



# 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

March 19, 2018

RECEIVED  
MAR 19 2018  
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:

On August 15, 2017, this Court granted Respondent's motion for abeyance in the above-referenced case and instructed Appellant's counsel to provide this Court with status updates every thirty days. As of the writing of this letter, our Supreme Court has not issued any amended opinion in State v. Michael V. Beaty, Jr., Op. No. 27693, 2016 WL 7474479 (S.C. filed Dec. 29, 2016), *rehearing granted* (Mar. 24, 2017). Oral argument in Beaty was held on June 15, 2017.

This case has been held in abeyance for seven months and four days. The amended initial brief of appellant was filed 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, Esq.  
Kevin Gary