

**Ballard
Watson Weissenstein**
PERSISTENT UNWAVERING

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October 18, 2012

Via U.S. Mail

Honorable Daniel E. Shearouse
Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

Re: The State of South Carolina v. Ryan Hercheck, Appellate Case No. 2011-195567
The State v. Justin Elwell, Appellate Case No. 2012-209726

Dear Mr. Shearouse:

As you know, our firm filed a Motion to Consolidate these cases on certiorari. That motion was denied by order dated September 11, 2012. Since that time, we have received several pieces of correspondence about one or the other of these cases.

Our firm's appearance was, as noted on the Motion to Consolidate, "COUNSEL FOR THE MOVING PARTIES FOR THIS MOTION ONLY." Since the Motion to Consolidate was denied, our involvement has ended.

We would appreciate you updating your records. Thank you for your assistance.
With warm personal regards, I am,

Sincerely yours,

Desa Ballard
desab@desaballard.com

c. William M. Blich Jr., Esquire
Douglas A. Barfield Jr., Esquire
Joseph M. McCulloch Jr., Esquire
Michael L. Brown, Esquire

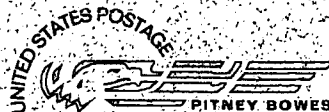
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