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S.C. Supreme Court

ALAN WILSON
ATTORNEY GENERAL

March 13, 2014

The Honorable Daniel E. Shearouse
Clerk of Court, S.C. Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

**RE: State of South Carolina v. James Ervin Ramsey - SUPPLEMENTAL CITATIONS
Appellate Case No. 2012-213017**

Dear Mr. Shearouse:

Oral argument in the above-referenced case is scheduled for next Tuesday, March 18, 2014, at 10:30 am. Pursuant to Rule 208(b)(7), SCACR, I am writing to provide the Court with the following supplemental citations which are relevant to the issue of whether a statutory amendment is intended to clarify or change the law:

Proveaux v. Medical University of South Carolina, 326 S.C. 28, 32, 482 S.E.2d 774, 776 (1997);
Hyde v. South Carolina Dept. of Mental Health, 314 S.C. 207, 209, 442 S.E.2d 582, 583 (1994);
Cotty v. Yartzeff, 309 S.C. 259, 262, 422 S.E.2d 100, 102 (1992);
Stuckey v. State Budget and Control Bd., 339 S.C. 397, 401, 529 S.E.2d 706, 708 (2000); and
In re Manigo, 398 S.C. 149, 158-59, 728 S.E.2d 32, 36-37 (2012).


The Manigo case is also relevant to the issue regarding whether or not a statute should be strictly construed against the State as a penal statute.

I am also providing the following supplemental citations as persuasive authority regarding the doctrine of ratification or legislative acquiescence:

Beck v. Shelton, 267 Va. 482, 491, 593 S.E.2d 195, 199-200 (2004); and
North Dakota Fair Housing Council, Inc. v. Peterson, 625 N.W.2d 551, 562-63 (N.D. 2001).

Thank you for your attention to this matter.

Sincerely,


Christina J. Caloe
Assistant Attorney General

cc: Christopher A. Wellborn, Esquire