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Mar 04 2026

SC Court of Appeals

March 4, 2026

Via Electronic Mail

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: *The State v. Jamira U. Davis*
Appeal from Richland County
Appellate Case No. 2023-001215

Dear Ms. Kitchings:

I write to apologize to the Court for two matters that I misstated during the oral arguments held March 3, 2026, in the case of *The State v. Jamira U. Davis*, Appellate Case No. 2023-001215. I want to correct these statements as quickly as possible so that the Court does not rely on the misstatements in the drafting of its Opinion in this case.

First, my explanation of how the juror alleged to have engaged in misconduct in Appellant's case was identified was incorrect. During oral arguments, I suggested that she was identified based on her profession. Upon reviewing the record, however, it appears that she was identified because of her name. (R. p. 36, l. 24–p. 37, l. 9; R. p. 928, ll. 2–11). The record indicates that part of the conversation relevant to this action concerned a *holdout* juror who was employed by the South Carolina Department of Corrections. (R. p. 917, l. 19–p. 918, l. 1; p. 927, l. 22–p. 928, l. 1).

Second, I slightly misstated the factual scenario presented in *State v. Cooper*, 334 S.C. 540 (1999). There is no indication that the individual who spoke to a juror in that case was involved in the case. Additionally, I said during oral argument that the individual was related to a juror; to be clear, the opinion reflects that juror was married to the cousin of the individual who spoke to him.

Please pass this letter on to all members of the Court Panel who heard this case, along with my apologies. I have copied opposing counsel Molly Keegan, Esq., and Joanna Delany, Esq., on this letter. Thank you for your assistance in this matter. And, I again deeply apologize for the errors.

Sincerely,



R. Brandon Larrabee
Assistant Attorney General

cc: Molly Keegan, Esq. (Via email only)
Joanna Delany, Esq. (Via email only)



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