



# The South Carolina Court of Appeals

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June 06, 2014

Mr. David A. Spencer, Esquire  
PO Box 11549  
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Ms. Carmen Vaughn Ganjehsani, Esquire  
1330 Lady Street, Suite 401  
Columbia SC 29201

Re: The State v. Matthew R. Hendricks  
Appellate Case No. 2011-203730

Dear Counsel:

The Panel has reviewed Appellant's Petition for Rehearing and requests clarification from the parties about the following point:

In Appellant's petition for rehearing, he argues admission of the 911 recording prejudiced him because it contained statements about his prior bad acts. These statements include:

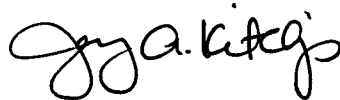
- (1) "His name is Matthew Hendricks";
- (2) "He has beat her up before but he has never raped her";
- (3) "He has charges pending"; and
- (4) "I have a trespassing notice on him here."

The Record on Appeal indicates the jury did not hear statements (2), (3), and (4) because they are not part of State's Exhibit 3, which is what the transcript shows

was played to the jury. However, Appellant's petition for rehearing quotes these statements and suggests the jury heard them. The Panel requests the parties clarify whether the jury heard statements (2), (3), and (4) when the State played the 911 recording of Lisa Gilstrap at trial.

Within ten days of the date of this letter, please provide the Panel with this clarification.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. A. Kite". The signature is written in a cursive, flowing style.

CLERK

cc: Dayne C. Phillips, Esquire  
Alan McCrory Wilson, Esquire