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S.C. SUPREME COURT

February 7, 2023

The Honorable Patricia A. Howard
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RE: State v. Randy Wright – Appellate Case No. 2021-000146

Dear Ms. Howard:

The above-referenced criminal appeal is scheduled for oral argument before this Court at 10:00 a.m. on February 8, 2023. In preparing for the oral argument, the undersigned counsel recently discovered a persuasive decision of the Illinois Supreme Court issued on September 22, 2022, that the State believes may be relevant to this Court's resolution of the appeal. Accordingly, pursuant to Rule 208(b)(7) of the South Carolina Appellate Court Rules, the State seeks to provide the Court with the following supplemental citation: People v. Jackson, ___ N.E.3d ___, 2022 IL 127256 (Ill. 2022) (concluding a jury polling error is not a structural error subject to automatic reversal and, instead, is a trial error subject to a harmless error review that involves assessing the polling error "in the context of other safeguards and procedures that took place during the trial to ensure jury unanimity, focusing the analysis on the underlying fairness of the trial"). Because the Jackson decision does not appear to have been officially released for publication at this time, I have included a copy of it with this letter. Thanks, and please just let me know if you have any questions or need any additional information.

Sincerely,

Mark R. Farthing
Senior Assistant Attorney General
S.C. Bar No. 76901

MRF/
Attachment
cc: Joanna K. Delany, Esquire (via email service)