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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

July 22, 2016

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

Re: The State v. Earnest Stewart Daise
Appellate Case No. 2013-002394
November 2016 Oral Argument Conflicts

Dear Ms. Kitchings:

I am in receipt of the July 14, 2016 letter concerning the potential setting the oral argument in this case during the November 2016 term. At the present time, I have an out of state commitment on November 7, 2016. I also had a death penalty PCR hearing originally set before Judge Keesley for November 14-17, 2016 in Ronald Finklea v. State. However, at a status hearing on July 21, 2016, the matter was reset for September 6, 2017. During that hearing, opposing counsel Diana Holt announced that she will be asking Judge Macaulay at a motion and status hearing on July 26, 2016 to request Judge Macaulay to set either the Jerry Inman v. State or Norman Starnes v. State death penalty PCR hearings for the week of November 17, 2016. Therefore, it appears that there may be a conflict during that week also.

At the time of this letter, I have also received a conflict letter from A. Mattison Bogan indicating a request for a later month. Please be advised that I currently have no conflicts in December 2016.

By copy of this letter, I am serving opposing counsel with same.

Sincerely,

Donald J. Zelenka
Senior Assistant Deputy Attorney General

DZ/lbb

cc: A. Mattison Bogan, Esquire
Phillips L. McWilliams, Esquire
Robert M. Dudek, Esquire
Isaac McDuffie Stone, Solicitor
Trisha Allen, Victims Assistance