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**Nov 17 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
General Sessions Court  
DeAndrea G. Benjamin, Circuit Court Judge

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Case No. 2017-GS-40-07158  
Case No. 2017-GS-40-07162  
Case No. 2017-GS-40-07165  
Case No. 2017-GS-40-07166  
Appellate Case No. 2019-001981

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The State,

Respondent,

v.

Charles Barham,

Appellant.

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**AMENDED MOTION TO HAVE EXHIBITS  
TRANSPORTED TO COURT OF APPEALS**

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Appellant, Charles Barham, by counsel, respectfully moves to have the following exhibits transported from the Richland County Circuit Court to the South Carolina Court of Appeals pursuant to Rule 210(f) of the South Carolina Appellate Court Rules because they cannot be accurately reproduced in the Record on Appeal.

State's Exhibit 118 — (Charles Brandon Barham phone records — CD)

State's Exhibit 121 — (Floyd Owen's phone records — CD)

State's Exhibit 122 — (Zesto's video — DVD)

State's Exhibit 123 — (Zesto's video — DVD)

State's Exhibit 125 — (Zoomed in map)

State's Exhibit 132 — (Still shot)

State's Exhibit 133 — (Still shot)

State's Exhibit 135 — (DVR/Surveillance video — DVD)

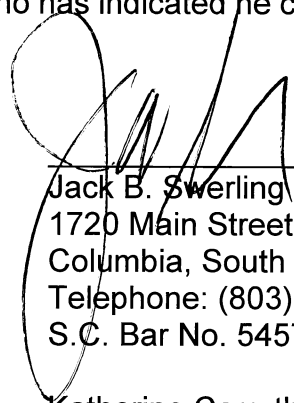
State's Exhibit 157 — (Interview of Charles Brandon Barham — DVD)

Defendant's Exhibit 1 — (Enlargement of a photo)

Defendant's Exhibit 4 — (Voice mail message — CD)

Defendant's Exhibit 5 — (Voice mail message — CD)

Counsel's paralegal, Kellie S. Reaves, has consulted with J. Anthony Mabry, Senior Assistant Attorney General, who has indicated he consents to this request.



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ATTORNEYS FOR APPELLANT

Columbia, South Carolina  
November 17, 2021

1	CHARLES BRANDON BARHAM	
2	Direct By Mr. Myers . . . . .	1010
3	Cross By Mr. Eaton . . . . .	1049
4	Redirect By Mr. Myers . . . . .	1066
5	Recross By Mr. Eaton . . . . .	1068
6	» > o < «	
7	Opening Statement by Mr. O'Reilly . . . . .	86
8	Opening Statement by Mr. Myers . . . . .	91
9	Closing Argument by Mr. Eaton . . . . .	1096
10	Closing Argument by Mr. Myers . . . . .	1111
11	Closing Argument by Mr. Conrad . . . . .	1131
12	Jury Charge . . . . .	1142
13	Verdict . . . . .	1180

#### STATE EXHIBITS

15	<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
16	1-9	Photographs	128	128
17	10-54	Photographs	145	145
18	55-92	Photographs	146	146
19	93-112	Photographs	147	147
20	113	Pillow	152	152
21	114	Projectiles	154	154
22	115	DNA Swabs	155	155
23				
24				
25				

1	116-117		250	250
2		Diagrams		
3	118-119		280	280
4		Cell Phone Records		
5	120		286	286
6		Andrew Kusko Phone Records		
7	121		313	313
8		Floyd Owen Phone Records		
9	122-123		300	300
10		Zesto's Video and Map		
11	124-125		300	300
12		Maps		
13	126-131		307	307
14		Aerial Photos		
15	132-133		322	322
16		Still Shots		
17	134		401	401
18		Photograph		
19	135		391	391
20		DVR Video		
21	136		479	479
22		Cellular Analysis		
23	137		693	693
24		Floyd Owens' FaceBook Chats		
25	138		528	528
		Victim Phone Messages		
	139		533	533
		Affidavit		
	140		818	818
		Jessica James' Interview		
	141		836	836
		DMV RECORDS		
	142 - 156		837	837

1		Photographs		
2	157		920	920
3		Brandon Barham's Interview		

**DEFENDANT EXHIBITS**

5	<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
6	1		338	471
7		Photograph of Blazer		
8	2-3			
8		Photograph of Bullet		
9	4		1047	1047
10		Voicemail		
11	5		1023	1025
11		Voicemail Message		

**COURT EXHIBITS**

14	<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
15	1		174	
16		Juror Note		
17	2			
17		Jury Note		
18	3		1168	
19		Jury Charge		
20	4		1177	
20		Jury Question		

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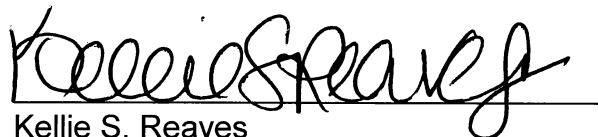
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**PROOF OF SERVICE**

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I, Kellie S. Reaves, am an employee of the Appellant, hereby certify that as per the Order of the Supreme Court of South Carolina entitled *RE: Operation of the Appellate Courts During the Coronavirus Emergency* (S.C. Sup. Ct. Order dated March 20, 2020, amended May 29, 2020), the Amended Motion to Have Exhibits Transported to the Court of Appeals has been forwarded to Respondent's counsel, J. Anthony Mabry, Senior Assistant Attorney General, via email today, November 17, 2021 to [amabry@scag.gov](mailto:amabry@scag.gov).

I further certify that all parties required by the Rule to be served have been served.



Kellie S. Reaves

Paralegal to Jack B. Swerling

November 17, 2021  
Columbia, South Carolina