

RECEIVED

Jul 24 2024

SC Court of Appeals



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

July 24, 2024

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
1220 Senate Street
Columbia, S.C. 29201

Re: The State v. Emeric Hamilton Appellate Case No. 2023-001884

Dear Ms. Kitchings:

This Court granted Mr. Hamilton's motion to remand his case to the Charleston County Court of General Sessions to reconstruct the record of his trial which occurred November 27-29, 2023. Pursuant to that order, I contacted the Honorable Jennifer Blanchard McCoy on July 10, 2024, regarding this Court's order and copied trial counsels, counsel for respondent, and the Court on this correspondence which is enclosed.

In accordance with this Court's order, I am providing this Court with this update and will provide a written update every thirty days until the matter is resolved.

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

Respectfully,



Gary H. Johnson
Appellate Defender

GHJ/kpw

cc: Mark R. Farthing, Esquire
Emeric Hamilton



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1345

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

July 9, 2024

The Honorable Jennifer Blanchard McCoy
Circuit Court Judge, Ninth Judicial Circuit
100 Broad Street, Suite 348
Charleston, SC 29401
(via U.S. Mail)

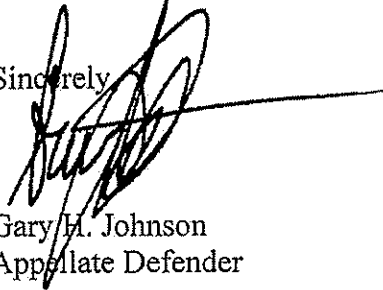
Re: The State v. Emeric Hamilton
Appellate Case No. 2023-001884 | Lower Court Case No. 2023-GS-10-4605

Dear Judge McCoy:

I hope this letter finds you well. The Court of Appeals issued an Order on July 1, 2024, remanding the above-entitled case to your court for the reconstruction of portions of the November 2023 trial. Large portions of the trial were not recorded to be transcribed on November 27, 28, and 29, 2023, preventing meaningful appellate review. I am reaching out to you to begin the process of scheduling the reconstruction hearing in this case, and I have been asked to provide monthly status updates to the Court of Appeals.

I have enclosed a copy of the Motion for Abeyance and Remand of Appellant's Trial, the current transcript of record, and the Order of the Court of Appeals remanding this case for reconstruction. I have copied counsel for the state on this letter, and I am available to discuss scheduling whenever it is convenient for the Court. Please let me know if I can be of any further assistance with this matter.

Sincerely,



Gary H. Johnson
Appellate Defender

GHJ/kpw

Enclosures: Trial Transcript; Motion for Abeyance and Remand of Appellant's Trial; Order Remanding for Reconstruction

cc: Lauren Frierson, Esq. (*via email*)
Nick Harris, Esq. (*via email*)
Mary Ford, Esq. (*via email*)
Mark Farthing, Esq. (*via email*)
Court of Appeals (*via email*)

From: [Warren, Kaylynn](#)
To: [Mark Farthing](#)
Cc: [Johnson, Gary](#); [Caroline Collins](#)
Subject: 2023-001884 The State v. Emeric Hamilton
Date: Wednesday, July 24, 2024 8:57:00 AM
Attachments: [2023-001884 The State v. Emeric Hamilton Update to the Court 07.24.24.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Update which will be filed with the Court of Appeals today, July 24, 2024, via email filing.

Respectfully,
Kaylynn

Kaylynn Warren

Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
(803) 734-1330