

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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OCT 07 2020

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

SC Court of Appeals

Marvin H. Dukes III, Master in Equity & Special Circuit Court Judge
and Magistrate Court of Beaufort County

Appeal Case No. 2018-002225

JOSEPH C. SUN Appellant

v.

STATE OF SOUTH CAROLINA Respondents

**MOTION TO PROCEED APPEAL WITHOUT TRANSCRIPT
AND WITH SINGLE COPY OF BRIEFS AND RECORD ON APPEAL**

Appellant has shown in his response to Respondent’s Motion to Dismiss that there is no transcript at the circuit court which is relevant or material to his arguments on appeal because circuit court dismissed Appellant’s request for review of Magistrate’s order without prejudice.

Appellant’s issues on appeal are based on the deprivation of his rights to Brady Material and due process of South Carolina Rule 5, Rules of Criminal Discovery. Those matters are preserved on appeal with his request for discovery and the erroneous material (TR-310) furnished to him by the State in its alteration of evidence which should have been exonerating, to incriminating against the Appellant at the trial.¹ Appellant has clear and convincingly shown and

¹ Appellant’s request for discovery and State Highway Patrol’s erroneous material are all designated as Exhibits for appeal.


argued the two issues on appeal with the exhibited documents that the officer who was terminated from service two weeks after the accident had misplaced the location of collision thereby converted the fact that Appellant was originally a victim of traffic violation in a collision to being the violator in causing the accident.

Appellant is 73 years old with only a small social security check every month as his only source of income to support his entire family. He has no funds to pay for any transcript that is totally unnecessary and useless. Pursuant to Rule 207(a)(1) Appellant moves the court to be awarded costs of having to order unnecessary transcript if Respondent insists on the transcript.

Appellant also move the court to accept a single copy of all his briefs and record on appeal in this case.

This 2 day of October, 2020.

Respectfully submitted,

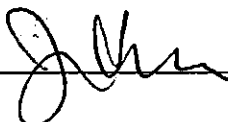

JOSEPH C. SUN, pro se
P. O. Box 2543
Bluffton, SC 29910
843-226-8788

CERTIFICATE OF SERVICE

This is to certify that I have this date served the Respondent a copy of my motion to proceed appeal without transcript and with single copy of briefs and record on appeal by delivering a copy of it by U.S. Mail with sufficient postage to:

Alan McCrory Wilson, Esq, Office of Attorney General
P. O. Box 11549, Columbia, SC 29211

This 2 day of October, 2020.

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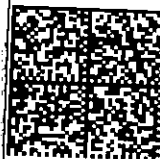
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