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Jun 01 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenwood County
The Honorable Perry H. Gravely, Circuit Court Judge
Appellate Case Number 2021-001189

Tyrone Anderson,

Respondent,

vs.

State of South Carolina,

Appellant.

MOTION TO ACCEPT COPY IN LIEU OF EXHIBIT

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

I.

Appellant designated two videos of the incident scene in this DUI case for consideration on appeal. Appellant designated State's Exhibit #1 (Deputy Dawn McGuire-Smith body camera video) and State's Exhibit #2 (Trooper Jamey Edwards dash camera video). After discussion with the magistrate and circuit court clerks of court, no copy of the exhibits can be located. The videos were discussed at both the magistrate court and circuit court, and as a result are properly considered for the Record on Appeal. See Rule 210(c), SCACR.

II.

The State has obtained copies of the videos from the Solicitor's Office. Appellant believes this is a true and accurate copy of the video as presented to both the magistrate and circuit court. The State believes this is the only means of obtaining the video as neither the magistrate nor circuit court clerks have a copy available. Appellant has informed Respondent's

counsel of this motion and Respondent's counsel consented to include copies in the Record on Appeal in lieu of the original exhibits.

III.

Appellant believes it would be appropriate for this Court to accept copies of the videos provided by the Solicitor's Office in lieu of the original exhibits considered at the hearing. Upon granting this motion, the State will provide within ten days a copy of the video exhibits to the Court for inclusion in the Record on Appeal.

WHEREFORE, Appellant prays that the Court allow substitution of copies of the videos in lieu of the original exhibits; give Appellant ten days to provide copies of the Exhibits to the Court; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

SCOTT MATTHEWS
Assistant Attorney General

By: Scott Matthews
Scott Matthews
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PROOF OF SERVICE

I, Anne Mueller, certify that I have served the Motion to Accept Copy in Lieu of Exhibit on Respondent's counsel of record, R. Jamison Tinsley, Jr., by email to the primary email address provided in the Attorney Information Service (AIS).

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

This 1st day of June, 2022.



ANNE MUELLER

Legal Assistant
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-7239

From: [Anne Mueller](#)
To: tinslerj@gmail.com
Cc: [Scott Matthews](#); [William Blitch \(wblitch@scag.gov\)](mailto:wblitch@scag.gov); [Leigh Ann Stone](#); [Caroline Collins](#)
Subject: Tyrone Anderson v. State of South Carolina, 2021-001189
Date: Wednesday, June 1, 2022 12:35:00 PM
Attachments: [Anderson Tyrone - Motion To Accept Copy In Lieu Of Exhibit - 2021-001189 \(02995444xD2C78\).PDF](#)
[image001.png](#)

Good afternoon, Mr. Tinsley.

Attached to this email is the State's Motion To Accept Copy In Lieu Of Exhibit. We will be filing our motion electronically later shortly.

If you would, we would appreciate it if you would acknowledge receipt of this email and the attachment.

Thank you for your cooperation.

Sincerely,

Anne Mueller, Legal Assistant

Anne A. Mueller, Legal Assistant

Office of the South Carolina Attorney General

Criminal Appeals Division • Office 803-734-3922 • scag.gov



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