

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Florence County

William H. Seals, Jr., Circuit Court Judge

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FEB 06 2013
S.C. Supreme Court

SYLVESTER DAVIS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-211387

PETITION TO FILE
SUPPLEMENTAL APPENDIX

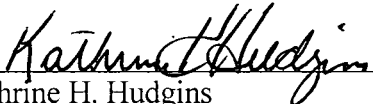
Pursuant to Rule 212 of the South Carolina Appellate Court Rules, the undersigned counsel requests leave in which to file a supplemental appendix in the case. In support of this motion, counsel submits the following facts:

1. The petition for writ of certiorari and copies of the appendix in the above titled case were filed with the Court on December 19, 2012.

2. At the time the petition for writ of certiorari and appendix was filed, counsel had been unable to obtain copies of three indictments and the accompanying sentencing sheets. Counsel obtained the copies and now seeks to include the indictments and sentencing sheets in a supplemental appendix.

3. Rule 243(f)(1), SCACR, requires a copy of the entire lower court record to be included in the appendix. The indictments and sentencing sheets are part of the lower court record. Counsel requests leave to file a supplemental appendix containing the indictments and sentencing sheets.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

February 6, 2013

I consent:



David Spencer, Esquire

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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William H. Seals, Jr., Circuit Court Judge

Sylvester Davis
~~DAVID GILLESPIE JR.~~

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Petition to File Supplemental Appendix in the above referenced case has been served upon David Spencer, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 6th day of February, 2013.

Kathrine H. Hudgins

Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me
this 6th day of February, 2013.

Emily Pope (L.S.)

Notary Public for South Carolina
My Commission Expires: November 16, 2022



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

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FEB 06 2013

February 6, 2013

S.C. Supreme Court

The Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
PO Box 11330
Columbia, SC 29211

Re: Sylvester Davis v. State of South Carolina, Appellate Case No. 2012-211387

Dear Mr. Shearouse:

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

Sincerely,

Kathrine H. Hudgins
Appellate Defender

KHH/eab

Enclosure

cc: David Spencer, Esquire
Sylvester Davis