



**RECEIVED**  
**Apr 27 2026**  
**SC Court of Appeals**

ALAN WILSON  
ATTORNEY GENERAL

April 27, 2026

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

RE: State v. David Herbert Massie – Appellate Case No. 2025-000841

Dear Ms. Kitchings:

On April 21, 2026, the appellant, David Herbert Massie, filed a motion in the above-referenced criminal appeal seeking a remand to the trial court for reconstruction of missing portions of the trial record. As support for that request, Appellant—amongst other things—maintains a portion of the trial has not been transcribed since the available transcript ends after the testimony of a defense witness and there are instances in which “inaudible” or “indiscernible” were noted in the currently-available version of the trial transcript. Please be advised the State has no objections to Appellant’s request for a remand for reconstruction and agrees such a limited remand would be appropriate under the circumstances involved. Thank you very much, and, if you should have any questions or concerns or if a more formal return is required, please do not hesitate to contact me.

Sincerely,

Mark R. Farthing  
Senior Assistant Deputy Attorney General  
S.C. Bar Number 76901

MRF/

cc: W. Chandler Norville, Esq. (via electronic mail)  
Victim Advocacy Division