



ORIGINAL

Division of Appellate Defense
1330 Lady Street, Suite 401
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1343
Facsimile: (803) 734-1397

Joseph L. Savitz, III, Chief Attorney
Wanda H. Carter, Deputy Chief Attorney

October 11, 2013

RECEIVED
OCT 11 2013

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Gerald Smith v. South Carolina— Appellate Case No. 2010-164866
2008-CP-40-7794

Dear Ms. Kitchings:

Oral argument is scheduled in the above-reference case for Tuesday, October 15, 2013. Pursuant to Rule 208(b)(7), SCACR, I may refer to the following cases as additional authority:

State v. Gates, 299 S.C. 92, 382 S.E.2d 886 (1989)
(concerning a defendant's compliance with a plea agreement)

Santobello v. New York, 404 U.S. 257, 92 S.Ct. (1971)
(concerning state's failure to keep a commitment concerning a sentence recommendation on a guilty plea)

Sincerely,

Robert M. Pachak
Appellate Defender

RMP/pcm

cc: David Spencer, Esquire