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April 29, 2014

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APR 29 2014

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

Dear Ms. Kitchings:

The following case falls under the 60 day rule for appeals, and the date we received the sentencing transcript is listed to the side.

The State v. Ernest Smalls, Jr., Appellate Case No. 2014-
000572

4/28/2014

The records from the November 17-18, 2004 trial have been destroyed according to the court reporter for that hearing. Once counsel is assigned and has an opportunity to review the case file, a motion to reconstruct the trial in absentia from 2004 may be necessary.

I would appreciate you beginning our time limits from the above date, and if you need additional information, or have any questions please contact me.

Thank you for your assistance in this matter.

Sincerely,

Kimberly McCall
Administrative Coordinator