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RECEIVED

Jun 07 2023

SC Court of Appeals

June 7, 2023

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
Rembert Dennis Building
Post Office Box 11629
Columbia, SC 29211

VIA EMAIL ONLY

Re: The State v. Mack Adams Gaines
Appellate Case No. 2022-000567

Dear Ms. Kitchings:

On May 4, 2023, I notified this Court that Appellant, Mr. Mack Adam Gaines, had been hospitalized since April 19, 2023, and was unable to receive mail. On May 2, 2023, I filed an Anders brief on behalf of Mr. Gaines. A copy of the brief was mailed to Mr. Gaines at Kirkland Correctional Institution. On May 3, 2023, this Court mailed a letter to Mr. Gaines at Kirkland notifying him that he may, within 45 days, file a *pro se* brief. In a letter to me dated May 23, 2023, Mr. Gaines advised that he was now at the infirmary at Kirkland Correctional Institution and that he received the Anders brief filed on his behalf. Mr. Gaines did not indicate whether or not he received the letter from the Court in reference to the *pro se* brief. In an effort to ensure that Mr. Gaines is aware of his right to file a *pro se* brief and the timeline involved, I resent the Court's letter to Mr. Gaines today. Due to the unusual circumstances with Mr. Gaines' inability to receive mail due to his recent hospitalization, I would respectfully request that the Court be lenient with the filing deadline for the *pro se* brief. Thank you for your consideration in this matter.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Kathrine H. Hudgins
Appellate Defender

KHH/cws

Cc: William M. Blich, Jr., Senior Assistant Deputy Attorney General