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January 31, 2014

VIA EMAIL AND HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
 Clerk, S.C. Court of Appeals
 Post Office Box 11629
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 jkitchings@sccourts.org

RECEIVED
 JAN 31 2014
 SC Court of Appeals

Re: State v. Julian DeAndre Battle, Appellate Case No. 2011-203746

Dear Ms. Kitchings:

This case is scheduled for oral argument Tuesday, February 4, at 10:40 a.m. This letter is pursuant to Rule 208(b)(7) SCACR, and counsel would respectfully draw the Court's attention to additional authority that may bear on the issues to be argued. This case concerns two issues: (1) the refusal to charge involuntary manslaughter; and (2) a charge on flight.

The Court of Appeals this week decided an involuntary manslaughter charge case in Sullivan v. State, Op. No. 5190 (Jan. 29, 2014). Last week, the Supreme Court decided a case dealing with harmless error. State v. Davontay Henson, Op. 27354 (Jan. 22, 2014). Another case decided by the Supreme Court last year discusses the issue of charging flight. State v. Cheeks, 401 S.C. 322, 328, 737 S.E.2d 480, 484 (2013).

By email and hand-delivered copy of this letter, I am notifying opposing counsel, Alphonso Simon, Jr., of this submission of additional authority.

Sincerely,

David Alexander
 Appellate Defender

c. Client
 Alphonso Simon, Jr. (asimon@scag.gov)