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S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

December 13, 2016

The Honorable Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
1231 Gervais Street
Columbia, SC 29201
Via hand delivery

Re: State v. Tiphani Marie Parkhurst, 2015-002404

Dear Mr. Shearouse:

Oral argument is scheduled in the referenced case for December 15, 2016 at 9:30 a.m.

Pursuant to Rule 208(b)(7), SCACR, I would refer to the following as additional authority:

Chemistry-dictionary.com:

<http://chemistry-dictionary.com/definition/theoretical+yield.php> (last visited December 13, 2016) (providing definition for theoretical yield).

United States v. Anderson, 236 F.3d 427 (8th Cir. 2000) (finding where law enforcement seized 100 grams of pseudoephedrine from co-conspirator's residence, it was improbable any rationale jury would find the object of the conspiracy was to manufacture less than 50 grams of methamphetamine).

State v. McCluney, 361 S.C. 607, 606 S.E.2d 485 (2004) (on attempt).

State v. Mickle, 164 S.W.3d 33, 50 (Mo. Ct. App. 2005) (on the necessity of proving the defendant knew how to manufacture methamphetamine to prove the defendant intended to manufacture methamphetamine).

State v. Green, 406 S.C. 589, 753 S.E.2d 259 (Ct. App. 2014) (on whether attempt is a lesser offense of the completed offense).



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I am also forwarding a copy of this letter by e-mail attachment to opposing counsel.

Sincerely,

David Spencer
Senior Assistant Attorney General

cc: Lara M. Caudy, Esquire
lcaudy@sccid.sc.gov