



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

 ORIGINAL

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

November 15, 2017

RECEIVED

NOV 15 2017

SC Court of Appeals

The Honorable Jenny Kitchings
Clerk of Court, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: The State v. Kevin Lamar Gary, Appellate Case No. 2016-001603

Dear Ms. Kitchings:

Though Respondent requested that this Court hold the above-referenced case in abeyance, this Court's Order instructed Appellant's counsel to provide this Court with status updates every thirty days. As of the writing of this letter, the Supreme Court has not issued any amended opinion in State v. Beaty, Op. No. 2015-000718, 2016 WL 7474479 (S.C. Dec. 29, 2016), *rehearing granted* (Mar. 24, 2017). Oral argument was held on June 15, 2017. As counsel for Appellant articulated in her opposition to the motion for abeyance, the Supreme Court has no timeframe in which it is required to render any decision in Beaty.

This case been held in abeyance for ninety days. The amended initial brief of appellant was filed in this case on March 31, 2017. Due to this abeyance, the State has not filed an initial brief of respondent.

Please feel free to contact me if you have any questions.

Sincerely,

Laura R. Baer
Appellate Defender

cc: David Spencer, Esquire