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June 30, 2020

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

RECEIVED

Jun 30 2020

SC Court of Appeals

Re: The State v. Quincy Lakeith Hemphill, Appellate Case No. 2019-001807

Dear Ms. Kitchings:

The above titled appeal has been in abeyance pending receipt of a Schmerber pre-trial hearing transcript. The reason for this requested transcript was due to a trial transcript reference found at Tr. 202, lines 1-6 where counsel mentioned that an August 8, 2017 hearing (Schmerber) had been scheduled before a consent order to extract DNA was signed by all parties involved. See Tr. 203, 1.1-12. Therefore, out of an abundance of caution, a request for this pre-trial hearing was placed along with a letter to this Court asking that the appeal be held in abeyance.

On June 29, 2020, information was submitted by Court Administration advising that their records reflected that no such pre-trial hearing took place on August 8, 2017, in the case. Therefore, we would respectfully request that the holding of this appeal be lifted out of abeyance and a time set for the filing of the initial brief of appellant in the appeal.

Sincerely,

s/Wanda H. Carter
Wanda H. Carter
Deputy Chief Appellate Defender

WHC/sl

Cc: William M. Blich, Jr., Esquire