

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Cherokee County

J. Mark Hayes, Circuit Court Judge

RECEIVED

May 05 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

WILLIAM DEAN PENNINGTON,

APPELLANT

APPELLATE CASE NO. 2018-001619

PETITION TO FILE SUPPLEMENTAL RECORD ON APPEAL

Pursuant to Rule 224 of the South Carolina Appellate Court Rules, the undersigned counsel requests leave to file supplemental records in the above titled appeal. In support of the motion, counsel submits the following.

1. The initial brief of appellant and designation of matter in the above titled case were filed with the Court on November 4, 2019.
2. Copies of the record on appeal in the case were filed with the Court on April 22, 2020.
3. However, counsel inadvertently failed to include as designated matter, the Notice of Appeal and Page 549 of the trial transcript.

4. Inasmuch as Rule 209, SCACR, allows for the introduction of relevant portions of the transcript to be included in the appeal and where references are made to the parties involved in the case and appellant's sentencing in appellant's brief, counsel requests leave to file with the Court supplemental records containing the Notice of Appeal and page 549 of the transcript.

5.) Opposing counsel has graciously consented to this motion request.

WHEREFORE, counsel for appellant requests leave to file supplemental records in the above titled appeal.

s/Adam Ruffin _____

Adam Sinclair Ruffin
Appellate Defender

ATTORNEY FOR APPELLANT

May 5, 2020

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion to Supplement the Record on Appeal in the above-referenced case has been served upon Caroline Scrantom, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 5th day of May, 2020.

s/Adam Ruffin _____

Adam Sinclair Ruffin
Appellate Defender

ATTORNEY FOR APPELLANT



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

May 5, 2020

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

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SC Court of Appeals

RE: The State v. William D. Pennington

Dear Ms. Kitchings:

Attached please find a copy of Motion to File Supplemental Record on Appeal in the above-captioned case. Thank you for your assistance in this matter.

Sincerely,

s/Adam Ruffin
Adam Sinclair Ruffin
Appellate Defender

ASR/sl

Enclosure

cc: Caroline Scrantom, Esquire
William D. Pennington