

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Charleston County  
Honorable R. Markley Dennis, Jr., Circuit Court Judge  
Appellate Case No. 2018-001642

**RECEIVED**  
OCT 25 2019  
SC Court of Appeals

THE STATE,

Respondent,

vs.

WILLIAM HOLMES;

Appellant.

**MOTION TO ALLOW FILING OF  
SUPPLEMENTAL RECORD ON APPEAL**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

On August 15, 2019, the State filed and served its Initial Brief of Respondent and Designation of Matter. In its Designation of Matter, the State properly designated numerous pages from various transcripts, all four indictments, both sentencing sheets, and a number of other documents for inclusion in the Record on Appeal.

**II.**

On October 23, 2019, Appellant William Holmes filed the Record on Appeal. However, Appellant appears to have inadvertently failed to include two of the indictments designated by the State in the Record the Appeal as filed.

**III.**

Because properly designated matter was inadvertently omitted from the Record on Appeal, the State believes it is necessary to file a Supplemental Record on Appeal containing the inadvertently omitted matter. See Rule 210(c), SCACR (“The Record on Appeal shall include all matter designated to be included by any party under Rule 209[.]”). Accordingly, the State asks this Court to permit and accept the filing of a Supplemental Record on Appeal containing the designated matter inadvertently omitted from the Record on Appeal.

**WHEREFORE**, Respondent prays that this Court will allow the State to file a Supplemental Record on Appeal; accept the filing of the State’s Supplemental Record on Appeal; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Senior Assistant Attorney General

By: 

Mark R. Farthing

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

October 25, 2019

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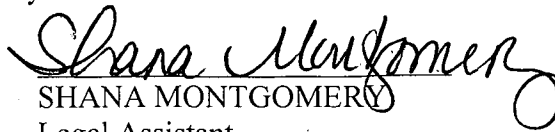
**PROOF OF SERVICE**

I, Shana Montgomery, certify I have served the within Motion to Allow Filing of Supplemental Record on Appeal and the Supplemental Record on Appeal on Appellant by sending two copies of the same to:

Jason T. Yongue, Esquire  
Williams, Stitely & Brink, PC  
200 East Main St.  
Lexington, SC 29072

Robert M. Dudek, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.  
This 25th day of October, 2019.

  
SHANA MONTGOMERY  
Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211



ALAN WILSON  
ATTORNEY GENERAL

October 25, 2019

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

RE: State v. William Holmes – Appellate Case No. 2018-001642

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion to Allow Filing of Supplemental Record on Appeal and the original and nine copies of the Supplemental Record on Appeal, along with proof of service, for filing in the above-referenced criminal appeal.

Sincerely,

Mark R. Farthing  
Senior Assistant Attorney General  
Bar Number 76901

MRF/  
Enclosures

cc: Jason T. Yongue, Esq.  
Robert M. Dudek, Esq.  
Victim Advocacy Division

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