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September 16, 2013

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk
South Carolina Supreme Court
P.O. Box 11330
Columbia, S.C. 29211

Re: *Kenneth Simmons v. State of South Carolina*, 05-CP-18-1368

Dear Mr. Shearouse:

Pursuant to *In re Stays of Execution in Capital Cases*, 321 S.C. 544, 471 S.E.2d 140 (1996), I am writing to report on the status of the above-referenced capital post-conviction relief case. Final testimony in this case was offered on July 2, 2012. The PCR recently indicated its intent to grant *Atkins* relief. The Applicant has submitted a proposed order.

If you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely yours,

Emily C. Paavola