

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Jennifer B. McCoy, Circuit Court Judge

ORIGINAL

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OCT 16 2019

SC Court of Appeals
RESPONDENT,

THE STATE,

v.

FRANKIE LEE DAVIS III,

APPELLANT.

APPELLATE CASE NO. 2019-000316

CONSENT MOTION TO TRANSPORT
SEALED EXHIBIT

Appellant, through his undersigned counsel, would respectfully show unto this Court as follows:

1.

Appellant's trial counsel made a motion to compel the personnel records of two of the responding officer's in this case. The trial court denied defense counsel's motion but marked the personnel records under seal as Court's Exhibit 1 for purposes of the current appeal. The State consents to the transportation of the Exhibit, so long as it remains under seal.

2.

Appellant requests that Court's Exhibit 1 be transported to this Court while remaining under seal. Appellant further requests this Court to allow viewing of the Exhibit by the Court

and the parties to this appeal. Appellant has attached a proposed Transportation Order for the Court's consideration to transport Court's Exhibit 1 (under seal), personnel records of responding officers.

THEREFORE, Appellant respectfully requests this Court to hold the timelines for filing the initial brief of Appellant and designation of matter in abeyance pending resolution of this motion. Appellant further requests that this Court issue a Transportation Order so that Court's Exhibit 1 may remain under seal, be transported to the Court, and be made accessible at the Court for both parties and the Court to view.

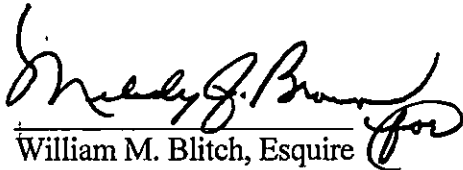
Respectfully submitted,



Adam S. Ruffin
Appellate Defender

October 16, 2019.

I do not oppose:



William M. Blich, Esquire