



ALAN WILSON
ATTORNEY GENERAL

October 11, 2013

The Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29201
Via hand delivery

Re: Gerald Smith v. State of South Carolina
Appellate Case No: 2008-CP-40-7794

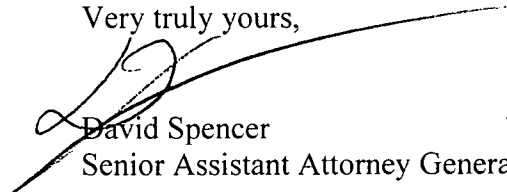
Dear Ms. Kitchings:

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

Huggler v. State, 360 S.C. 627, 602 S.E.2d 753 (2004) (balancing the positive efforts of counsel's actual cross-examination and closing argument against the prejudice from counsel's failure to cross-examine the witnesses with their written statements in analyzing prejudice from the alleged deficiency of counsel).

With kind regards, I am

Very truly yours,


David Spencer
Senior Assistant Attorney General

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cc: Robert Pachak, Esquire
South Carolina Commission on Indigent Defense
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