

ALAN WILSON  
ATTORNEY GENERAL



September 28, 2012

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SEP 28 2012

S.C. Supreme Court

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

Re: **James Randolph Frady v. State**  
**Appellate Case No. 2012-207126**

Dear Mr. Shearouse:

By order dated August 10, 2012, the Court remanded the above-captioned post-conviction relief (PCR) appeal in order for Judge J. Cordell Maddox, Jr. to conduct a partial reconstruction of the PCR transcript. The Court ordered the hearing "should be held within 45 days of the date of this order." The reconstruction hearing was scheduled to be heard by Judge Maddox on Monday, October 1st. As Judge Maddox is having knee surgery, however, S.C. Court Administration has issued a scheduling order relieving him of presiding over PCR court next week and instead appointing Judge Newman. Please see attached. As such, the State must request an extension past the 45 day limit ordered by the Court to conduct the reconstruction hearing. The State requests permission to coordinate with Judge Maddox to reschedule the matter at his earliest convenience. If there are any questions or comments, please do not hesitate to contact me at any time.

Sincerely,

Karen C. Ratigan  
Assistant Deputy Attorney General

Attachment

cc: The Honorable J. Cordell Maddox, Jr.  
Rodney W. Richey, Esquire

# The Supreme Court of South Carolina

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## ORDER


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Pursuant to the provisions of S.C. CONST. Art. V, §4,

IT IS ORDERED that the term of the Court of Common Pleas for Bamberg County for the week of October 1, 2012 be canceled and that the Honorable Clifton Newman be excused from presiding over this term.

IT IS FURTHER ORDERED that the Honorable J. Cordell Maddox, Jr. be excused from presiding over the Post-Conviction Relief term of the Court of Common Pleas for the Tenth Judicial Circuit for the week of October 1, 2012 for official leave and that the Honorable Clifton Newman be reassigned to preside over this term.

JEAN HOEFER TOAL, CHIEF JUSTICE

  
By: Motte L. Talley, Assistant Director  
S.C. Court Administration

September \_\_\_\_\_, 2012  
Columbia, South Carolina