



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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June 8, 2015

RECEIVED
JUN 08 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. Terrance Seabrook
Appellate Case No. 2012-212388

Dear Ms. Kitchings:

On April 26, 2012, Appellant filed a Notice of Appeal from his armed robbery conviction and sentence of life without parole. On June 11, 2014, this Court granted Appellant's motion to remand the above referenced case to the circuit court to reconstruct the record. On April 15, 2015, a reconstruction hearing was held before the Honorable Carmen T. Mullen in Beaufort County. Judge Mullen ruled that the record was sufficiently reconstructed to allow for meaningful appellate review. I filed a Notice of Intent to Appeal from Judge Mullen's ruling with this Court on April 23, 2015. Thus, there are two notices of intent to appeal pending in this case.

On April 16, 2015, I requested the transcript of the reconstruction hearing and sent a letter to this Court requesting the case continue to be held in abeyance. Today, my office received a copy of this transcript.

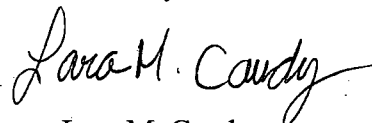
I respectfully request this Court continue to hold the appeal from Mr. Seabrook's conviction and sentence in abeyance pending resolution of the appeal from Judge Mullen's ruling reconstructing the record.

For your convenience, I have enclosed a copy of this Court's letter to appellate counsel in State v. Travis Anthony Ladson, 373 S.C. 320, 644 S.E.2d 271 (2007), where this procedure was followed. Following the procedure used in Ladson is logical as Appellant likewise challenges the circuit court's finding that the record was sufficiently reconstructed to allow for meaningful appellate review.

If this procedure is unsatisfactory to the Court, I would respectfully request an opportunity to file a motion with arguments as to why this procedure should be followed.

Beginning our sixty day time limit from today's date, my calculations show that the deadline for filing the initial brief of appellant and designation of matter related to the second notice of intent to appeal is August 7, 2015. If this is not accurate, please contact me at your earliest convenience. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Lara M. Caudy". The signature is written in a cursive style with a large initial "L" and a long, sweeping underline.

Lara M. Caudy
Appellate Defender

LMC/pcm

Enclosure

cc: Salley W. Elliott, Esquire
Terrance Seabrook