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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM PICKENS COUNTY  
Court of Common Pleas  
Alexander S. Macaulay, Circuit Court Judge

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Appellate Case No. 2020-000881

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Jerry Buck Inman a/k/a Jerry Buck Inmon, .....Respondent-Appellant,

v.

State of South Carolina, .....Appellant-Respondent.

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**Motion for State to File Supplemental Petition**

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Jerry Inmon<sup>1</sup> moves this Court for an order requiring the State of South Carolina to file a Supplemental Appendix to include in the Appendix copies of the following exhibits introduced at the evidentiary hearing in this capital post-conviction relief case:

1. Applicant's Exhibit # 47, Donald P. Geary Deposition Transcript;
2. Applicant's Exhibit # 48, Trina Lucas Deposition Transcript;
3. Applicant's Exhibit # 49, Michael Baker Deposition Transcript;
4. Applicant's Exhibit # 50, Michael Bednarz Deposition Transcript;
5. Applicant's Exhibit #51, Tracey Meyers-Enderson Deposition Transcript;
6. Applicant's Exhibit # 52, Alan Taylor Deposition Transcript;
7. Applicant's Exhibit # 53, Roger Lindsay Deposition Transcript; and
8. Applicant's Exhibit # 54, David Blake Deposition Transcript.

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<sup>1</sup> "Inmon" is the correct spelling. Mr. Inmon's name appears as "Inman" in prior proceedings and some pleadings in the proceedings in the court below.

In the Appendix, these exhibits are described as “sealed in Pickens County Clerk of Court Office – not included.” These exhibits actually are the unopened original copies of the depositions that Mr. Inmon introduced into evidence during the evidentiary hearing. *See* Appendix (hereinafter “A.”) 1449-50.

These depositions are directly relevant to an issue Mr. Inmon intends to present his petition for a writ of *certiorari*. In his Second Amended Application for Post-Conviction Relief (Corrected), filed on August 20, 2018, Mr. Inmon alleged his trial counsel were ineffective during the sentencing phase of his capital trial for “[f]ailing to obtain another mitigation expert witness after Dr. Marti Loring would not continue in Mr. Inmon’s case because she was intimidated by the prosecutor who threatened to have her arrested if she testified.” Alternatively, Mr. Inmon alleged his trial counsel were ineffective for “failing to prepare Dr. Loring in the event the trial judge reconvened the trial, as in fact occurred,” without Mr. Inmon having another mitigation witness prepared to testify in Dr. Loring’s place. A. 793. These depositions provide information about the facts and circumstances occurring in Georgia when the VIPER Team, operating out the Dekalb County District Attorney’s Office, attempted to arrest Dr. Loring at her home. This testimony is evidence of the trauma Dr. Loring suffered, resulting in a diagnosis of Post-Traumatic Stress Disorder, that impaired her during her sentencing hearing testimony. *See* evidentiary hearing testimony of Dr. Louis Viamonte, A. 1240-76.

When the State was preparing to file the Appendix in this case, the parties communicated about these exhibits. Mr. Inmon wanted copies of these exhibits included in the Appendix. Although agreeing these depositions are part of the record, the State did not want to represent or suggest these depositions were opened below when it appears they

were not opened. Although the original copies are unopened, these depositions were never sealed by court order. These depositions, accordingly, should be part of the public record. See, e.g., *Ex parte Greenville News*, 326 S.C. 1, 3, 482 S.E.2d 556 (1997) (unsealing deposition and hearing transcripts). Granting this motion would satisfy the concerns of both parties. For Mr. Inmon, the depositions would be included in a Supplemental Appendix that he can cite to in his petition for a writ of *certiorari*. For the State, an order from this Court would satisfy the concerns it raised when preparing the Appendix.

This Court, accordingly, should issue an order requiring the State of South Carolina to file a Supplemental Appendix to include in the Appendix copies Applicant's Exhibits 47-54.

IT IS SO MOVED.

Respectfully Submitted,

By s/E. Charles Grose, Jr.

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October 23, 2020

*Attorneys for Jerry Inmon*

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM PICKENS COUNTY  
Court of Common Pleas  
Alexander S. Macaulay, Circuit Court Judge

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Appellate Case No. 2020-000881  
Case No. 2012-CP-39-00918

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Jerry Buck Inman a/k/a Jerry Buck Inmon, .....Respondent-Appellant,

v.

State of South Carolina, .....Appellant-Respondent.

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**Certificate of Service**

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I certify that I have served this pleading by emailing a copy, on the date reflected below, to:

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October 23, 2020  
Greenwood, South Carolina