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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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May 25, 2016

ORIGINAL

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RECEIVED

Re: State v. Phyllis Ann Lane, Appellate Case No. 2015-000708

MAY 26 2016

Dear Ms. Kitchings:

SC Court of Appeals

Please allow this letter to serve as a response to the Court's phone call regarding the remand in State v. Phyllis Lane for a record reconstruction hearing. A reconstruction hearing was held on March 21, 2016 before Judge Seals. After discussing the amount of testimony that would have to be reconstructed Judge Seals, with agreement of prosecuting attorney Elizabeth Munnerlyn, McColl Police Chief Tommy Langley (the lead investigator), and the victim Mildred Gause (Ms. Lane's mother), determined that the Record could not be adequately reconstructed so as to allow for meaningful appellate review.

Counsel for Appellant has sent a proposed "Order from the Trial Court on Remand From Appellate Court to Reconstruct the Record" to Judge Seals for his review and approval on May 17, 2015. Ms. Munnerlyn has already reviewed the proposed order.

I apologize for the delay in providing the Court with an update. If the Court has any further questions or concerns regarding the present matter, please do not hesitate to contact me at your earliest convenience and I will gladly assist in any way that I can. Thank you again for your time and attention to this matter.

Sincerely,

John H. Strom  
Appellate Defender

JHS/css

cc: The Honorable William H. Seals, Jr.  
J. Benjamin Aplin, Esquire  
Elizabeth Munnerlyn, Esquire