



ALAN WILSON
ATTORNEY GENERAL

October 30, 2020

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SC Court of Appeals

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

RE: State v. Robert Lee Miller, III – Appellate Case No. 2017-001347

Dear Ms. Kitchings:

The above-referenced criminal appeal is set for oral argument on November 3, 2020, at 10:00 a.m. during the upcoming term of Court. Pursuant to Rule 208(b)(7) of the South Carolina Appellate Court Rules, the State seeks to provide the Court with supplemental citations prior to oral argument based on the belief the citation will be relevant and helpful to the Court in addressing the issues raised in the above-referenced criminal appeal. Specifically, the State believes the following citations may be relevant to the sentencing issue: State v. Slocumb, 426 S.C. 297, 827 S.E.2d 148 (2019) (recognizing Slocumb's 130-year sentence constituted a de facto life sentence but declining to extend United States Supreme Court precedent beyond its limits to find such a sentence unconstitutional); State v. Smith, 428 S.C. 417, 836 S.E.2d 348 (2019) (rejecting a request to ignore the limits of the holdings of the United States Supreme Court and declining to extend those holdings to find mandatory minimum sentences for juveniles to be unconstitutional); State v. Finley, 427 S.C. 419, 831 S.E.2d 158 (Ct. App. 2019) (finding Finley was "not a member of the class of offenders" entitled to resentencing in light of the relevant precedent).

Sincerely,

Mark R. Farthing
Senior Assistant Attorney General
S.C. Bar No. 76901

MRF/

cc: Susan B. Hackett, Esquire (via email to shackett@sccid.sc.gov)

Caroline Collins

From: Caroline Collins
Sent: Friday, October 30, 2020 2:18 PM
To: 'Hackett, Susan'
Cc: 'Kasperski, Katriel'; Mark Farthing; William Blicht
Subject: The State v. Robert Lee Miller, III (2017-001347)
Attachments: Miller.Supplemental Citation Letter (02416520xD2C78).PDF

Good Afternoon Ms. Hackett,

Attached please find a copy of a supplemental citation letter in The State v. Robert Lee Miller, III (2017-001347). This letter will be submitted to the Court of Appeals today via the AIS One Drive System.

If you will, please reply to this email to confirm receipt.

Thank you,

Caroline Collins

Administrative Coordinator
South Carolina Attorney General's Office
P: (803) 734-3723

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