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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM LEXINGTON COUNTY
The Honorable William P. Keesley, Circuit Court Judge

Appellate Case No. 2019-001104

RON O'NEAL FINKLEA, SK6025,

RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

PETITIONER.

**PETITIONER'S MOTION FOR LEAVE TO FILE
SUPPLEMENTAL APPENDIX**

Petitioner, State of South Carolina, through undersigned counsel, for the reasons stated below, respectfully requests this Court grant him permission to file a supplemental appendix.

The reasons for this motion are as follows:

1. The seven volumes of the Appendix to the Petition for Writ of Certiorari were delivered on August 7, 2019. The South Carolina Supreme Court Order appointing counsel was entered on September 27, 2019, which made the Petition for Writ of Certiorari due on October 28, 2019.

2. After the Appendix had been submitted, it came to counsel's attention that the Return of Respondents to First Application for Post-Conviction Relief and Request for Status Conference and Appointment of Counsel dated December 22, 2010 [2010-CP-32-5076], and Amended Return to the Application for Post-Conviction Relief, as Amended January 15, 2016,

and June 22, 2017 [2010-CP-32-05076] filed July 27, 2017, was erroneously not included, making the Appendix incomplete.

3. Instead of reproducing all seven volumes of the Appendix, petitioner requests permission to file a Supplemental Appendix, which would contain the items set forth above which were inadvertently excluded from the original Appendix delivered on August 7, 2019.

4. Undersigned counsel has contacted counsel for Respondent, and Diana Holt, Esq. has no objection to this request.

THEREFORE, for the reasons stated above, petitioner respectfully submits that this Court should grant him leave to file a Supplemental Appendix.

Respectfully submitted,

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By: 
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ATTORNEYS FOR PETITIONER

October 29, 2019

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PROOF OF SERVICE

I, **W. Joseph Maye**, on behalf of counsel for the Petitioner, certify that I have served two (2) copies of the within Motion for Leave to File a Supplemental Appendix to the Petition for Writ of Certiorari via U.S. mail, postage prepaid, and addressed to his attorneys of record:


Diana L. Holt, Esq., Diana L. Holt, LLC
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I further certify that all parties required by Rule to be served have been served.

This 29th day of October, 2019.



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