

 ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

APPEAL FROM ORANGEBURG COUNTY MAR 19 2013

Edgar W. Dickson, Circuit Court Judge SC Court of Appeals

THE STATE,

RESPONDENT,

V.

SAMUEL DINGLE,

APPELLANT

APPELLATE CASE NO. 2011-193567

MOTION TO SUPPLEMENT
THE RECORD ON APPEAL

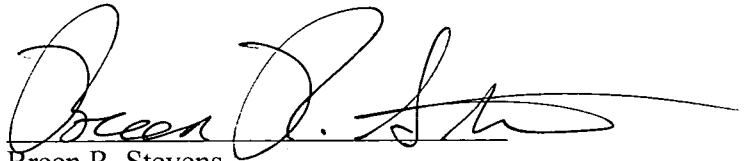
Counsel for Samuel Dingle respectfully requests to supplement the Record on Appeal, pursuant to Rules 210(c) and (f), and Rule 212(b) of the South Carolina Appellate Court Rules. In support of this motion counsel shows the following:

1. The Initial Brief of Appellant and Designation of Matter to be included in the Record on Appeal was served and filed on March 26, 2012. A copy of the true-billed indictment was listed in the Designation of Matter to be included in the Record on Appeal. However, due to an oversight, only the front of the two-sided indictment was included in the Record on Appeal when it was filed on July 2, 2012.

2. Therefore, Counsel moves to supplement the Record on Appeal to include a complete copy of the true-billed indictment, pursuant to Rules 210(c) and (f), and Rule 212(b) of the South Carolina Appellate Court Rules.
3. Counsel makes this request in good faith and not for purpose of delay.
4. Counsel for the Attorney General's office has been informed of this request, and provided his written consent below pursuant to Rule 212(b).
5. The supplemental Record on Appeal has been prepared and filed simultaneously with this motion.

WHEREFORE, the undersigned counsel respectfully requests this Court to allow the Record on Appeal to be supplemented with the document listed in paragraph 2 in this case based on the above circumstances.

Respectfully submitted,

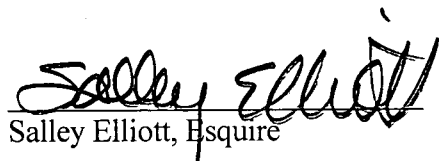


Breen R. Stevens
Appellate Defender

Attorney for Appellant

This 19th day of March, 2013

I consent:



Salley Elliott, Esquire

STATE OF SOUTH CAROLINA

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CERTIFICATE OF SERVICE

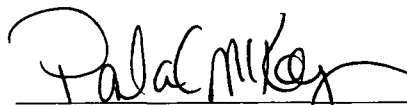
The undersigned attorney hereby certifies that a true copy of the Motion To Supplement the Record on Appeal in the above referenced case has been served upon opposing counsel, Salley W. Elliott, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201; and a true copy of the Motion to Supplement the Record on Appeal, and a copy of the Supplemental Record on Appeal, have been served on Samuel Dingle, ##118673, at McCormick Correctional Institution, 386 Redemption Way, McCormick, SC 29899, this 19th day of March, 2013.



Breen R. Stevens
Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me
this 19th day of March, 2013.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.