



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

June 12, 2014

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

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

RECEIVED
JUN 12 2014
SC Court of Appeals

Dear Ms. Kitchings:

I am in receipt of your letter dated June 6, 2014 requesting the parties to clarify whether the jury heard the following statements when the State played the 911 recording of Lisa Gilstrap at trial:

- (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."

I reviewed the 911 recording on file with this Court (State's Exhibit No. 3), and it appears from this recording used at trial that the 911 call was stopped before Lisa Gilstrap made the above-referenced statements. Therefore, I do not believe the jury heard the above-referenced statements, and I ask this Court to disregard the last paragraph prior to the Conclusion of my Petition for Rehearing. I apologize for any conclusion. Our file contained the entire 911 recording of Lisa Gilstrap, and we had been under the impression that the entire call had been played for the jury.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Carmen V. Ganjehsani
Appellate Defender

CVG

cc: David A. Spencer, Esquire