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GENERAL & COMPLEX LITIGATION

BUSINESS & CORPORATE LAW

APPELLATE PRACTICE

CRIMINAL DEFENSE

PERSONAL INJURY

October 13, 2020

VIA FACSIMILE & FIRST CLASS MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

Oct 21 2020

SC Court of Appeals

Re: *The State v. Devin Zachary Elijah Ruttle*
Appellate Case No.: 2019-001570

Dear Ms. Kitchings:

I hope this correspondence finds you well. I am writing today in response to the Court's October 12, 2020 letter requesting an update on the status of Appellant Devin Ruttle's Motion for New Trial, which is currently pending before the Honorable Derham J. Cole in the Spartanburg County Court of General Sessions. After submitting Mr. Ruttle's Motion for New Trial along with Affidavits in support thereof with the Spartanburg County Clerk of Court's Office, Judge Cole's law clerk informed counsel of record for the State and Mr. Ruttle that Judge Cole desired to hold an evidentiary hearing on Mr. Ruttle's Motion in mid to late September. Unfortunately, while trying to schedule the hearing I reached out to and was informed by Mr. Jonathan Eckstrom in the Office of General Counsel for the South Carolina Department of Corrections ("SCDC") that due to COVID-19 there is a moratorium on the transport of inmates for purposes of hearings being held in Circuit Court. Accordingly, given the nature of the pending Motion for New Trial and that Mr. Ruttle's participation in the evidentiary hearing is essential thereto and could likely be dispositive of the success or failure of the Motion, the hearing on the Motion has been delayed due to SCDC's efforts to fight COVID-19. It is my understanding that both parties and the Court are prepared to move forward with the evidentiary hearing as soon as SCDC's COVID-19 transport restrictions are relaxed to allow Mr. Ruttle's presence and participation in the hearing.

With kindest regards, I am

The Honorable Jenny Abbott Kitchings

October 13, 2020

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Truly yours,

A handwritten signature in red ink that reads "Christopher T. Brumback". The signature is written in a cursive style with a large, looping initial "C".

Christopher T. Brumback, Esq.
Brumback & Langley, LLC

CTB/

cc: Melody Brown, Esq. (encl.)