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S.C. Supreme Court

ALAN WILSON
ATTORNEY GENERAL

October 28, 2015

VIA Hand Delivery

The Honorable Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
1231 Gervais Street
Columbia, SC 29201

Re: State v. Michael Wilson Pearson

Appellate Case No.: ~~2012-212430~~ 2014-002741

Dear Mr. Shearouse:

The above case is scheduled for oral argument on November 4, 2015, at 10:30 a.m. Pursuant to Rule 208(b)(7) SCACR, Petitioner respectfully wishes to call to the Court's attention the additional authority of State v. Larmand, Op. No. 27562 (S.C. Sup. Ct. filed August 12, 2015) (on consideration of multiple plausible explanations of evidence in determining a directed verdict issue), Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (1999) (defining substantial evidence and noting the possibility of drawing two inconsistent conclusions from the evidence does not prevent a court from concluding substantial evidence exists), State v. Mann, 560 S.E.2d 776 (N.C. 2002) (defining substantial evidence), and State v. Bernhardt, 813 P.2d 436 (Mont. 1991) (defining substantial evidence and noting trier of fact determines which of two interpretations of circumstantial evidence is most reasonable) in further support of Petitioner's argument the Court of Appeals erred in reversing the trial court's denial of directed verdict. By copy of this letter, I am notifying opposing counsel of the submission of this supplemental authority.

Sincerely,

Jennifer Ellis Roberts
Assistant Attorney General
Bar No. 79818

JER/ab

cc: Kathrine H. Hudgins, Esquire