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May 25 2021

S.C. SUPREME COURT

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

**APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
J. Derham Cole, Circuit Court Judge**

Case No. 2020 – 001418

John Garvin..... Petitioner,

v.

The State of South Carolina..... Respondent.

**MOTION TO SUPPLEMENT THE RECORD,
PURSUANT TO RULE – 212(b), SCACR**

The Petitioner, John Garvin, proceeding as Pro-se, moves this court for an Order granting Petitioner’s Motion to Supplement the Record in this matter, pursuant to Rule – 212(b) of the South Carolina Rules of Appellate Court (SCACR). As grounds for this motion, the Petitioner would show the following:

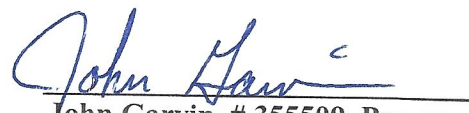
1. Leave to supplement the record will not prejudice the Respondent because Petitioner desires to supplement the record with exhibits or other material in the above-entitled cause for setting forth the principal matter contained in his petition for writ of certiorari and appendix for his issue of ineffective assistance of counsel and the denial of his motion for recusal of judge that are attached to this motion and is to be transmitted to this reviewing court to which this appeal is being taken, as part of the record on appeal;
2. Supplementation of the record is necessary to allow the Petitioner a fair appeal of his denied Post-Conviction Relief (PCR) application. Supplementation is also necessary

because the transcribed portions of the PCR hearing, by Court Reporter Linda D. Moffitt, are distorted and omits certain key testimony of the witnesses that testified at the PCR hearing, were substantial and significant alterations and omissions to the testimony given by the witnesses at the PCR hearing.

3. Petitioner seeks that the record be supplemented to include the following documents that are attached to this motion. The documents listed below as followed:
- a. Spartanburg County Sheriff Deputy, Matt Hutchins's, Report for Incident No. 12070363 and Forensic Analysis Lab Report;
 - b. ATF Special Agent, David Pait's, Report of Investigation;
 - c. Attorney-Client Correspondences;
 - d. E-mail's sent to Scott D. Robinson, Esquire, about a plea offer and visitation logs with client at detention center;
 - e. Court Documents;
 - f. An unfilled Motion for Bond by Scott D. Robinson, Esquire;
 - g. Petitioner, John Garvin's correspondences with Spartanburg County Clerk of Court;
 - h. Defendant, Scott D. Robinson's Responses to Plaintiff, John Garvin's, Two sets of Interrogatories for Civil Action No. 2018-CP-42-2574; and
 - i. Defendant, Scott D. Robinson's Responses to Plaintiff, John Garvin's Request for Production.

WHEREFORE, the Petitioner respectfully requests that this Court grant this motion to supplement the record in order to properly address the issues that was raised by the Petitioner at the PCR hearing, pursuant to Rule – 212(b), SCACR.

DATED: May 25, 2021


John Garvin, # 355509, Pro-se.
Lieber Correctional Institution
136 Wilborn Avenue
Ridgeville, S.C. 29472