



The Supreme Court of South Carolina

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May 22, 2023

Alan McCrory Wilson, Esquire
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549

Re: United States of America v. Patrick Fitzgerald Clemons
Appellate Case No. 2022-001378

Dear Counsel:

On May 16, 2023, this Court heard oral arguments in this matter. Because the questions the Fourth Circuit Court of Appeals certified to this Court involve the interpretation of criminal law in South Carolina, the Court invites and encourages the Attorney General's Office to file an amicus brief in this matter. The amicus brief should be filed within thirty days of this letter and should address the following questions:

1. What mental state is required to commit South Carolina Assault and Battery Second Degree, in violation of S.C. Code [Ann.] § 16-3-600; and
2. What mental state is required to commit South Carolina Criminal Domestic Violence of a High and Aggravated Nature, in violation of S.C. Code [Ann.] § 16-25-65?

Very truly yours,

Patricia A. Howard

CLERK

cc: Adair Ford Boroughs, Esquire
Justin William Holloway, Esquire
Elizabeth Anne Franklin-Best, Esquire
Kathleen Michelle Stoughton, Esquire
The Honorable Patricia S. Connor
Robin Lynne Blume, Esquire