

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County

Honorable D. Craig Brown, Circuit Court Judge

STATE OF SOUTH CAROLINA,

ORIGINAL
RECEIVED
MAY 28 2019
SC Court of Appeals
RESPONDENT.

v.

CLYDE D. SINGLETARY,

APPELLANT,

MOTION TO AMEND
THE DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

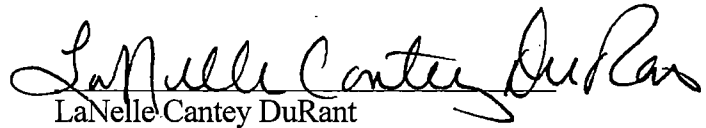
Appellant seeks to amend the Designation of Matter to be included in the Record on Appeal, pursuant to Rule 227(e), SCACR, on the following grounds:

1. The Initial Brief was filed February 1, 2019 along with the Designation of Matter.
2. The Designation of Matter included Court's Exhibits 1-9 which were photographs. (See Attachment 1)

3. In preparing the Record on Appeal for filing on May 28, 2019, it was discovered that Appellate Counsel had inadvertently labelled the State's Exhibits 1-9, which are the same photographs, as Court's Exhibits 1-9.
4. No Court's Exhibits were admitted at trial. (See Attachment 3)
5. The Designation of Matter should be amended to include only State's Exhibits 1-9 (photographs). The Court's Exhibits should be deleted, and State's Exhibits 7-9 are included in State's Exhibits 1-9 (See Attachment 2).
6. William M. Blich of the Attorney General's Office consents to this request.

Therefore, Appellant moves this Court to accept this amendment of the Designation of Matter to include and properly identify State's Exhibits Nos. 1-9 (photographs) in the Record on Appeal.

Respectfully submitted,


LaNelle Cantey DuRant
Appellate Defender

Attorney for Appellant

This 28th day of May, 2019

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County

Honorable D. Craig Brown, Circuit Court Judge

CLYDE D. SINGLETARY,

v.

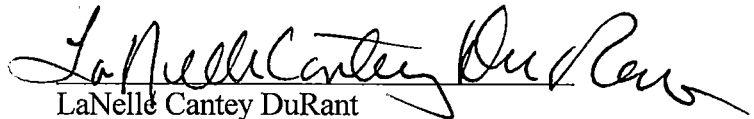
STATE OF SOUTH CAROLINA,

RECEIVED
MAY 28 2019
APPELLANT
SC Court of Appeals

RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion To Amend the Designation of Matter to Be Included in the Record on Appeal in the above referenced case has been served upon opposing counsel, William M. Blich, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201 and Clyde D. Singletary, #305678 at Kershaw Correctional Institution, 4848 Gold Mine Highway, Kershaw, SC 29067-8069 this 28th day of May 2019.



LaNelle Cantey DuRant
Assistant Appellate Defender

Attorney for Appellant

SUBSCRIBED AND SWORN TO before me
this 28th day of May, 2019.



(L.S.)

Notary Public for South Carolina
My Commission Expires: September 27, 2028.

ATTACHMENT

1

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Honorable D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CLYDE DEVON SINGLETARY,

APPELLANT

**DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictment(s):
- (2) Sentencing Sheet
- (3) Court's Exhibits 1-9 (Photos to be transported)
- (4) September 14, 2017 Trial Transcript Pages 1-36
- (5) January 22, 2018 Trial Transcript Pages 1-7.
- (6) January 24, 2018 Trial Transcript pages 1 – 8, 17 – 30, 38 – 154. *
- (7) State's Exhibits 7,8,9 (Photos to be transported)

I certify that this designation contains no matter which is irrelevant to this appeal.

February 1, 2019.

ATTACHMENT

2

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Honorable D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CLYDE DEVON SINGLETARY,

APPELLANT

**AMENDED DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictment(s):
- (2) Sentencing Sheet
- (3) State's Exhibits 1-9 (Photos to be transported)
- (4) September 14, 2017 Trial Transcript Pages 1-36
- (5) January 22, 2018 Trial Transcript Pages 1-7.
- (6) January 24, 2018 Trial Transcript pages 1 – 8, 17 – 30, 38 – 154. *

I certify that this designation contains no matter which is irrelevant to this appeal.

May 28, 2019.

ATTACHMENT

3

	<u>EXHIBITS</u>			
	<u>No.</u>		<u>ID</u>	<u>EV</u>
1				
2				
3	S1	1 Photo		44
4	S2	1 Photo		44
5	S3	1 Photo		44
6	S4	1 Photo		44
7	S5	1 Photo		44
8	S6	1 Photo		44
9	S7	1 Photo		69
10	S8	1 Photo		69
11	S9	1 Photo		69
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1343
Facsimile: (803) 734-1397

Joseph L. Savitz, III, Chief Attorney
Wanda H. Carter, Deputy Chief Attorney

May 28, 2019

The Honorable Jenny Kitchings
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

RECEIVED
MAY 28 2019
SC Court of Appeals

Re: Clyde D. Singletary v. State of South Carolina

Dear Ms. Kitchings:

Enclosed are an original and six copies of the Motion to Amend the Designation of Matter in the above-captioned case. Thank you for your assistance in this matter.

Sincerely,

LaNelle Cantey DuRant
Assistant Appellate Defender

LCD/sl

Enclosure

cc: William M. Blich, Esquire
Mr. Clyde D. Singletary