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October 11, 2013

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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