



ALAN WILSON  
ATTORNEY GENERAL

August 15, 2019

RECEIVED

AUG 15 2019

S.C. SUPREME COURT

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

RE: Marcus D. Allison v. State  
Appellate Case No. 2019-001266  
Lower Court Case No. 2015-CP-37-00316

Dear Mr. Shearouse:

I am writing in response to your letter of August 8, 2019, inquiring about the status of the Motion to Amend or Alter Judgment filed by opposing counsel William G. Yarborough, III, in this case on April 27, 2018. Below is a timeline of events regarding this motion:

- May 4, 2018 – Applicant's Motion to Alter or Amend Judgment filed by opposing counsel Yarborough and subsequently served on the State. It is unclear from our records whether the motion was served on the presiding judge, the Honorable J. Cordell Maddox, Jr., at this time;
- May 31, 2018 – State's Return to Motion to Alter or Amend and Motion to Strike filed;
- January 18, 2019 – Letter sent to Judge Maddox's chambers from Mr. Yarborough's office inquiring about status of motion;
- February 6, 2019 – Email from Oconee County Clerk of Court to Judge Maddox's law clerk and administrative assistant inquiring about status of motion and attaching Applicant's motion and State's Return;
- May 31, 2019 – Email from Attorney General's Office to Judge Maddox's law clerk inquiring about status of motion and attaching Order of Dismissal, Applicant's Motion, and State's Return;
- August 14, 2019 – Attorney General's Office forwarded original email of May 31, 2019, including attachments and a copy of the Court's August 8, 2019, letter to Judge Maddox's law clerk and administrative assistant.

As of the writing of this letter, I am not aware that a ruling has been made on the motion, and therefore, it is the State's position the *pro se* notice of appeal filed by Mr. Allison should be

dismissed. I have checked the public index on today's date, and I have conferred with opposing counsel to confirm that no ruling has been received. Additionally, yesterday I resent my email dated May 31, 2019, with attachments and a copy of the Court's August 8, 2019, to the judge's chambers. Please let me know if the Court would like me to provide copies of the correspondence referenced in this letter or if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "L. McCallister", written in a cursive style.

Lindsey A. McCallister  
Assistant Attorney General  
S.C Bar Number. 79054

LAM/ch

cc: William G. Yarborough, III, Esquire  
The Honorable J. Cordell Maddox, Jr.