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March 30, 2017

RECEIVED

MAR 30 2017

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: State v. Michael A. Spann - Appellate Case No. 2015-002317

Dear Ms. Kitchings:

On March 29, 2017, this Court requested a status update regarding the above-referenced case. The last status update was provided on October 26, 2016. Please allow this letter to update the Court regarding what has transpired since that date.

On February 17, 2017, our office received a transcript from Frances B. Ray, who transcribed the proceedings on behalf of Margaret T. Sullivan. Initially, the parties believed this transcript would cover the entire trial. However, upon receipt of the transcript, I discovered we were still missing portions of the trial. Specifically, we are missing portions from November 14, 2012.

On February 17, 2017, I made Judge Young and opposing counsel aware of our receipt of the transcript from Ms. Ray via email. Per Judge Young's request, I emailed copies of all transcripts received in this case to him. On March 1, 2017, Judge Young and I exchanged emails regarding what portions were missing. Opposing counsel was copied on the emails. On that date, Judge Young requested I contact John Meadors, Esquire, who assisted in the prosecution of Mr. Spann, to ascertain his memory of the trial.

I immediately contacted Mr. Meadors, but learned he was out of state. Thereafter, Mr. Meadors got very sick and we were unable to speak to each other until the afternoon of Friday, March 24, 2017. On that date, Mr. Meadors, Mr. Corbett, and I spoke by phone. We discussed the trial and what transpired during the trial. During the conversation, I explained to them that I do not have discovery in the case, which I would need in order to prepare for and participate in a reconstruction hearing. I have been unable to get the defense file due to the death of defense counsel. Mr. Meadors and Mr. Corbett are working to assemble the discovery in the case for me.

In light of the age of the case and other pressing matters in the prosecutor's office, I understand this may take some time. On March 24, 2017, I made Judge Young aware of our conversation and my desire to obtain discovery before proceeding with a reconstruction hearing via email, copying the state on the correspondence.

If you need additional information, please do not hesitate to contact me.

Sincerely,



Susan B. Hackett
Appellate Defender

cc: Hon. W. Jeffrey Young
J. Benjamin Aplin, Esquire
William Jason Corbett, Esquire
Michael Spann