

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Charleston County  
Jennifer B. McCoy, Circuit Court Judge

---

**ORIGINAL**  
**RECEIVED**  
JAN 24 2020  
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

FRANKIE LEE DAVIS, III,

APPELLANT

Appellate Case No. 2019-000416

---

CONSENT MOTION TO FILE  
INITIAL AND FINAL BRIEFS UNDER SEAL

---

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 officers in this case. The trial judge denied counsel's motion but marked the personnel records under seal as Court's Exhibit 1 for purposes of the current appeal.

2. Appellant, through undersigned counsel, filed a consent motion in this Court to have Court's Exhibit 1 transported while remaining under seal so that undersigned counsel and counsel for Respondent could view the exhibit at the Court. This Court granted the consent motion by order dated October 28, 2019.

3. Court's Exhibit 1 was transported to this Court on January 8, 2020. Undersigned counsel has now had an opportunity to view the exhibit at the Court and has determined it will be necessary to make specific references to this sealed exhibit in his Initial Brief of Appellant.

WHEREFORE, Appellant respectfully requests this Court allow the briefs in the case to be filed under seal to be consistent with this Court's prior ruling that Court's Exhibit 1 be maintained under seal. Undersigned counsel has consulted with counsel for Respondent who agrees that because specific references to the sealed exhibit will be made in the initial brief that it will be filed under seal. Counsel will file the Initial Brief of Appellant two days after this Court rules on this motion.



Adam Sinclair Ruffin  
Appellate Defender

ATTORNEY FOR APPELLANT

January 24, 2020

I do not oppose:



William M. Blich, Esquire

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Jennifer B. McCoy, Circuit Court Judge

**RECEIVED**  
JAN 24 2020  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

FRANKIE LEE DAVIS, III,

APPELLANT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Consent Motion to File the Initial and Final Briefs under seal in the above referenced case has been served upon William M. Blich, Esquire, this 24<sup>th</sup> day of January, 2020.



Adam Sinclair Ruffin  
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me  
this 24<sup>th</sup> day of January, 2020.

  
(L.S.)  
Notary Public for South Carolina

My Commission Expires: September 27, 2028.

