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JAN 30 2020  
S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Spartanburg County  
The Honorable R. Lawton McIntosh, Circuit Court Judge  
\_\_\_\_\_

Appellate Case No. 2019-001130

Stephanie L. Howard,

Petitioner,

v.

State of South Carolina,

Respondent.

\_\_\_\_\_  
**MOTION TO COMPEL SUPPLEMENTATION OF APPENDIX  
RETURN TO PETITION FOR WRIT OF CERTIORARI**  
\_\_\_\_\_

Pursuant to Rule 243 (f) of the South Carolina Appellate Court Rules, counsel for Respondent moves this Court to compel Petitioner to file a supplemental appendix that comports with Rule 243(f), SCACR, to include the entire lower court record, including but not limited to the transcript from the hearing on Petitioner's motion to reconsider her sentence in the court of general sessions. This transcript was before the lower court, considered by the lower court, and should have been included in the Appendix pursuant to Rule 243(f), SCACR. Undersigned counsel for Respondent discovered this necessary transcript was omitted from the Appendix during preparation of Respondent's return to the petition for writ of certiorari. Upon this discovery,

undersigned counsel immediately contacted counsel for Petitioner, who indicated he consented to the filing of a supplemental appendix to include this necessary transcript that was omitted from the Appendix. Accordingly, Respondent moves this Court to compel Petitioner to file a supplemental appendix that contains the **entire** lower court record, including the transcript of the motion to reconsider the sentence, in compliance with Rule 243(f), SCACR. **Respondent further moves that this Court hold the timelines for filing Respondent's return to the petition to writ of certiorari in abeyance pending a ruling on this motion, and if granted, the filing of a supplemental appendix.**

THEREFORE, pursuant to Rule 243, SCACR, Counsel for Respondent requests this Court compel Petitioner to file a Supplemental Appendix to include requested lower court records; and Respondent requests this Court hold the timelines for filing the return to the petition for certiorari in abeyance until this Court rules on the motion, and if granted, Petitioner files the Supplemental Appendix.

Respectfully submitted,

ALAN WILSON  
Attorney General

JACOB A. ISENBERG  
Assistant Attorney General  
S.C. Bar #103830

By:   
\_\_\_\_\_  
ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA  
In the Supreme Court

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CERTIORARI TO SPARTANBURG COUNTY  
Court of Common Pleas  
R. Lawton McIntosh; Circuit Court Judge

Appellate Case No. 2019-001130

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STEPHANIE L. HOWARD,

PETITIONER

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

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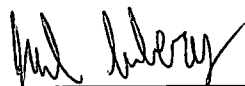
**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that a true copy of the **Motion to Compel Supplementation of the Appendix** has been served upon the applicant by placing two copies in the mail addressed to:

**William H. Rhodes  
Burts Turner & Rhodes  
260 N. Church St.  
Spartanburg, SC 29306**

This 27<sup>th</sup> day of January, 2020.



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Jacob A. Isenberg  
Attorney for Respondent



ALAN WILSON  
ATTORNEY GENERAL

January 27, 2020

The Honorable Daniel E. Shearouse  
Clerk of Court — SC Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

**RE: Stephanie L. Howard v. State of South Carolina**  
**Appellate Case No.: 2019-001130**

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the **Motion to Compel Supplementation of Appendix** in the above matter for filing. Please let me know if anything additional is needed.

Sincerely,

Jacob A. Isenberg  
Assistant Attorney General  
S.C. Bar # 103830

JAI/my  
Enclosures

cc: William H. Rhodes, Esquire  
Victim Advocacy Division

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S.C. SUPREME COURT



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Columbia, SC 29211

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**The Honorable Daniel E. Shearouse**  
**Supreme Court of South Carolina**  
**Post Office Box 11330**  
**Columbia, South Carolina 29211**