

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

—————  
Certiorari to Beaufort County

Roger L. Couch, Circuit Court Judge

—————  
LUCIUS SIMUEL,

PETITIONER,

V.

THE STATE,

**RECEIVED**  
FEB 27 2020  
RESPONSE  
SC Court of Appeals

APPELLATE CASE NO. 2016-001607

—————  
**Motion to File Second Supplemental Appendix**  
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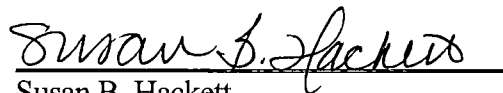
Pursuant to Rules 212(b) and 243(f), SCACR, undersigned counsel respectfully requests to file a second supplemental Appendix. In support of this motion, counsel shows the following:

- 1) The petition for writ of certiorari and appendix in the above-captioned case were filed on April 10, 2017. A supplemental appendix was filed on August 24, 2017.
- 2) On February 25, 2020, counsel for the state informed undersigned counsel that the appendix included a return for a different case. Counsel for the state requested undersigned counsel file a second supplemental appendix providing this Court with the correct return. Thereafter, counsel for the state requested undersigned counsel include Petitioner's sentencing sheets with the second supplemental appendix.

3) In order to permit this Court a full review of the denial of Petitioner's application for post-conviction relief, undersigned counsel requests the permission of this Court, pursuant to Rules 212(b) and 243(f), SCACR to file a Second Supplemental Appendix.

WHEREFORE, counsel for Petitioner requests leave to file the Second Supplemental Appendix in the above titled case.

Respectfully submitted,



Susan B. Hackett  
Appellate Defender  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1343

*Attorney for Petitioner*

This 27th day of February, 2020.

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IN THE COURT OF APPEALS

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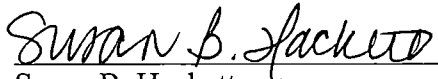
RESPONDENT

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CERTIFICATE OF SERVICE

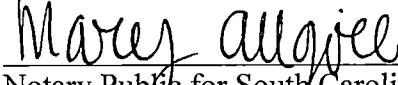
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The undersigned hereby certifies that a true copy of the Motion to File Second Supplemental Appendix in the above referenced case has been served upon Benjamin Limbaugh, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201; and a copy of the Motion to File Second Supplemental Appendix have been served on Lucius Simuel, #338144, at McCormick Correctional Institution, 386 Redemption Way, McCormick, SC 29899, this 27th day of February, 2020.

  
Susan B. Hackett  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 27th day of February, 2020.

 (L.S)  
Notary Public for South Carolina  
My Commission Expires: May 12, 2027.

**RECEIVED**  
FEB 27 2020  
SC Court of Appeals