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**Jun 26 2025**

**SC Court of Appeals**



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

**Division of Appellate Defense**  
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**Robert M. Dudek, Chief Appellate Defender**  
**Wanda H. Carter, Deputy Chief Appellate Defender**

June 26, 2025

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

Re: The State v. Thomas Eric McDowell  
Appellate Case No. 2024-000226

Dear Ms. Kitchings:

Enclosed is a proposed order in the above case. By copy of this letter, we are also forwarding a copy of this proposed order to R. Brandon Larrabee, Esq. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jordan M. Wayburn", is written over a horizontal line.

Jordan M. Wayburn  
Appellate Defender

JMW/cws

cc: R. Brandon Larrabee, Esq.

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

THOMAS ERIC MCDOWELL,

APPELLANT

APPELLATE CASE NO. 2024-000226

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ORDER

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On motion of Jordan M. Wayburn, attorney for appellant, it is hereby ORDERED that **STATE'S EXHIBITS #6-9, #20, #24, #27-29 (PHOTOGRAPHS); STATE'S EXHIBIT #37 (DIAGRAM OF RESIDENCE CLOSED); STATE'S EXHIBIT #38 (DIAGRAM OF RESIDENCE OPEN); and STATE'S EXHIBIT #39 (FBI ANIMATION)** be released to the Office of the Attorney General, or its designee, for transporting to the Court of Appeals of South Carolina for purposes of review by the Court for the above-captioned case.

H. BRUCE WILLIAMS, CHIEF JUDGE

By \_\_\_\_\_  
CLERK

Columbia, South Carolina

June 26, 2025

Copies to: The Honorable Lisa M. Comer  
Jordan M. Wayburn, Esquire  
R. Brandon Larrabee, Esquire

1 State of South Carolina ) Court of General Sessions  
 2 County of Lexington ) Eleventh Judicial Circuit

3

4 State of South Carolina, ) Transcript of Record  
 )  
 5 vs. ) 2022-GS-32-06096  
 ) 2022-GS-32-06097  
 6 Thomas Eric McDowell, ) 2022-GS-32-06098  
 )  
 7 \_\_\_\_\_ Defendant. )

8

9 February 5th-8th, 2024  
 10 Lexington, South Carolina

10

11 B E F O R E:

12 The Honorable Debra R. McCaslin, Judge; and a Jury

13

A P P E A R A N C E S:

14

Kinli B. Abee, Assistant Attorney General  
 15 Heather Weiss, Deputy Attorney General  
 On behalf of the State of South Carolina

16

Sarah H. Mauldin, Esquire  
 David Mauldin, Esquire  
 18 On behalf of the Defendant

19

20

Stacy S. Johnson, RPR  
 21 Circuit Court Reporter

21

22

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	E X H I B I T S			
	<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
1				
2				
3	C-1	Photo Lineup	64	129
4	C-2	Photo Lineup	64	132
5	C-3	Statement	64	137
6	C-4	Third-Party Guilt Statement	91	
7	C-5	Motion to Suppress	91	
8	C-6	Motion to Dismiss	119	
9	C-7	Booking Photo	142	142
10	C-8	11/25/08 Investigative Report	175	
11	C-9	Debra Gutierrez Statement	218	
12	C-10	Stipulation Re: Moon Phase	442	
13		*****		
14	S-1	Aerial Photo	218	266
15	S-2	Aerial Photo	218	266
16	S-3	Aerial Photo	218	266
17	S-4	Photograph	218	270
18	S-5	Aerial Photog	218	277
19	S-6	Photo	327	335
20	S-7	Photo	327	335
21	S-8	Photo	327	335
22	S-9	Photo	327	335
23	S-10	Photo	327	335
24	S-11	Photo	327	335
25	S-12	Photo	327	335

1	S-13	Photo	327	335
2	S-14	Photo	327	335
3	S-15	Bag/Cigarette Pack	327	347
4	S-16	Bag/Cigarette Butt	327	
5	S-17	Photo Lab Request	336	337
6	S-18	Crime Scene Notes	336	
7	S-19	Photograph	336	
8	S-20	Photograph	356	360
9	S-21	Photograph	356	363
10	S-22	Photograph	356	363
11	S-23	Scene Diagram	356	395
12	S-24	Photograph	391	392
13	S-25	Latent Print	441	449
14	S-26	Crime Scene Video	441	450
15	S-27	Photograph	441	453
16	S-28	Photograph	441	453
17	S-29	Photograph	441	453
18	S-30	Evidence Log/Home	441	457
19	S-31	Latent Print Analysis Clip	441	482
20	S-32	Latent Print Examination	441	482
21	S-33	Evidence Log/Vehicle	441	473
22	S-34	Piece of Wood	441	459
23	S-35	Empty Vantage Cigarette Pack	441	459
24	S-36	Cigarette Butt	441	459
25	S-37	Diagram of Residence Closed	441	536

1	S-38	Diagram of Residence Open	441	536
2	S-39	FBI Animation	441	536
3	S-40	Latent Print Card	441	480
4	S-41	Photograph	555	556
5	S-42	Vehicle Sale Receipt	584	585
6	S-43	Vehicle Information	584	
7	S-44	DMV Legacy Printout	594	595
8	S-45	Written Statement of Defendant	602	603
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