



ALAN WILSON
ATTORNEY GENERAL

May 5, 2014

VIA Hand Delivery

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: State v. Steven Gregory Frost
Appellate Case No.: 2012-213043

Dear Ms. Kitchings,

This case is scheduled for oral argument on Wednesday, May 7, 2014 at 2:20 p.m. in Courtroom I. Pursuant to Rule 208(b)(7) SCACR, Respondent respectfully wishes to call to the Court's attention the additional authority of State v. Simmons, 360 S.C. 33, 599 S.E.2d 448 (2004), Davenport v. State, 627 S.E.2d 133 (Ga. Ct. App. 2006), Aaron v. State, 620 S.E.2d 499 (Ga. Ct. App. 2005), and Hardeman v. State, 544 S.E.2d 481 (Ga. Ct. App. 2001) in further support of Respondent's argument that a finger is considered an object and, thus, the trial court properly required the jury to make a finding under section 16-3-655 that Appellant committed first-degree criminal sexual conduct with a minor by intrusion by an object. By copy of this letter, I am notifying opposing counsel of the submission of this supplemental authority.

Sincerely,

Jennifer Ellis Roberts
Assistant Attorney General
Bar No. 79818

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MAY 05 2014

SC Court of Appeals

JER/ab

cc: David Alexander, Esquire