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SC Court of Appeals

ALAN WILSON  
ATTORNEY GENERAL

November 9, 2015

**HAND-DELIVERED**

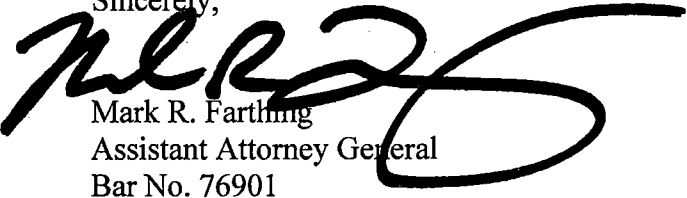
The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

RE: State v. Dennis M. Penny, II – Appellate Case No. 2013-001554

Dear Ms. Kitchings:

The above-referenced criminal appeal is set for oral argument on November 10, 2015, at 10:00 a.m. in Courtroom I during the upcoming term of Court. Pursuant to Rule 208(b)(7), SCACR, the State seeks to provide the Court with supplemental citations prior to oral argument based on the belief the citations may be relevant and helpful to the Court in addressing the issues raised in the above-referenced criminal appeal. The State believes the following citation is relevant to the directed verdict issue: State v. Chappell, 185 S.C. 111, 193 S.E. 924 (1937). Likewise, the State believes the following citation is relevant to the flight evidence issue: State v. Freely, 105 S.C. 243, 89 S.E. 643 (1916).

Sincerely,



Mark R. Farthing  
Assistant Attorney General  
Bar No. 76901

MRF/

cc: Laura R. Baer, Esquire (By Mail, Email, and Fax)  
Victim Services