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SC SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

January 8, 2016

Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P. O. Box 11330
Columbia, SC 29211

Re: State v. Antonio Miller
Appellate Case No. 2012-208640
Oral Argument Scheduled – January 12, 2016

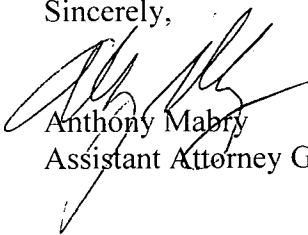
Dear Mr. Shearouse:

Upon reviewing the Record on Appeal in preparation for oral argument next week, I discovered a factual misstatement in Respondent's brief that needs to be corrected. This letter is to correct the factual misstatement.

On pages 10 and 44 of the Brief of Respondent it is stated that two (2) black shirts were recovered from the trunk of the green Ford Taurus, one of which contained the DNA of the victim Fred Tucker. This statement is incorrect in that two (2) black shirts were recovered from the trunk of the green Ford Taurus; however, it was the clothing of co-defendant Marquis Redfield [his black shorts and black tennis shoes] that contained the victim Fred Tucker's DNA. (ROA, p. 387, Tr. p. 168; R. pp. 465-67, Tr. pp. 247-49).

Please notify the Chief Justice and the Honorable Justices of this Court of this correction. I apologize for the error. Thank you for your assistance in this matter.

Sincerely,


Anthony Mabry
Assistant Attorney General

AM/lbb
cc: Robert M. Dudek, Esquire