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SC Court of Appeals

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January 7, 2015

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

Re: Johnson v. Sam English Grading, Inc., Case No. 2011-CP-02-868
Appellate Case No. 2012-213307

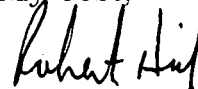
Dear Clerk of Court,

Please bring *Reed v. Clark*, 277 S.C. 310, 286 S.E.2d 364 (1982), to the attention of Judges Huff, Short, and Konduros.

During yesterday's oral argument, Judge Short asked me for case law supporting admitting testimony from the three "near-miss" witnesses. My response overlooked my citation to *Reed* at pages 12-13 of the Red Brief.

In *Reed*, the Court held: "Evidence of similar acts is admissible in South Carolina where there is some special relation between them which would tend to prove or disprove some fact in dispute. It is simply a rule of relevance, logic, and common sense." *Id.* at 314-315, 286 S.E.2d at 387 (citation omitted).

My best,



Robert Hill

cc: Charles E. Carpenter, Esq.
James C. Cox, III, Esq.
J. Paul Detrick, Esq.
Lisa McPhearson, Esq.
Ronald A. Maxwell, Esq.

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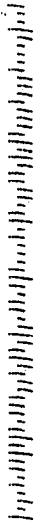


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