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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

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

January 4, 2013

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. Randy Crosby

Dear Ms. Kitchings:

On September 10, 2012, this Court granted Counsel's request to hold Mr. Randy Crosby's case in abeyance pending receipt of a post-trial hearing transcript dated January 11, 2012. Counsel has since learned from the attorney who represented Mr. Crosby, Mark McKinnon, Esquire, that the Honorable John C. Hayes, III, cancelled the post-trial hearing (i.e., there is no transcript to obtain). Accordingly, Counsel requests that this Court take Mr. Crosby's case out of abeyance.

We have reset our time limit in which to file the initial brief of appellant and designation of matter thirty days from today, January 4, 2013, which gives us a due date of February 4, 2013. If this is not accurate, please notify me of the correct due date.

Thank you for your assistance and if you have any additional questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely,

Dayne C. Phillips
Appellate Defender

DCP/mch

cc: Salley W. Elliott, Esquire

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SC COURT OF APPEALS