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February 5, 2014

VIA EMAIL and US MAIL

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
jkitchings@sccourts.org

Re: The State v. Jason A. Johnson, Appellate Case No. 2012-207549

Dear Ms. Kitchings:

I have a scheduling conflict between the Court of Appeals and the Supreme Court. Yesterday I received notice that the above-referenced case will be argued in the Court of Appeals on March 5, 2014, at 10:40 AM. Along with Bob Dudek, I am also scheduled to argue part of State v. Curtis Simms before the Supreme Court on March 5, 2014, at 9:30 AM. The Supreme Court certified Simms from this Court, ordered expedited briefing, and has scheduled argument very quickly. Mr. Dudek and I plan to split the Simms argument and both argue the case.

I would very much like to argue both cases, so I would respectfully ask that the Court of Appeals reschedule the Johnson argument. I conferred with opposing counsel, William Blicht, and he has arguments scheduled on March 4 and on March 18. Both Mr. Blicht and I are available at the Court's pleasure on any other day in March (or another term) that suits the Court's schedule.

If the Court is inclined to cancel argument and instead decide the case on the briefs, I would ask that you please let me know so that we can arrange to have someone else from our office argue Johnson. If the Court has any questions or requires additional information, please do not hesitate to contact me.

Sincerely,

David Alexander
Appellate Defender

cc. William Blicht, Esq.
Robert M. Dudek, Esq.
Clients