



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender  
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September 26, 2014

RECEIVED

SEP 29 2014

S.C. Supreme Court

Mr. Marshall Miller, #249557  
Lieber Correctional Institution  
PO Box 205  
Ridgeville, SC 29472

Re: Marshall Miller vs. State

Dear Mr. Miller:

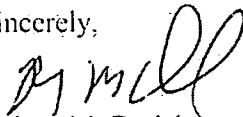
Thank you for your letter of September 16, 2014, and the enclosed documents. I have enclosed is a copy of the Supplemental Appendix which is ready for filing with the Court.

Please note that our office does not have a copy of the May 15, 2003 bond hearing transcript that you requested. This transcript was not before the lower court, and it therefore would have been improper for us to include in the Appendix. In addition, we do not have a copy of the written plea agreement sent by Jennifer Evans. However, I have written trial counsel, Kim Varner, and requested a copy of that agreement.

Finally, we do have a CD audio copy of the October 10, 2007 oral argument but there is no transcript of that argument. Again, if that CD was not before the PCR court it is not a proper matter to be included in a supplemental appendix. If you want the bond hearing transcript, the CD of your oral argument, or the written plea agreement in a supplemental appendix I would suggest you make a motion in the Supreme Court asking for their inclusion. If any of these documents or the CD was before Judge McIntosh at the PCR hearing, please advise me of that fact.

I trust this information is helpful. If you have any further questions, please feel free to contact our office.

Sincerely,

  
Robert M. Dudek  
Chief Appellate Defender

cc: South Carolina Supreme Court  
Enclosure  
RMD/rd