

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

Patrick C. Fant, III, Circuit Court Judge

Appellate Case No. 2025-000367

The State of South Carolina

Respondent,

v.

Zachary David Hughes

Appellant

**APPELLANT’S REPLY TO RESPONDENT’S
RESPONSE TO APPELLANT’S STATUS REPORT**

Appellant submits this response for the purpose of clarifying several matters raised in Respondent’s August 21, 2026, Status Report.

First, Appellant disagrees with any suggestion that the absence of a presently filed motion somehow renders ordinary factual investigation improper. Appellant has not represented that the circuit court has ordered discovery. Rather, counsel are investigating the facts necessary to prepare the motion that this Court expressly granted Appellant leave to pursue. The need for such investigation was expressly identified in Appellant’s motion seeking the remand. In addressing the State’s materially different post-trial position concerning the evidence involving Christina Parcell and her child, Appellant explained that he “must be allowed to pursue and understand the reason for this . . . change in position on exculpatory evidence.” This Court thereafter granted the requested remand and authorized Appellant to pursue a motion for a new trial.

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Appellant next takes issue with Respondent's characterization that the Attorney General communication to counsel regarding meeting with the Assistant Attorney General responsible for the ICAC prosecution of Bradley Post was "not the same as an outright refusal." The actual email exchange leaves no ambiguity concerning the basis for Appellant's statement.

After the Assistant Attorney General advised counsel that "the office does not feel I have anything relevant to share," counsel asked for clarification: "Just wanted to close the loop. Is the AG Office's position that you are not allowed to meet with us?" The Assistant Attorney General responded: "I am so sorry for any confusion. Yes, my office would prefer that I not participate in a meeting at this time." Her response of "Yes" to the direct question posed leaves no ambiguity as to the Attorney General's Office's position. Should the Attorney General's Office change its position and allow the Assistant Attorney General to meet with counsel, counsel would invite the Attorney General's Office to notify counsel of this change, and counsel will update this Court.

Respectfully submitted,

s/Andrew B. Moorman, Sr.

s/Mark Moyer

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PROOF OF SERVICE

I certify that on this, the 28th day of August, 2026, Appellant's Reply to Respondent's Response to Appellant's Status Report was served on the Thirteenth Circuit Solicitor's Office and the South Carolina Attorney General's Office by email and/or US Mail.

Respectfully submitted,

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