

September 14, 2023

Honorable Jerry Kitchings  
Clerk of Court of Appeals  
1220 Senate St.  
P.O. Box 11629  
Columbia, SC 29211

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SC Court of Appeals

Re: Calendaring of Case (Daniel Spade v. State)

Dear Mr. Kitchings:

I hope this quick status inquiry finds you well. I have been lingering in a violent prison for the last year-and-a-half after having my conviction overturned on PCR due to State Solicitor misconduct. As if the injustice at the hands of the state hasn't already been enough, they filed a petition for writ of certiorari.<sup>1</sup> My family and I have been closely monitoring the docket and it appears your team has made great strides in "catching up"/expediting the back-log. Just this week, we can see multiple cases directly below me and above me now either marked "Decision Filed" or "Decision Pending". So given this, my question is whether you deem it likely that my case will be calendared/briefed within the next 30-60 days (?):

<sup>1</sup> including the time forced to await adjudication of my PCR at the circuit court, it has been six-and-a-half years since I filed my application in 2017.

In full transparency, I was planning on filing a Habeas Corpus for Bail Pending Appeal Due to the egregious six year + adjudication of my PCR case -- similar to the recent Federal Order in the 'Carnie Norris' case -- but if I am nearing consideration by this Court it will be unnecessary.

Thank you in advance for all your hard work and the status update...

Respectfully,

*Daniel W. Spade*

Daniel W. Spade

cc: File

Daniel Spade, # 358974  
MO-228, Broad River C.I.  
140 Broad River Rd.  
Columbia, SC 29210

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