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February 28, 2014

VIA EMAIL AND HAND-DELIVERY

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

Re: State v. Kevin Bennett, Appellate Case No. 2012-207559

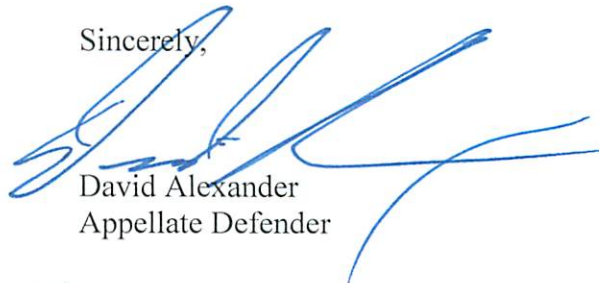
Dear Ms. Kitchings:

This case was argued on December 12, 2013, before Judges Huff, Geathers, and Lockemy. This letter is pursuant to Rule 208(b)(7) SCACR, and counsel would respectfully draw the Court's attention to additional authority that bears on the directed verdict issue in the case.

Two days ago the Fourth Circuit reversed the denial of a directed verdict in a burglary case. United States v. Janson Strayhorn, No. 12-4487, ___ F.3d ___, 2014 WL 718319 (4th Cir. Feb. 26, 2014). In Strayhorn, the court determined that the defendant was entitled to a directed verdict despite being caught driving a car similar to that used in the robbery, with a handgun taken in the robbery, and finding his fingerprint on duct tape used to bind the victims. The court's analysis concerning the limited value of the fingerprint on the duct tape is particularly applicable to this case.

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

Sincerely,



David Alexander
Appellate Defender

c. Client
David Spencer (dspencer@scag.gov)