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March 23, 2015

**RECEIVED**  
MAR 23 2015  
**SC Court of Appeals**

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


Re: State v. Justin Johnson  
Appellate Case No. 2014-001219

Dear Ms. Kitchings:

The initial brief of appellant and designation of matter in the above case is due to be served and filed today, March 23, 2015. However, counsel has discovered that Petitioner Justin Johnson had a Jackson v. Denno hearing the week before trial, on Thursday, March 6, 2014. Counsel understands that this is the second request for abeyance in this case and apologizes for the inconvenience. Petitioner made counsel aware of the post-trial hearing but counsel did not learn of the pre-trial motions hearing until it was mentioned in the trial transcript (see attached pages from transcript). We have requested this transcript today and would request that the time limits be held in abeyance pending receipt of it. A copy of our transcript request is attached.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



Laura R. Baer  
Appellate Defender

Enclosure

cc: Donald J. Zelenka

1 is, again, just a closeup of that bathroom area that  
2 shows what I presume the State will say is where the bird  
3 shot went through the door and into the bathroom. And 52  
4 and 53, I have no objection. I have had -- for the  
5 record, 53 is a diagram of the floor plan of the victim's  
6 home. Mr. Johnson has looked at that ---

7 THE COURT: That's a fair and accurate ---

8 MR. ROBINSON: --- with myself and Solicitor  
9 DuRant, and he believes it to be a fair and accurate  
10 representation of the layout of the home, so I have no  
11 objection to that one.

12 THE COURT: All right. And we'll take up those  
13 other two tomorrow morning first thing.

14 MR. ROBINSON: Yes, sir.

15 THE COURT: I mean, it's probably going to be a  
16 while before you put in those pictures anyway?

17 MR. FINNEY: Yes, sir. That's fine.

18 THE COURT: All right.

19 MR. DURANT: Judge, we -- just to put on the  
20 record, of course, we had a Jackson v. Denno hearing  
21 last week. I did want to make the Court aware of a few  
22 references in that -- in the Defendant's interview to a  
23 prior altercation that he had with one of the victims in  
24 this case, Kaisha Caraway. He was arrested for CDV and  
25 kidnapping, I believe, back in December of 2010, which

1 at all. So I'm going to deny your motion.

2 All right. We will start back at two o'clock.

3 Thank you.

4 MR. ROBINSON: Thank you, Your Honor.

5 (WHEREUPON, court stood at recess for a lunch  
6 break.)

7 THE COURT: Anything before we bring the jury?

8 MR. DURANT: No, Your Honor. Solicitor Finney

9 ---

10 THE COURT: Oh.

11 MR. DURANT: He's on the way in now.

12 MR. ROBINSON: Your Honor, if you want me to  
13 wait for him, I'll be glad to.

14 THE COURT: He's walking to the door.

15 MR. ROBINSON: That's fine.

16 MR. DURANT: Judge, I do have one quick  
17 housekeeping issue.

18 THE COURT: Yes, sir.

19 MR. DURANT: When we held the Jackson v. Denno  
20 hearing last Thursday before Your Honor, I believe we  
21 marked the disks from that interview as State's 1 through  
22 11. We have presented evidence in this case involving  
23 those same numbers. Your Honor, I'd ask that we remark  
24 these as exhibits starting with the last -- the next  
25 available number which is ---