

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

CERTIORARI TO CHARLESTON COUNTY
Thomas A. Russo, Post-Conviction Relief Judge

Appellate Case No: 2018-001847

Allen Stone,

Respondent,

v.

State of South Carolina,

Petitioner.

MOTION TO FILE A SUPPLEMENTAL APPENDIX

Counsel for Petitioner hereby moves before this Court to supplement the appendix previously filed in this post-conviction relief appeal, pursuant to Rules 243(f), and Rule 212(b) of the South Carolina Appellate Court Rules. In support of this motion, counsel shows the following:

1. On February 7, 2019, Petitioner, through counsel, filed and served its petition for writ of certiorari and accompanying appendix.
2. On August 23, 2019, counsel for Respondent, David Alexander, notified undersigned counsel that pages 24 – 83 of the Post-Conviction Relief Application were missing from the appendix. Counsel for Petitioner mistakenly believed these pages were part of the clerk's records, which were included elsewhere in the appendix, rather than attachments to the application.

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3. Rule 243(f), SCACR, requires the appendix include the entire lower-court record.

4. The omission of these documents from the appendix was a mistake and undersigned counsel now seeks to supplement the appendix to include the full application filed with the Charleston County Clerk of Court.

5. Undersigned counsel has conferred with counsel for Respondent, who consents to the filing of a supplemental appendix.

WHEREFORE, Respondent prays that this Court will allow Petitioner to file a Supplemental Appendix; accept the filing of Petitioner's Supplemental Appendix; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General
S.C. Bar #100108

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By: 
ATTORNEYS FOR PETITIONER

September 10, 2019

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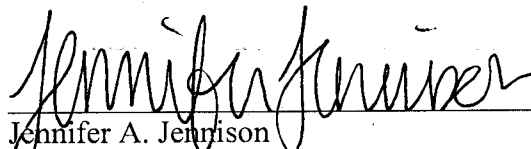
SC Court of Appeals

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **Motion to Supplement Appendix** has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

David Alexander, Esquire
S.C. Commission on Indigent Defense
PO Box 11589
Columbia, SC 29211-1589

This 10th day of September, 2019.



Jennifer A. Jennison
Administrative Coordinator for Petitioner



ALAN WILSON
ATTORNEY GENERAL

September 10, 2019

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

**Re: Allen Stone v. State of South Carolina
Appellate Case No. 2018-001847**

Dear Ms. Kitchings:

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

Sincerely,

Megan Harrigan Jameson *for MHJ*
Senior Assistant Deputy Attorney General
SC Bar No. 100108

MHJ/jaj
Enclosures

cc: David Alexander, Esquire
Victim Advocacy Division

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