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February 27, 2015

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S.C. Supreme Court

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, S.C. 29211

Re: State v. Jason Alan Johnson, Appellate Case No. 2014-002097

Dear Mr. Shearouse:

This case is pending before the Court on grant of certiorari from the Court of Appeals. This letter is pursuant to Rule 208(b)(7) SCACR, and counsel would respectfully draw the Court's attention to additional authority that may bear on the issue regarding the statutory definition of methamphetamine. See S.C. Code Ann. §§ 44-53-110, 44-53-210, 44-53-375, and 44-53-392.

On February 25, 2015, the United States Supreme Court decided Yates v. United States, No. 13-7451, ___ U.S. ___, (Feb. 25, 2015). Yates deals with statutory construction. I would direct the Court to pages 13 – 16 and pages 18 – 20 of the opinion of Justice Ginsburg and the entirety of the short concurring opinion of Justice Alito. These portions of Yates deal with the canons of statutory construction and the rule of lenity.

By copy of this letter, I am notifying opposing counsel, William M. Blich, Jr., of this submission of additional authority.

Sincerely,

David Alexander
Appellate Defender

c. Client
William M. Blich, Jr., Esq.