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October 26, 2015

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OCT 28 2015

SC Court of Appeals

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

Re: Fred Gatewood v. SCDC
Appellate Case No. 2014-001199

Dear Ms. Kitchings:


Pursuant to SCACR 208(b)(7), a party must advise the Clerk of pertinent and significant authorities coming to the party's attention after initial briefs have been filed. In compliance with the rule, please be advised of the following cases: SCDC v. Cartrette 387 S.C. 640, 694 S.E. 2d 18, 22, note 6, 23 (S.C. App., 2010) (Regarding deductions from inmate's wages under S.C. Code §24-3-40); SCDC v. Tomlin 387 S.C. 652, 694 S.E. 2d 25, 28, note 7, 29 (S.C. App., 2010) (same).

These cases came to my attention since initial briefs have been filed, as pertinent to issues 2 (pp. 9-15) of inmates' brief, issue 4 (p. 18), issue 5 (p. 20), and issue 6 (pp. 24, 26), in addition to other portions of the brief (pp. 30-31) where Cartrette is discussed.

Cartrette and Tomlin are pertinent to the issues of the proper statute for inmate wage deductions (issue 2); whether a "taking" of Gatewood's wages occurred without due process (issue 4); whether an impairment of obligations of contracts occurred (issue 5); and whether security and overhead were "other required deductions" in the contract (issue 6).

Finally, Cartrette and Tomlin are cited and discussed in inmates' brief under issue 7, pp. 30-31; and Cartrette is cited and discussed in inmates' reply brief under issues 6, p. 13, and issue 7, pp. 14-15. Nevertheless, this letter under SCACR 208(b)(7) is being sent out of an abundance of caution.

Sincerely,


Douglas H. Westbrook

DHW/

cc: Lake E. Summers, Esq.

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