THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM BERKELEY COUNTY
General Sessions Court
Kristi L. Harrington, Circuit Court Judge

Case No. 2015-GS-08-01333
Appellate Case No. 2015-002668

The State,

Respondent,

v.

Sha'Quille Washington,

Appellant.

FINAL REPLY BRIEF OF APPELLANT

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ARGUMENT IN REPLY

The state's brief portrays a one-sided version of the evidence presented at trial, highlighting the testimony favorable to the state's position. For example, the state asserts Larry Jenkins was 100 percent certain of his identification of appellant as the shooter, without acknowledging that Jenkins also testified he was less than 100 percent certain of that identification. R. p. 68. The state mischaracterizes the evidence of Arianna Coakley's arming herself with a beer bottle, claiming appellant struck the decedent, then Coakley grabbed the bottle. In fact, Coakley grabbed the bottle before going outside, not

after the altercation began. R. pp. 107, 221. She raised it to strike appellant before she claims appellant pointed a gun at her. R. pp. 85, 104.

The state makes the claim that "[t]he only evidence is this was an assassination." This claim is not correct. The evidence was in sharp dispute. Even the state's own witnesses contradicted aspects one another's accounts. The jury certainly disagreed with the state's unfounded "assassination" claim, acquitting appellant of the charge of murder and instead finding him guilty of voluntary manslaughter.

Throughout its brief, the state asserts that any errors committed by the court on the issues raised in this appeal were harmless and not prejudicial. To the contrary, the errors in the rulings of the trial court likely affected the outcome of this trial. The evidence was rife with inconsistencies as to the actions of the various individuals at the club that night. Two witnesses were personally observing appellant when the shots were fired and saw that he was not armed or engaged in the altercation at all. R. pp. 470-71, 476, 480, 483-84. After five hours of deliberations the jury reported to the court that it was deadlocked. R. pp. 604-05. Deliberations continued the next day for another five hours before the jury reached a verdict. R. p. 619. The jury had questions about the instructions on the law and even mischaracterized one of the legal doctrines charged by the court, without further clarification given by the court to dispel their misunderstanding of that doctrine. R. pp. 604, 619, 643, 645. Against this backdrop, it cannot be said that the court's errors with respect to the evidentiary rulings, the jury charges, and the conduct of the proceedings related to the *Allen*[1] charge were harmless. This Court should reverse and remand for a new trial.

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[1] *See Allen v. United States*, 164 U.S. 492 (1896).

I. THE TRIAL COURT ERRED IN REFUSING TO ADMIT THE TESTIMONY OF A DEFENSE WITNESS THAT LARRY KINLOCH TOLD THE WITNESS HE COMMITTED THE SHOOTING.

Appellant challenges the court's refusal to admit the testimony of Quentin Kenneth Grant that Larry Kinloch told him he did the shooting, arguing that the proffered testimony was admissible under Rules 801(d)(1)(A), 803(1), and 803(2) of the South Carolina Rules of Evidence. The state contends the only preserved argument with respect to this issue is the argument premised on Rule 803(1). To the contrary, the other bases for appellant's attempt to have this testimony admitted are apparent from counsel's statements and from the context revealed by the record, and each facet of this argument is preserved for appellate review.

It should be noted that throughout the trial the court limited counsel in placing objections on the record, repeatedly informing counsel that it would not allow "speaking objections," often cutting counsel off before the objection could be fully stated on the record, and requiring that the objection be argued in off-the-record bench conferences. This occurred when the state objected to the defense's questioning of Grant concerning Kinloch's statement.

The state called Kinloch as a witness in its case in chief. R. p. 156. On cross-examination, the defense questioned Kinloch about having told Grant and Darlene Washington that he did the shooting, and Kinloch denied having made that statement to them. R. p. 175. When the state objected to the defense's questioning of Grant on hearsay grounds, counsel initially asserted the grounds for admission of the testimony, stating that "Larry already testified." R. p. 436, line 12. The court sustained the state's objection over this argument. R. p. 436, line 15-16. When the statement was then

elicited and the state's objection was renewed, the remainder of the argument occurred in an off-the-record bench conference, after which the court struck the testimony, instructed the jury not to consider it, and instructed the foreman not to allow it to be discussed by the jury. R. p. 437, lines 1-18; p. 438, lines 18-25.

To be preserved for appellate review, the specific evidentiary basis for the offer of evidence need only be "made known to the court" or be "apparent from the context." *See* Rule 103(a)(2), SCRE; *cf. State v. Foster*, 354 S.C. 614, 620 n.4, 582 S.E.2d 426, 429 n.4 (2003) (specific ground for objection to evidence of prior consistent statement was apparent from context); *State v. Hamilton*, 344 S.C. 344, 360-61, 543 S.E.2d 586, 595 (Ct. App. 2001) (ground for objection made in off-the-record bench conference was apparent from context of later argument of jury charges and mistrial motion contained in the record), *overruled on other grounds*, *State v. Gentry*, 363 S.C. 93, 610 S.E.2d 494 (2005).

One of the specific evidentiary bases counsel was asserting for admission of this evidence was that Kinloch had testified and denied the statement, and Grant was testifying concerning a prior inconsistent statement, admissible as non-hearsay under Rule 801(d)(1)(A). Counsel's specific reference to Kinloch's having already testified, in the context of Kinloch's having denied the statement, clearly reveals the basis for the defense's offer of this evidence – that it was a prior inconsistent statement. Nothing more was necessary to preserve this aspect of the evidentiary issue for appellate review. *Cf. Foster*, 354 S.C. at 620 n.4, 582 S.E.2d at 429 n.4.

Another ground that counsel argued during the bench conference was later revealed on the record in argument of the jury charges. With respect to the state's request

to give a charge on "the hand of one is the hand of all," counsel revisited the court's rulings on its repeated attempts to introduce evidence of Kinloch's statements, specifically referencing its argument that the statement was an excited utterance. R. p. 533, lines 2-3 (noting that counsel had argued the "utter excited (sic) exception to the hearsay rule"). Counsel thereby placed on the record this basis for its earlier attempt to introduce the statement Kinloch made to Grant, and this aspect of the argument is preserved for appellate review. *Cf. Hamilton*, 344 S.C. at 360-61, 543 S.E.2d at 595.

All three grounds for admission of Kinloch's statement – prior inconsistent statement under Rule 801(d)(1)(A), present sense impression under Rule 803(1), and excited utterance under Rule 803(2) – are properly before the Court based on the statements of counsel and the context reflected by the record. R. pp. 436-37 (prior inconsistent statement); p. 448 (present sense impression); and p. 533 (excited utterance). This Court should address all aspects of the argument of this issue.

The state contends the proper foundation was not laid for introduction of this testimony as a prior inconsistent statement, claiming Kinloch was not questioned as to the time and place the alleged conversation took place. To the contrary, in the context of questioning Kinloch about having made the statement, the defense questioned him about Grant's having assisted him "away from the shooting" and his having seen Grant "after the shooting that night." R. pp. 175-76. These questions supplied both the time and the place of the statement he was alleged to have made to Grant – after the shooting that night and at the location to which he went away from the shooting. Indeed, this questioning is far more specific as to time and place than that of *State v. Fossick*, 333 S.C. 66, 508 S.E.2d 32 (1998), in which the Supreme Court found error in exclusion of

similar testimony. In *Fossick*, the only foundation as to time was "a time back in 1989" – a reference far less specific than the questioning about "after the shooting that night" – and there was no reference whatsoever as to the place of the statement. Notwithstanding this lack of foundation, the Supreme Court found the trial court erred in not admitting the prior inconsistent statement under Rule 613(b), SCRE. *See Fossick*, 333 S.C. at 69-70, 508 S.E.2d at 33.

The state claims that the "elephant in the room" with respect to this issue is *State v. Cooper*, 334 S.C. 540, 514 S.E.2d 584 (1999), a case not addressed in appellant's opening brief because it pertains to a different issue – admissibility of evidence of third-party guilt under Rule 804(b)(3), which addresses a statement against interest of an ***unavailable*** declarant. Contrary to the state's assertion, the real "elephant in the room" is the state's failure to address *Fossick*, cited in appellant's opening brief, and the state's further failure to address the *Cooper* decision's discussion of *Fossick*.

In *Cooper*, the Supreme Court relied on *Fossick* in stating that "even if testimony is inadmissible as substantive evidence of third-party guilt, it may still be admissible for impeachment purposes." *Cooper*, 334 S.C. at 550, 514 S.E.2d at 589, *citing State v. Fossick*, 333 S.C. 66, 508 S.E.2d 32 (1998). *Cooper*'s discussion of *Fossick* is instructive and applies precisely to the situation presented here. The Supreme Court stated:

> In *State v. Fossick*, a State's witness testified concerning the circumstances surrounding the murder. On cross-examination, defense counsel asked the witness if he had previously told his girlfriend that he was the one who killed the victim. The witness denied making the statement. Defense counsel then sought to admit extrinsic evidence of a prior inconsistent statement made by the witness. This Court held that even if the evidence was inadmissible as evidence of third-party guilt, it was admissible for impeachment purposes. However, unlike the instant

> case, the witness in *Fossick* testified for the State concerning circumstances surrounding the crime.

See Cooper, 334 S.C. at 550 n.3, 514 S.E.2d at 589 n.3. Here, *Fossick* is controlling. Unlike *Cooper* and like *Fossick*, the individual being impeached with a prior inconsistent statement, Kinloch, was called by the state as a witness to the events in question. R. p. 156. He testified concerning the events surrounding the shooting, and he was asked about his prior statement on cross-examination and denied making the statement. R. pp. 157-71, 175-76. Under these circumstances, which are identical to those of *Fossick*, the court erred in excluding the testimony of Grant as to Kinloch's prior inconsistent statement.

The state devotes a significant portion of its argument of this issue to *Cooper* and other cases that excluded evidence of third-party guilt. Those cases are distinguishable. In those cases, no evidence linked the third party to the crime, and the third-party guilt evidence had no effect but to cast a "bare suspicion" or to raise a "conjectural inference" as to another's guilt. *See Cooper*, 334 S.C. at 547-50, 514 S.E.2d at 588-89; *State v. Gregory*, 198 S.C. 98, __, 16 S.E.2d 532, 534-35 (1941); *State v. Swafford*, 375 S.C. 637, 641-43, 654 S.E.2d 297, 299-300 (Ct. App. 2007). However, in this case, multiple pieces of evidence linked Kinloch to the shooting. Kinloch had tried to "hit on" Manigault's girlfriend a week earlier. R. pp. 82, 97-98. He was at the club that evening and was engaged in the interactions with Manigault inside, before the parties moved outside where the altercation took place. R. pp. 422-23, 425-27. Manigault told a witness Kinloch was going to shoot him. R. pp. 423, 430-31. Jenkins testified ***two*** individuals were engaged in the fight with Manigault. R. pp. 42, 57. An independent witness, not there for the party, testified Manigault and Kinloch were fussing and Manigault removed

his shirt as if to engage in a fight. R. pp. 459-60. The state's brief acknowledges Kinloch was fighting. There was also evidence negating that it was appellant who did the shooting. Witnesses who were observing appellant when the shooting occurred testified he was not armed, was not in proximity to where the shots were fired, and ran away after the shooting started. R. pp. 470-71, 476, 480, 483-84. On this evidentiary record, *Cooper*, *Gregory*, and *Swafford* are inapplicable, and the testimony of Grant was admissible as evidence of a prior inconsistent statement by Kinloch.

For the reasons more fully set out in appellant's opening brief, this testimony was also admissible as a present sense impression and an excited utterance. *See* Rule 803(1), (2), SCRE. Contrary to the assertions of the state's brief and the authorities relied on therein, this statement was made immediately after the shooting – within 20 to 25 minutes. It was not made after a period of reflection. Indeed, had there been sufficient time for reflection on Kinloch's part (to negate present sense impression) or sufficient time to no longer be under the stress of the excitement caused by the event (to negate excited utterance), Kinloch certainly would ***not*** have made a statement incriminating himself in a homicide. The court erred in sustaining the state's objection to this evidence.

Disingenuously, the state contends appellant was not prejudiced by the exclusion of this evidence and any error is harmless beyond a reasonable doubt. To the contrary, the evidence in this case was replete with discrepancies and contradictions. Two witnesses were personally observing appellant when the shots were fired and negated his being the shooter. R. pp. 470-71, 476, 480, 483-84. The evidence implicating appellant was weak, and the jury was deadlocked after five hours of deliberations, then deliberated an additional five hours before arriving at a verdict. R. pp. 604-05, 619. Based on the

evidence in the record, it cannot legitimately be said that the outcome of the jury's deliberations would not have been affected by an admission by Kinloch, a participant in the altercation, that he, rather than appellant, did the shooting. The court's ruling was prejudicial, was not harmless, and constitutes reversible error.

II. THE TRIAL COURT ERRED IN REFUSING TO ADMIT A TOXICOLOGY REPORT AND TESTIMONY OF THE FORENSIC PATHOLOGIST CONCERNING THE REPORT'S FINDINGS AS TO THE DECEASED'S BLOOD ALCOHOL LEVEL.

Appellant challenges the court's refusal to admit into evidence a toxicology report and related testimony of the forensic pathologist who conducted Manigault's autopsy, which revealed he had a blood alcohol level of .235. R. pp. 452-56, 635, 638. The state implies that this claim of error is not preserved because the defense never put on the record the basis for seeking admission of the evidence. The issue is preserved. The state objected to the evidence invoking Rule 404, which pertains to relevance. R. p. 452; *see* Article IV, SCRE ("Relevancy and Its Limits"). Although the objection was argued in an off-the-record bench conference, the trial court later placed on the record the basis for its ruling, stating, "[t]here has been abundant testimony as to the fact that there was drinking or not drinking by the victim, and so I have excluded this testimony." R. pp. 452-53. In context, despite the lack of argument by defense counsel on the record, the record reveals that the basis for offering this evidence and the basis for the court's exclusion of it was relevance.

As fully addressed in appellant's opening brief, this evidence was relevant and was not inadmissible under Rule 404, the stated basis for the state's objection to its admission. As argued there, it was admissible under all of the applicable evidence rules – Rules 401, 402, 403, and 404. Rather than pursuing a Rule 404 analysis, the state now

argues the court properly excluded the evidence under Rule 403. Under a Rule 403 analysis, the evidence was admissible, and the court's ruling is reversible error.

Under Rule 403, relevant evidence "may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time or needless presentation of cumulative evidence." As the court noted in putting its ruling on the record, and contrary to the state's contention, the evidence was disputed as to Manigault's drinking that night. Moreover, there was no evidence to establish the level of his drinking – whether a single drink or a continuous course of drinking that would result in an extremely high blood alcohol level. The scientific evidence that established the ***exact*** level of his intoxication – a blood alcohol content of .235 – was not cumulative to the other evidence in the record as to Manigault's "drinking or not drinking." R. p. 453. This evidence was probative of his actual level of intoxication, as compared to witness testimony that was vague and imprecise on the issue of his drinking that night. The evidence would not have resulted in undue prejudice, confusion of the issues, or misleading of the jury. *See* Rule 403, SCRE. In fact, the admission of the evidence would have resulted in ***clarity*** on the issue of his drinking, which was relevant to the question of who provoked the altercation.

The state argues the question of provocation is not relevant because, it claims, there was no evidence to support a claim of self-defense. To the contrary, even Coakley, Manigault's girlfriend and ally that night, who claimed appellant displayed a weapon, testified he did so only after she threatened appellant with a beer bottle. R. pp. 85, 104. The question of provocation was a central issue in the case, and Manigault's extreme

intoxication was probative and relevant. The evidence of his extreme intoxication was not prejudicial, confusing, misleading, or cumulative, therefore its probative value outweighed any factor that would justify its exclusion. *See* Rule 403, SCRE; *cf. Watson ex rel. Watson v. Chapman*, 343 S.C. 471, 477, 540 S.E.2d 484, 487 (Ct. App. 2000) (physician's alcohol dependency admissible under Rule 403 test).

Again, the state argues exclusion of this evidence was not prejudicial. For the reasons more fully argued in the opening brief, exclusion of this evidence prevented the jury from having a complete picture of the events that evening and, in particular, Manigault's extreme intoxication and the resulting impact such intoxication would have on his judgment, inhibitions, behavior, and tendency toward aggression or violence. Exclusion of this evidence likely impacted the jury's conclusions as to who instigated the altercation. Exclusion of the toxicology evidence of his .235 blood alcohol content was reversible error.

III. THE TRIAL COURT ERRED IN EXCLUDING THE TESTIMONY OF A DEFENSE WITNESS WHO HAD BEEN PRESENT IN THE COURTROOM BRIEFLY, IN VIOLATION OF THE SEQUESTRATION ORDER.

Appellant challenges the court's ruling excluding a defense witness who was briefly present in the courtroom during a portion of a prior witness's testimony, in violation of a sequestration order. Appellant adheres to his argument of this issue in his opening brief. The state contends the purpose of a sequestration order is to prevent the witness from shaping his testimony to conform to that of another witness. That clearly did not happen here. The witness entered the courtroom when Detective Shuler was on the stand, while a video was playing, but otherwise heard no testimony. R. pp. 409-10. Thus, there was nothing for him to conform his testimony to. As shown by the proffer of

his testimony, he did not model it after anyone else's testimony, but merely testified to his own observations – that he was outside the club when tussling was going on, saw fighting, and did not see either Kinloch or appellant with a weapon. R. p. 414. His presence in the courtroom earlier did not shape his testimony in any way, and the court abused its discretion in excluding the witness. *Cf. State v. Simmons*, 384 S.C. 145, 173-74, 682 S.E.2d 19, 33-34 (Ct. App. 2009); *State v. Tisdale*, 338 S.C. 607, 615-18, 527 S.E.2d 389, 394-95 (Ct. App. 2000). For the reasons stated in appellant's opening brief, this error was prejudicial and should be reversed.

IV. THE TRIAL COURT ERRED IN REFUSING THE DEFENSE'S REQUEST FOR A JURY CHARGE ON SELF-DEFENSE.

Appellant challenges the court's refusal of his request for a jury charge on self-defense. The state responds with its one-sided version of the evidence, contending there was no evidence that appellant was under a threat and that "this was an assassination." To the contrary, there was clear evidence in the record that Coakley grabbed a beer bottle before going outside. R. pp. 107, 221. She raised it to strike appellant, and she testified he defended himself with a weapon in response to her own threatening action. R. pp. 85, 104. The evidence from multiple witnesses was that Manigault was bothered by something, was "about to snap," and went outside to fight, even removing his shirt for that very purpose. R. pp. 42, 56, 100-01, 109, 124, 126, 460. These facts support a self-defense charge.

The court commits reversible error in not giving a charge if there is ***any evidence*** to support the requested charge. *State v. Smith*, 391 S.C. 408, 412, 706 S.E.2d 12, 14 (2011). The evidence, highlighted in argument of this issue in the opening brief, warrants a charge on self-defense, and the court committed reversible error in refusing that charge.

The state injects the issue of mutual combat into this argument, asserting mutual combat defeats a claim of self-defense. Neither party asked for a jury charge on mutual combat, and that issue was not before the jury. R. pp. 523-35, 588-603. But had it been, *State v. Graham*, 260 S.C. 449, 196 S.E.2d 495 (1973), on which the state relies, makes clear that the decision whether a person acted in self-defense or engaged in mutual combat is for the jury. The presence of some evidence of mutual combat does not deprive the defense of the right to a charge on self-defense, where there is also evidence to dispute mutual combat and to support a claim of self-defense. Such was the case here, and the failure to charge self-defense was reversible error.

V. THE TRIAL COURT ERRED IN GRANTING THE STATE'S REQUEST FOR A JURY CHARGE ON ACCOMPLICE LIABILITY.

Appellant challenges the court's giving of a charge on accomplice liability, based on the absence of any evidence in the record that Kinloch was the shooter and that appellant was acting with him when the shooting took place. The defense had attempted to introduce Kinloch's statement that he did the shooting, but the court excluded that evidence and instructed the jury to disregard it. No other evidence in the record supported an accomplice liability charge.

The state relies on questions defense counsel asked of Kinloch to argue that the defense suggested Kinloch was the shooter. However, those questions did not elicit any ***actual evidence*** that Kinloch was the shooter, and counsel's questions, which were not evidence, do not support an accomplice liability charge. The state also relies on testimony the court struck to argue the accomplice liability charge should have been given. When that testimony was elicited, the court sustained an objection to it, instructed the jury not to consider it, and instructed the jury foreman not to allow it to be discussed.

R. p. 437, lines 1-18. Later, the court again instructed the jury not to consider that testimony. R. p. 437, lines 18-25. Based on the court's rulings, there was absolutely no evidence in the record that Kinloch shot Manigault, and no basis for a charge on accomplice liability.

The state essentially argues that a charge is warranted on this theory of criminal liability, even without any evidentiary support, based on an assumption that the jury would disregard the court's clear instructions. This argument runs afoul of the fundamental principle of our jurisprudence that jurors are presumed to follow the court's instructions. *See Foye v. State*, 335 S.C. 586, 590 n.1, 518 S.E.2d 265, 267 n.1 (1999); *State v. Grovenstein*, 335 S.C. 347, 353, 517 S.E.2d 216, 219 (1999); *Arnold v. State*, 309 S.C. 157, 166, 420 S.E.2d 834, 838-39 (1992); *State v. Pierce*, 389 S.C. 430, 433, 346 S.E.2d 707, 710 (1986), *overruled on other grounds*, *State v. Torrence*, 305 S.C. 45, 406 S.E.2d 315 (1991). Indeed, the state invokes this very presumption in its argument of Issue 6, *citing State v. Queen*, 264 S.C. 515, 521, 216 S.E.2d 182, 185 (1975). The state should not be allowed to defend the giving of an inappropriate jury charge on the assumption that the jury disregarded the court's instructions and considered evidence the court had stricken from the record.

As in *Wilds v. State*, 407 S.C. 432, 756 S.E.2d 387 (Ct. App. 2014), where there was no evidence that anyone other than appellant was the shooter, an accomplice liability instruction was improper. The state seeks to distinguish *Wilds* on the basis that the offending jury charge was given in answer to a jury question and therefore was unduly emphasized. This distinction does not render *Wilds* inapplicable. Here, the accomplice liability charge was improper because it was without evidence to support it. In its

deliberations, the jury was clearly giving this charge its attention, sending out a request that the law be clarified on "hand of one is hand of all." R. p. 643. The jury also was clearly confused in its understanding of the doctrine, characterizing it in another note as "acting in concert with victim." R. p. 645. These communications demonstrate the jury was focused on this principle of law – which had no evidentiary support in the record – and the resulting prejudice is clear.

VI. THE TRIAL COURT ERRED IN GIVING AN *ALLEN* CHARGE AT THE CLOSE OF A DAY'S DELIBERATIONS, THEN EXCUSING THE JURY FOR THE NIGHT.

Appellant challenges the court's decision to give an *Allen* charge and release the jurors for the evening, without having them immediately resume deliberations. The state contends trial counsel's objection was premised on personal preference, not on any legal authority. In fact, counsel also invoked what it understood to be the proper procedure based on 33 years of trial experience. R. pp. 610-11. Counsel's understanding of the customary procedure was in keeping with the authorities cited in appellant's opening brief. *See Harvey v. Strickland*, 350 S.C. 303, 307-08, 566 S.E.2d 529, 532 (2002); *State v. Tillman*, 304 S.C. 512, 521, 405 S.E.2d 607, 612 (Ct. App. 1991). The fact that counsel could not name a reported decision does not undermine the validity of the objection he articulated.

The trial judge believed she was required to give the *Allen* charge before adjourning for the evening, as she stated on the record. R. p. 612. But there is clearly no such requirement in the law, as shown by the state's failure to invoke any authority setting forth such a requirement. The premise of an *Allen* charge is to require continued deliberations, during which the jurors are instructed to listen to one another, voice their

opinions, and discuss their differences with open minds. It is not the purpose of an *Allen* charge to send the jurors home to contemplate and focus on their own individual view of the case, without further deliberations with their counterparts. This Court should address this issue, find that the proper procedure is the one sought by the defense, and give guidance to that effect to the bench.

CONCLUSION

For the foregoing reasons and for the reasons set out in appellant's opening brief, this Court should reverse appellant's conviction and remand his case for a new trial.

Respectfully submitted,

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The State,

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Sha'Quille Mi'Leak Jamal Washington,

Appellant.

CERTIFICATE OF COUNSEL

Counsel hereby certifies that the final brief and final reply brief of appellant comply with Rule 211(b) of the South Carolina Appellate Court Rules. Counsel further certifies that the final brief and final reply brief of appellant comply with the Order of the Supreme Court of South Carolina, *Re Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings* (April 15, 2014).

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