



South Carolina
Department of
Corrections

OFFICE OF GENERAL COUNSEL

NIKKI R. HALEY, Governor
BRYAN P. STIRLING, Director

February 11, 2015

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FEB 13 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, S. C. 29201

Court of Appeals

Re: *Michael Heath Bolin, # 341806 v. S.C. Dep't of Corr.*, No. 2014-000461

Dear Ms. Kitchings:

I am writing for two reasons. First, I would like to inform your office that I do not have any conflicts on the dates listed in the February 6, 2015 letter addressed to me and Mr. Pruett.

Second, I feel compelled to bring to the Court's attention that this case and *Fowler v. S.C. Dep't of Corr.*, Case No. 2014-002040 involve the same legal issue. Compare *Fowler v. S.C. Dep't of Corr.*, No. 2014-002040 (filed Sept. 24, 2014) (Lanski, J.) (holding that 2010 amendments intended to exempt the applicable offenses from the 85% service requirement pursuant to 24-13-100 & 150A(A)), with *Bolin v. S.C. Dep't of Corr.*, No. 2014-000461 (filed Mar. 10, 2014) (Mathews, J.) (holding that 2010 amendments did not change the 85% time service requirement for drug offenses that are considered non-parolable pursuant to 24-13-100 & - 150(A)).

Therefore, I respectfully request that the Court consider the *Fowler* case in determining when oral argument in *Bolin* should take place. According to the information on the Court's website, *Fowler* is listed as "ready for consideration." I submit that, due the importance of the legal issue raised by both of these cases, and in light of the shared legal issue present in the two cases, the Court could consolidate both cases for purposes of oral argument, directing that the parties respond to the basic legal issue presented by both. If a formal motion needs to be filed in order for consolidation to be considered, I will be glad to submit one.

Respectfully,



Daniel J. Crooks III
Staff Attorney

cc: Shanika K. Johnson, Esquire [*via email only*]
Deputy General Counsel
South Carolina Department of Corrections

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SC Court of Appeals

Anteagency

*The Honorable Jerry Abbott Kitchens
Clerk
South Carolina Court of Appeals*