request.

Respectfully submitted,

ALAN WILSON
Attorney General

J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General

BY: 
J. Benjamin Aplin
S.C. Bar #8729

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

ATTORNEYS FOR RESPONDENT

December 19, 2018

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO GEORGETOWN COUNTY
Court of Common Pleas

The Honorable William H. Seals, Jr., Circuit Court Judge

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RONALD EDWARD GOODEN,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

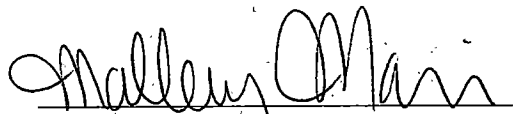
RESPONDENT,

CERTIFICATE OF SERVICE

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

LaNelle C. DuRant, Esquire
PO Box 11589
Columbia, SC 29211

This 19th day of December, 2018


MALLORY MORRIS
LEGAL ASSISTANT



ALAN WILSON
ATTORNEY GENERAL

December 19, 2018

RECEIVED
DEC 19 2018
S.C. SUPREME COURT

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

Re: Ronald Edward Gooden v. State of South Carolina
Appellate Case No. 2018-000139
Lower Court Case No. 2013-CP-22-1007

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Motion to Supplement Appendix and an original and one copy of the Supplemental Appendix. By copy of this letter we are serving opposing counsel today.

Also, please substitute undersigned counsel as counsel of record for the State in the above-listed post-conviction relief appeal pending before the Court and remove Johnny E. James Jr., Esquire as counsel of record for the State. Please forward all future correspondence regarding this case directly to my attention. If you have any questions or concerns, please contact me.

Sincerely,

J. Benjamin Aplin
Senior Assistant Deputy Attorney General
SC Bar No. 8729

JBA/mm
Enclosures

cc: LaNelle C. DuRant, Esquire