



ALAN WILSON
ATTORNEY GENERAL

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SC Court of Appeals

April 7, 2016

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: State v. Wallace Steve Perry – Appellate Case No. 2014-002654

Dear Ms. Kitchings:

The above-referenced criminal appeal is set for oral argument on April 11, 2017, at 2:40 p.m. in Courtroom I during the upcoming term of Court. Pursuant to Rule 208(b)(7), SCACR, the State seeks to provide the Court with supplemental citations prior to oral argument based on the belief the citations may be relevant and helpful to the Court in addressing the issues raised in the above-referenced criminal appeal. The State believes the following citations are relevant to Issue I in the Final Brief of Respondent: State v. Hallman, 298 S.C. 172, 379 S.E.2d 115 (1999) (holding evidence of common scheme or plan was admissible where all victims were foster children of defendant, ages of victims were similar, and sexual acts were similar), State v. McClellan, 283 S.C. 389, 323 S.E.2d 772 (1984) (holding evidence of common scheme or plan was admissible where both victims were defendant's biological daughters, ages of victims were similar, and sexual acts were similar), State v. Scott, 405 S.C. 489, 748 S.E.2d 236 (Ct. App. 2013) (holding evidence of common scheme or plan was admissible where the prior bad act testimony was sufficiently similar to the crime charged and was not too remote nor was the evidence's probative value substantially outweighed by the danger of unfair prejudice), and State v. Clasby, 385 S.C. 148, 682 S.E.2d 892 (2009) (finding prior bad act evidence constituted the archetypal common scheme or plan and that the lack of physical evidence made the prior bad act testimony extremely probative to establish the charged offense).

Sincerely,

V. Henry Gunter, Jr.
Assistant Attorney General
Bar No. 102259

VHG/am

cc: Kerri A. Rupert, Esquire
Victim Services



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