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October 13, 2015

The Honorable Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: State v. Sammy Lee Scarborough, Appellate Case No. 2013-002458

Dear Ms. Kitchings:

The above listed case is scheduled for oral argument on Wednesday, October 14, 2015, at 11:20 in Courtroom #1. This morning opposing counsel, Jennifer Ellis Roberts, notified me about some problems with the redactions in the record on appeal. Minor #1 referred to in both of our briefs is listed as Minor #2 in the record on appeal. Minor #2 referred to in both of our briefs is referred to as Minor #3 in the record on appeal. Minor #3 referred to in both of our briefs is referred to as Minor #1 in the record on appeal.

In response to opposing counsel's phone call, I reviewed the record and noticed additionally that the name for Minor #3 in our briefs or Minor #1 in the record is not consistently and fully redacted from the record. Also, the name of Minor #4 referenced in both of our briefs is not redacted from the record on appeal. I apologize for all of this confusion. I am uncertain how this could have happened but will take steps to ensure this does not happen in the future. I respectfully seek leave from the Court to, after the oral arguments are heard, file an amended record on appeal to correct the redaction problems. I understand that opposing counsel does not object to the filing of an amended record on appeal.

Thank you for allowing me to bring this to your attention. If you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

Kathrine H. Hudgins
Appellate Defender

Cc: Jennifer Ellis Roberts, Esquire

KHH/sd