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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

March 31, 2016

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

Re: The State v. William Anthony Wallace
Appeal from Richland County
Appellate Case No. 2014-001786
Supplemental Citation

Dear Ms. Kitchings:

Pursuant to Rule 208(b)(7), SCACR, Respondent submits the following supplemental citation: *State v. Drayton*, 415 S.C. 43, 780 S.E.2d 902 (Dec. 23, 2015).

Within Respondent's Final Brief, filed October 7, 2015, and set for oral argument on April 12, 2016, Respondent relied upon the prior opinion of this Court in *State v. Drayton*, 411 S.C. 533, 769 S.E.2d 254 (Ct. App. 2015), in the second prong of its argument of the issue on appeal. (Br. of Respondent, pp. 16-17).

Since Respondent's filings in this case, the South Carolina Supreme Court has vacated in part and affirmed in result that opinion. *State v. Drayton*, 415 S.C. 43, 780 S.E.2d 902 (Dec. 23, 2015). As a matter of first impression, this Court found no reasonable expectation of privacy in historical cell site location data obtained as a business record of the cell phone carrier. *Drayton*, 411 S.C. at 549, 769 S.E.2d at 262-63. The Supreme Court vacated this ruling, finding this Court reached that novel issue in error "because, in view of the totality of the circumstances, the affidavits in support of the warrants established probable cause for the search." *Drayton*, 415 S.C. at 45, 769 S.E.2d at 903. The Supreme Court also found that any error in the issuance of the warrants was harmless. *Id.*

By copy of this letter I am informing opposing counsel of the same. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Caroline M. Scrantom".

Caroline M. Scrantom
Assistant Attorney General

CMS

cc: Kathrine H. Hudgins, Appellate Defender