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S.C. SUPREME COURT

November 18, 2013

The Honorable Daniel E. Shearouse  
Clerk  
South Carolina Supreme Court  
P.O. Box 11330  
Columbia, S.C. 29211

Re: *Kenneth Simmons v. State of South Carolina*, 05-CP-18-1368

Dear Mr. Shearouse:

Pursuant to *In re Stays of Execution in Capital Cases*, 321 S.C. 544, 471 S.E.2d 140 (1996), I am writing to report on the status of the above-referenced capital post-conviction relief case. The PCR court issued an order granting *Atkins* relief on October 16, 2013. Respondent moved to alter or amend the judgment, and Applicant filed a response in opposition. Respondent's motion remains pending.

If you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely yours,

Emily C. Paavola