

Nelson Mullins

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SC Court of Appeals

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November 18, 2016

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: The State v. Earnest Stewart Daise
Appellate Case No. 2013-002394
Our File No. 38769/01523

Dear Ms. Kitchings:

We are in receipt of your letter dated November 10, 2016 indicating this case may be heard during the February 2017 term of court. This letter is to advise you that the undersigned is available to argue this matter on February 7 and 8, 2016. The remaining days present a conflict due to a federal trial currently scheduled to begin on February 9, 2016 in front of Judge Hendricks. Given the scheduled trial and Mr. Zelenka's multiple arguments, I do not oppose argument being held in a later month.

Very truly yours,



Phillips L. McWilliams

PLM:kdm

cc: Donald J. Zelenka, Esquire
Robert M. Dudek, Esquire

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