

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County

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J. C. Buddy Nicholson, Jr., Circuit Court Judge OCT 29 2012

Opinion No. 4964 (S.C. Ct. App. filed 4/25/2012) S.C. Supreme Court

09-GS-10-01373.

THE STATE,

RESPONDENT,

V.

ALFRED ADAMS,

PETITIONER

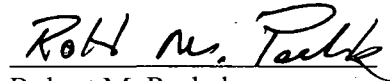
APPELLATE CASE NO. 2010-151626

REPLY TO RESPONENT'S RETURN TO
PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEALS

Petitioner would note as he did in his final brief that United States v. Knotts, 460 U.S. 276, 103 S.Ct. 1081 (1983) expressly held that its opinion did not cover the question of the warrantless installation of a tracking device. 460 U.S. at 279-280, 103 S.Ct. at 1084. In addition, S.C. Code § 17-30-140 (Supp. 2008) requires the Attorney General or a solicitor to make an application to a

judge for on order authorizing placement of a tracking device. Respondent ignores the fact that State law requires a court order just as the Court of Appeals also ignored the state statute.

Respectfully submitted,


Robert M. Pachak
Appellate Defender

ATTORNEY FOR PETITIONER.

This 29th day of October, 2012

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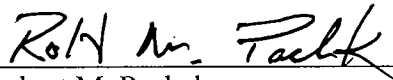
ALFRED ADAMS,

PETITIONER

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CERTIFICATE OF SERVICE

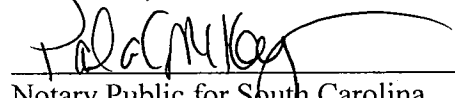
I certify that a true copy of the reply to respondent's return to petition for writ of certiorari in this case has been served on Deborah R.J. Shupe, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and the S.C. Court of Appeals, this 29th day of October, 2012.



Robert M. Pachak
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 29th day
of October, 2012.



Notary Public for South Carolina
My Commission Expires: July 24, 2022.