



ALAN WILSON  
ATTORNEY GENERAL

November 8, 2012

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

RECEIVED

NOV - 8 2012

S.C. Supreme Court

RE: State v. Ashley N. Hepburn  
Appellate Case No: 2011-190695

Dear Mr. Shearouse:

Please accept this letter as the State's Return to Petition of the South Carolina Association of Criminal Defense Lawyers to File an Amicus Curiae Brief submitted by E. Charles Grose, Jr., Esquire and James W. Bannister, Esquire in the appeal listed above. Because participation by amicus curiae is entirely within this Court's discretion, the State takes no position but notes that the petition for leave to file an amicus curiae brief comes after the briefing cycle for the parties has ended. The State also notes that Appellant renewed her motion for directed verdict at the conclusion of all the evidence but made no assertion that the trial court should not consider the co-defendant's testimony at that time. The State questioned the relevance of the arguments made in the amicus curiae brief to this particular case. (ROA pp. 1337-1338).

Sincerely,

Salley W. Elliott  
Senior Assistant Deputy Attorney General  
S.C. Bar No: 1871

SWE/ab

cc: Andrew A. Mathias, Esquire  
E. Charles Grose, Jr., Esquire  
James W. Bannister, Esquire  
Ms. Trisha Allen