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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender
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September 29, 2016

RECEIVED

SEP 29 2016

SC Court of Appeals

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

Re: The State v. Natalie Smallwood

Dear Ms. Kitchings:

This appeal is premature as Ms. Smallwood was tried in her absence and has not been sentenced yet as she cannot be found. I would ask to have this appeal dismissed without prejudice until she is brought before the court to have her sentence read where she can then appeal. I am enclosing a letter from the trial attorney explaining Ms. Smallwood's situation.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "R. Pachak".

Robert M. Pachak
Appellate Defender

RMP/ccf

cc: Charles David Barr, Esquire

Enclosure: letter

**LAW OFFICE OF
CHARLES DAVID BARR**
ATTORNEY AND COUNSELOR AT LAW
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September 27, 2016

RECEIVED
SEP 29 2016
SC Court of Appeals

Christian C. Ford, Legal Assistant
**South Carolina Commission on
Indigent Defense
Appellate Division**
1330 Lady Street, Suite 401
Columbia, South Carolina 29201

Re: State of South Carolina vs. Natalie Smallwood
Docket No.: 2009-GS-45-052
CDB File No.: 13-194 CRcdb

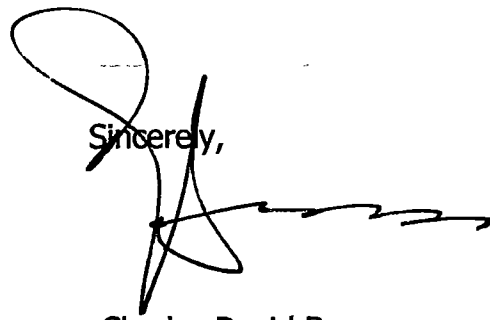
Dear Ms. Ford:

I got your e-mail, sent Tuesday, September 27, 2016.

As far as I know Ms. Smallwood has not been arrested, nor has there been a sentencing hearing. The trial judge sealed the sentence and I believe she may be somewhere in New York.

With kind regards,

Sincerely,



Charles David Barr

CDB/mlg

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