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SC Court of Appeals



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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Wanda H. Carter, Chief Appellate Defender

November 5, 2025

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

Re: The State v. Phillip R. Lawson, Appellate Case No. 2023-001190

Dear Ms. Kitchings:

The above-referenced case is scheduled for oral argument tomorrow, Thursday, November 6, 2025, at 10:40 AM in Courtroom One. In response to the State's supplemental authority letter and pursuant to Rule 208(b)(7), SCACR, appellant would direct the Court's attention to Article 6, Section 10 of the California Constitution, which provides in relevant part, "The court may make any comment on the evidence and the testimony and credibility of any witness as in its opinion is necessary for the proper determination of the cause." A copy of this provision is attached for the Court's review.

Please let me know if you require further information. I have copied opposing counsel by electronic mail and attached the case.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Alexander", with a long horizontal flourish extending to the right.

David Alexander

c. Joshua A. Edwards, Esq.
Client

Enclosure

West's Annotated California Codes
Constitution of the State of California 1879 (Refs & Annos)
Article VI. Judicial (Refs & Annos)

West's Ann.Cal.Const. Art. 6, § 10

§ 10. Jurisdiction; habeas corpus and proceedings for extraordinary relief; original jurisdiction of superior courts; comments on evidence and credibility of witnesses

Currentness

Sec. 10. The Supreme Court, courts of appeal, superior courts, and their judges have original jurisdiction in habeas corpus proceedings. Those courts also have original jurisdiction in proceedings for extraordinary relief in the nature of mandamus, certiorari, and prohibition. The appellate division of the superior court has original jurisdiction in proceedings for extraordinary relief in the nature of mandamus, certiorari, and prohibition directed to the superior court in causes subject to its appellate jurisdiction.

Superior courts have original jurisdiction in all other causes.

The court may make any comment on the evidence and the testimony and credibility of any witness as in its opinion is necessary for the proper determination of the cause.

Credits

(Added Nov. 8, 1966. Amended by Stats.1996, Res. c. 36 (S.C.A.4), (Prop. 220, approved June 2, 1998, eff. June 3, 1998); Stats.2002, Res. c. 88 (A.C.A.15), § 5 (Prop. 48, approved Nov. 5, 2002, eff. Nov. 6, 2002).)

West's Ann. Cal. Const. Art. 6, § 10, CA CONST Art. 6, § 10

Current with urgency legislation through Ch. 764 of 2025 Reg.Sess., and Governor's Reorganization Plan No. 1 of 2025. Some statute sections may be more current, see credits for details.



2023-001190 - Phillip R. Lawson - Supplemental Authority Letter

From Timberlake, Gage <gtimberlake@sccid.sc.gov>

Date Wed 11/5/2025 12:31 PM

To jedwards@scag.gov <jedwards@scag.gov>; susanspencer@scag.gov <susanspencer@scag.gov>

Cc Alexander, David <dalexander@sccid.sc.gov>

 1 attachment (243 KB)

2023-001190 - Phillip R. Lawson - Supplemental Authority Letter.pdf;

Mr. Edwards,

Please find attached for service the Supplemental Authority Letter in the matter of the above-referenced case.

If you have any questions, please let me know.

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Very Respectfully,

Gage Timberlake

Administrative Assistant

Commission on Indigent Defense

Appellate Division

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