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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

April 7, 2014

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APR 07 2014

SC Court of Appeals

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

Re: State v. Wallace E. Evatt, Jr.
09-GS-23-09628

Dear Ms. Kitchings:

On August 6, 2013, we sent a letter requesting this case be held in abeyance pending receipt of the transcript of the remaining portions of a witness's testimony. On March 25, 2014, I received the enclosed letter from Desiree Allen regarding the transcript. It appears the transcript of the witness's testimony is not available. Therefore, this case no longer needs to be held in abeyance.

We have reset our time limit in which to file the initial brief of appellant and designation of matter 30 days from March 25, 2014, which gives us a due date of April 24, 2014. If this is not accurate, please contact me.

Sincerely,

Susan B. Hackett
Appellate Defender

SBH/

Enclosure: Letter from Allen

cc: Donald J. Zelenka (w/ enclosure)



South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina

ROSALYN FRIERSON
DIRECTOR

1015 SUMTER STREET, SUITE
200
COLUMBIA, SOUTH CAROLINA
29201
PHONE: (803) 734-1800
FAX: (803) 734-0269

March 25, 2014

Susan B. Hackett, Appellate Defender
Office of Appellate Defense
P.O. Box 11589
Columbia, SC 29211-1589

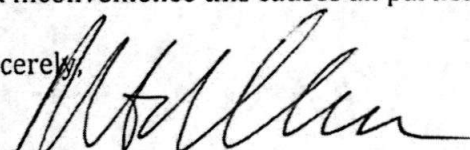
In re: **State v. Wallace E. Evatt, Jr. Appellate Case no. 2012-212616**

Dear Ms. Hackett:

This is in response to your March 12, 2014 letter, which attached copies of your August 6, September 6, and December 27, 2013 letters. I have attached the letter dated September 11, 2013, from Phyllis S. Barrett in response to my inquiry. I apologize for not sending it in a more timely fashion.

Unfortunately, there are no other records available, and Ms. Barrett has transcribed all of the testimony of the witness that she was furnished. Once again, I am sorry for the delay and inconvenience this causes all parties concerned.

Sincerely,


Desree R. Allen
Program Manager

Enclosure: September 11, 2013 letter from Phyllis S. Barrett

CC: S.C. Court of Appeals
Donald J. Zelenka, S.C. Office of Attorney General
Phyllis Barrett, (retired) Court Reporter
April Herron, Court Reporter

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SC OFFICE OF
APPELLATE DEFENSE

MAR 28 2014

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