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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County

Honorable R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DAVID VIRON LEWIS GARRETT,

APPELLANT.


APPELLATE CASE NO. 2020-001183

**AMENDED DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) Complete Transcripts Dated January 8, 2020; July 30, 2020; and August 20, 2020;
- (2) Court's Exhibit No. 1 (Guilty Plea Transcript Dated February 24, 2009);
- (3) State's Exhibit No. 9 (Autopsy Report);
- (4) State's Exhibit No. 11 (Sheriff's Office Case File);
- (5) State's Exhibit No. 12 (Transcript of Defendant's Statement);
- (6) Defendant's Exhibit No. 1 (Report from Kara Richards-Baker);
- (7) Defendant's Exhibit No. 2 (Report from Leonard Mulbry);
- (8) Defendant's Exhibit No. 4 (Apology Letter);
- (9) Motion for Resentencing filed July 8, 2016;
- (10) Return to Motion for Resentencing filed March 21, 2017;
- (11) Motion for Reconsideration of Sentence filed August 7, 2020;
- (12) Return to Motion for Reconsideration filed August 12, 2010;
- (13) Indictments; and
- (14) Sentence Sheets.

I certify that this designation contains no matter which is irrelevant to this appeal.


Lara M. Caudy
Appellate Defender

S.C. Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
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(803) 734-1330

ATTORNEY FOR APPELLANT

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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 Amended Designation of Matter in the above referenced case has been served upon Tommy Evans, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and David Viron Lewis Garrett, #333334, at Leiber Correctional Institution, P.O. Box 205, Ridgeville, SC 29472, this 1st day of July, 2021.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, South Carolina 29211

Re: The State v. David Viron Lewis Garrett
Appellate Case No. 2020-001183

Dear Ms. Kitchings:

Attached is an Amended Designation of Matter in the above referenced case. The following documents were inadvertently omitted from the Designation of Matter filed with the Initial Brief of Appellant on March 15, 2021: Motion for Resentencing filed July 8, 2016; Return to Motion for Resentencing filed March 21, 2017; Motion for Reconsideration of Sentence filed August 7, 2020; and Return to Motion for Reconsideration filed August 12, 2020. This Amended Designation includes the omitted documents, which were cited in the Initial Brief of Appellant.

I have consulted with Tommy Evans, Jr., who represents the state, and he has graciously consented to this amendment. If the Court requires a formal motion, I am happy to comply. I apologize for the error and appreciate the Court's consideration.

Sincerely,

Lara M. Caudy
Appellate Defender

LMC/lmm

Enclosure

cc: Tommy Evans, Jr., Esquire
David Viron Lewis Garrett, #333334