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May 16 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY

Court of General Sessions
The Honorable Michael G. Nettles, Circuit Court Judge

Appellate Case No: 2020-001485

STATE OF SOUTH CAROLINA,

Respondent,

vs.

BRYAN AUSTIN SEIDLE,

Appellant.

**MOTION TO SUBMIT
AMENDED FINAL BRIEF OF RESPONDENT**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

Counsel for all parties timely submitted their final briefsa to this Court on May 3, 2022.

II.

After reviewing all of the briefs, the undersigned counsel for Respondent realized that the State's Final Brief of Respondent contained a partially inaccurate assertion on page 10 of its brief. On that page, the undersigned counsel wrote that "[the victim Ingersoll's] sex offender registry requirement was based on a sex crime he committed as a seventeen-year-old against a

fifteen-year-old victim." This assertion was based on a misreading of a question by the trial judge to a defense attorney.

III.

In its reply brief, counsel for Appellant pointed out that this comment by the judge was phrased as a hypothetical question. Upon reviewing this portion of the transcript, counsel for Respondent agrees that the portion of the judge's statement regarding the victim's age was hypothetical. While Ingersoll was 17 years old when he committed the offense which landed him on the sex offender registry, counsel for the Respondent does not believe the record establishes the age of the victim in that case. Respondent regrets the error and asks this Court to permit the filing of an Amended Final Brief of Respondent to correct the inaccuracy. A proposed Amended Final Brief Of Respondent is being filed with this motion.

III.

WHEREFORE, Respondent prays that this Court accepts this Amended Final Brief of Respondent; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

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May 16, 2022