

January 14, 2014

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

Re: The State, Respondent vs. Darius Ransom-Williams, Appellant
Appellate Case No. 2012-212566
Our File No.: 095-559

Dear Ms. Kitchings:

I am writing to provide the Court with an update in this matter as requested by your office. The reconstruction hearing ordered by this Court took place on Friday, January 3, 2014 before the Honorable Judge Dickson. As best as possible, the Public Defender, Mark Wise, Solicitor Donald Sorenson, and Judge Dickson attempted to recreate the missing Batson motion and the closing arguments. Mark Wise presented argument related to the insufficiency of the reconstruction hearing to create a complete record for appellate review. We requested a specific finding from Judge Dickson regarding whether the reconstruction adequately created a sufficient record for appellate review.

On January 10, 2014, we received correspondence from Judge Dickson's law clerk indicating Judge Dickson was going to find the record as reconstructed was sufficient for appellate review. The judge has instructed a proposed order be sent to him to that effect. It is my intention that upon the filing of that order, to file a Rule 59, SCRCP motion to ensure that the issue is preserved or review during this appeal.

I have also coordinated with the Appellate Defense to order the transcript of the reconstruction hearing. It is my understanding that a representative from that office ordered the transcript on January 6, 2014.

Given the above, I would anticipate that our Initial Brief should be due thirty days after the receipt of the transcript of the reconstruction hearing or the ruling on our Rule 59, SCRCP motion, whichever is later. Please let me know if the Court determines a different deadline is appropriate.

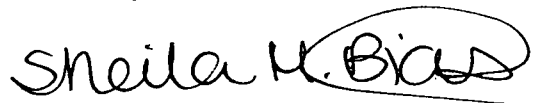
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With kind regards, I am

Sincerely,

Handwritten signature of Sheila M. Bias in cursive script, with the name enclosed in a hand-drawn oval.

Sheila M. Bias

SMB/dfb

cc: Salley W. Elliott, Assistant Attorney General
Robert M. Dudek, Esquire

095-559

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