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SC Court of Appeals

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

RE: *State v. Robert L. Bailey*
Case No. 2022-000239

Ms. Kitchings,

Pursuant to Rule 208(b)(7), SCACR, counsel for the Respondent respectfully wishes to call to the Court's attention to the following additional authority just released this morning by the Supreme Court of the United States:

(1) *Samia v. United States*, Op. No. 22-196 (U.S. Sup. Ct. filed June 23, 2023).

The Supreme Court's decision bears on Appellant's motion to sever argument. The Court declined to extend *Bruton v. United States*, 391 U.S. 123 (1968), and found that a co-defendant's confession was admissible in a joint trial (and did not violate the Sixth Amendment's Confrontation Clause) if and when the State changed the other co-defendant's names in the confession to "the other person or people," and gave a limiting instruction.

By copy of this letter, I am notifying opposing counsel of the submission of this supplemental authority.

Respectfully,

s/Julianna E. Battenfield
Assistant Attorney General