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February 8, 2023

RECEIVED
Feb 08 2023
SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, S.C. 29201

Re: *State of South Carolina v. Shawn Douglas Custer*
Appellate Case No. 2019-000292

Dear Ms. Kitchings:

Please allow me to respond to the Court's letter of this date indicating this case might be set for oral argument on June 5, 6, 7, 8, 13, 14, or 15. I am co-counsel in *Gary Dubose Terry v. State of South Carolina*, Case No. 2022-CP-32-00924, a capital post-conviction relief case, where the Honorable Robert E. Hood scheduled the evidentiary hearing for the week of June 5, 2023. Although it is too early to know whether this hearing date will be continued, and although the hearing might not last all week, I am doing my best not to schedule other matters during that week. A copy of the scheduling order in Mr. Terry's case is attached. I do not have any conflicts for June 13th, 14th, or 15th.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,

s/E. Charles Grose, Jr.
E. Charles Grose, Jr.

cc: Mr. Shawn Custer
William M. Blich, Jr., Esquire (via email)

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON)

IN THE COURT OF COMMON PLEAS

Gary Dubose Terry, #5054)
)
Applicant,)
)
v.)
)
State of South Carolina,)
)
Respondent.)
_____)

2022-CP-32-00924

SCHEDULING ORDER

Respondent filed the Return in the captioned matter on May 2, 2022. Pursuant to S.C. Code § 17-27-160(C), and the Supreme Court Order of April 6, 2022, this Court held a status conference on June 3, 2022 to set the schedule to be followed in this matter. After due consideration of the differing positions of the parties, this Court sets out the following schedule for this litigation:

1. A motions hearing on the State's pending motion to dismiss will be held on November 30, 2022 at the Fairfield County Courthouse. The parties are to submit paper copies of their pre-hearing briefs and/or memoranda to the undersigned by November 21, 2022.

2. The evidentiary hearing is set for June 5, 2023 and will be held at the Lexington County Courthouse.

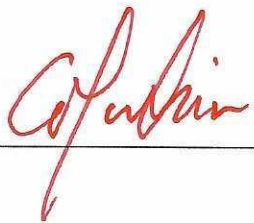
3. Further, this Court finds that status conferences will be beneficial in assessing the progress of this litigation and will hold a status conference every sixty days. The Court will hold the conferences through the virtual courtroom platform beginning at 9:30 on these dates:

August 3, 2022;
October 3, 2022;
December ~~12~~, 2022; *2nd*
February 3, 2023; and
April 3, 2023.

IT IS SO ORDERED this 6 day of June, 2022.



ROBERT E. HOOD
PRESIDING BY SPECIAL ASSIGNMENT



South Carolina

