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SC Court of Appeals

December 3, 2015

The Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211
Via hand delivery

Re: State v. James Clyde Dill, Jr., App. Case No. 2013-000724

Dear Ms. Kitchings:

Oral argument is scheduled in the referenced case for Monday, December 6, at 12:00 p.m., concomitantly with oral argument in State v. Molina Armstrong. Pursuant to Rule 208(b)(7), SCACR, I would refer to the following as additional authority which was included in the State's brief in State v. Armstrong (I have already sent by e-mail, the State's brief in State v. Armstrong to opposing counsel in the above case):

Hyman v. State, 397 S.C. 35, 723 S.E.2d 375 (2012) (as to Issue III, concerning disclosure of confidential informants);

Illinois v Gates, 482 U.S. 213, 237-38 (1983) (discussing how anonymous tips "frequently contribute to the solution of otherwise 'perfect crimes.'");

People v. Hobbs, 873 P.2d 1246 (Cal. 1994) (noting disclosure of informant is not required merely for purpose of defendant attacking probable cause for a warrant);

Rovario v. United States, 353 U.S. 53 (1957) (discussing policy of the privilege against disclosure of informants);

State v. Batson, 261 S.C. 128, 198 S.E.2d 517 (1973) (noting the trial judge has "considerable discretion" in the judge's decision regarding disclosure of the informant's identity);



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State v. Bultron, 318 S.C. 323, 457 S.E.2d 616 (Ct. App. 1995) (as to Issue III, concerning disclosure of confidential informants who are mere tipsters);

United States v. Blevins, 960 F.2d 1252 (4th Cir. 1992) (discussing defendant's burden to demonstrate need for disclosure of informant);

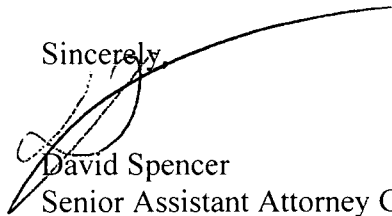
United States v. Gray, 47 F.3d 1359 (4th Cir. 1995) (discussing no requirement for disclosure of informant who was used for the limited purpose of obtaining a search warrant).

United States v. Hehciz, 437 F.2d 145, 149 (9th Cir. 1971) (discussing policy reasons for not disclosing informants including their necessity in combatting illegal drug trade);

McCray v. Illinois, 386 U.S. 300 (1967) (as to Issue I, regarding sufficiency of warrants).

I am also forwarding a copy of this letter by e-mail attachment to opposing counsel.

Sincerely,



David Spencer
Senior Assistant Attorney General

cc: John H. Strom, Esquire
jstrom@sccid.sc.gov