



ALAN WILSON
ATTORNEY GENERAL

January 30, 2012

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S.C. Supreme Court

VIA HAND DELIVERY

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: In the Matter of the Care and Treatment of Vincen Neal Way

Dear Mr. Shearouse:

I am counsel of record in the above referenced case and filed a Petition for Writ of Certiorari from the Court of Appeals opinion In the Matter of Way, Op. No. 2011-UP-268 (S.C. Ct. App. filed June 8, 2011). Since the filing, the Court of Appeals has issued an opinion in In the Matter of Gilbert Gonzales, Op No. 2012-UP-003 (S.C. Ct. App. Filed January 4, 2012). The panel's decision in Gonzales is directly opposite the decision in Way and is further evidence of the need for this Court to grant Certiorari, and clarify whether the State commits error by raising an adverse inference during closing argument to the jury when an expert is retained but not presented.

By copy of this letter, I am advising opposing counsel of this additional citation.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

WMB/erd

cc: LaNelle C. DuRant, Esquire
Victim Services