

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Charleston County

J. C. Buddy Nicholson, Jr., Circuit Court Judge

RECEIVED
APR 26 2013

THE STATE,

SC Court of Appeals

RESPONDENT,

V.

GREGORY GATHERS,

APPELLANT

APPELLATE CASE NO. 2011-203951

MOTION TO AMEND INITIAL BRIEF OF APPELLANT

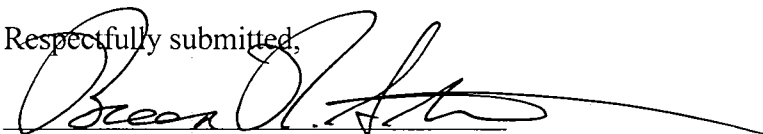
Counsel for Gregory Gathers respectfully moves to amend his Initial Brief of Appellant, which was filed on April 11, 2012, pursuant to Rules 208 and 240 of the South Carolina Appellate Court Rules. In support of this motion counsel shows the following:

- (1) Upon recent review of the Initial Brief of Appellant, the undersigned attorney discovered citations to incorrect exhibits in the first paragraph of page 10.
- (2) The correct citations in the first paragraph of page 10 should be to State's Exhibit # 10, State's Exhibit # 11, and State's Exhibit # 12, all of which were already designated as matter to be included in the record on appeal.
- (3) The correct citations within Paragraph 2 above is necessary to provide clarity of the issue on appeal which the Court is asked to address;

(4) The undersigned attorney has contacted opposing counsel, who graciously consents to this Motion to Amend Initial Brief of Appellant.

WHEREFORE, the undersigned counsel respectfully requests this Court to allow the Initial Brief of Appellant to be amended to include in the appropriate location the language listed in paragraph 2 of this motion, and accept the enclosed Amended Initial Brief of Appellant based on the above circumstances.

Respectfully submitted,

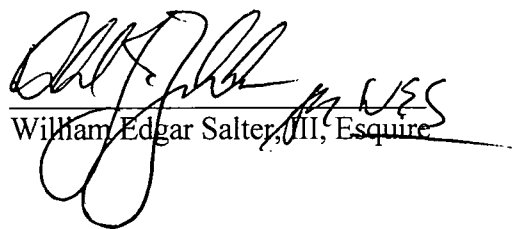


Breen R. Stevens
Appellate Defender

Attorney for Appellant

April 26, 2013.

I consent:



William Edgar Salter, III, Esquire

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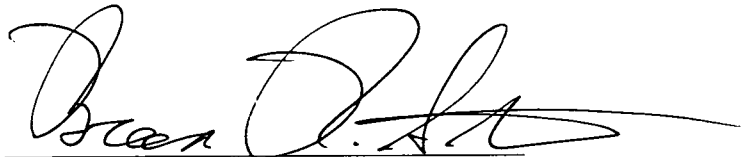
GREGORY GATHERS,

APPELLANT

APPELLATE CASE NO. 2011-203951

CERTIFICATE OF SERVICE

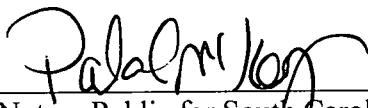
The undersigned attorney hereby certifies that a true copy of the Motion To Amend Initial Brief of Appellant in the above referenced case has been served upon opposing counsel, William Edgar Salter, III, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201; and on Mr. Gregory Gathers #161538, at Perry Correctional Institution, 430 Oaklawn Road, Pelzer, SC 29669 this 26th day of April, 2013.



Breen R. Stevens
Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me
This 26th day of April, 2013.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022

ORIGINAL



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate 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

April 26, 2013

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

Re: State of South Carolina v. Gregory Gathers
Appellate Case No. 2011-203951

Dear Ms. Kitchings:

Enclosed are an original and six copies of the Motion to Amend Initial Brief of Appellant in the above-captioned case. Thank you for your assistance in this matter. If you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Sincerely,

Breen R. Stevens
Appellate Defender

BRS:pcm

Enclosure: Motion to Amend Initial Brief of Appellant

cc: William Edgar Salter, III, Esquire