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December 4, 2013

RECEIVED

DEC - 4 2013

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, SC 29211

S.C. Supreme Court

Re: The State v. Curtis J. Simms, Appellate Case No. 2013-001219
(**Time sensitive** - supplemental update on motion for expedited transcripts)

Dear Mr. Shearouse:

Please accept this letter update to our motion to expedite transcripts which was filed with the Court yesterday afternoon. Our office yesterday afternoon received by e-mail what we believe is the entire January 30 – February 5, 2013 portion of the trial transcript in this case from Brenda Sigwald. It included a substantial exhibit list, and we will need to obtain copies of those exhibits from the county courthouse to ascertain if they are needed for the Record on Appeal. This morning, court reporter Daphne Helms also e-mailed our office the January 28, 2013 transcript. It is the Jackson v. Denno hearing. Consequently, the only transcript we are presently missing is the January 29, 2013 transcript taken by court reporter Ronda Cummings.

I spoke to Ms. Cummings this morning. She is graciously attempting to get us this transcript as soon as possible. The transcript could arrive on Friday, December 6, 2013. However, we still need for the Court to rule on our motion since the timelines contained in this Court's original order expediting review cannot be complied with through no fault of this office as explained in the motion. We will notify the Court when we receive the final transcript – hopefully Friday. Consequently, once this office receives the final transcript, we are still requesting a new expedited briefing schedule in this case.

Respectfully,

Robert M. Dudek
Chief Appellate Defender

RMD/kam

cc: Salley W. Elliott, Esquire
David Alexander, Esquire
Susan B. Hackett, Esquire