



South Carolina Department of Public Safety

OFFICE OF GENERAL COUNSEL

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May 27, 2015

Ms. Jenny Abbott Kitchings
Clerk of Court
S. C. Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RECEIVED

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SC Court of Appeals

Re: The State vs. Jami Morse
Appeal from Berkeley County
C/A 2013-CP-08-2002
Appellate Case No. 2013-002734

Dear Ms. Kitchings:

Appellant filed her final brief and record on appeal on August 19, 2014. Respondent believed that the brief and record were not in conformity with the applicable Appellate Court Rules and filed a motion to compel Appellant to conform her final brief and record on appeal to the Appellate Court Rules on September 2, 2014.

Appellant in turn filed a response to the motion on September 10, 2014 and requested that the motion be dismissed. Appellant then filed another final brief and record on appeal on October 10, 2014. Although neither of these second filings were stylized as amended filings, the two filings corrected defects in the final brief and record on appeal that were raised in the motion to compel.

On October 30, 2014, the Court of Appeals entered an order granting the motion to compel. It required Appellant to file an amended record on appeal within thirty days of the order and then to file an amended final brief within ten days of the filing of the amended record.

Respondent's counsel contacted the Clerk's office on November 19, 2014 and was advised that there had been no filings since the court's order. The Clerk's office advised that Appellant still needed to file an amended final brief and record on appeal per the court's order. Respondent was explicitly instructed that its deadline to file a final reply brief would not begin until Appellant made some additional filing. Respondent has confirmed with the Clerk's office that Appellant has made no filings since the court's order.

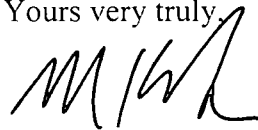
It appears that the case has reached an impasse. Appellant addressed the issues raised by the motion to compel but did so before the court issued its order. These new filings were not marked as amended although they appeared to be addressed to the issues raised by the motion to compel.

Respondent is prepared to proceed with the filing of its final reply brief upon notification from the Clerk's office that the filings made by the Appellant will be treated as amended filings

per the Court's order. These new filings may need to be amended so that the cover pages accurately reflect the fact that they are amended filings. Please advise if Respondent may proceed as set forth above.

I appreciate your attention to my request.

Yours very truly,

A handwritten signature in black ink, appearing to read 'MKG', with a stylized flourish extending from the end.

Marcus K. Gore
Assistant General Counsel

MKG/mld

cc: Milton D. Stratos, Esq.