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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

November 19, 2020

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

RECEIVED
Nov 19 2020
SC Court of Appeals

RE: State v. James Ginther
Appellate Case No: 2019-000672

Dear Ms. Kitchings:

This is a fourth update on the status of the reconstruction hearing ordered by this Court on June 4, 2020. On September 10, 2020, Senior Assistant Deputy Attorney General Melody Brown provided a copy of an affidavit and notes from the trial taken by Gwen L. Herrod, Courtroom Liason for the Sumter County Sheriff's Office. I have provided the notes to trial counsel. I believe that, based on the two transcripts of interviews law enforcement conducted with the Appellant, James Ginther, and a witness, Rachel Salak and the notes taken by Ms. Herrod, we can work toward a stipulation as to the content of the missing testimony. I have not yet been able to discuss the stipulation option with my client and I have not yet drafted a proposed stipulation. I hope to be able to discuss the issue with my client within the next 30 days and hopefully draft a proposed stipulation. If you need any further information, please do not hesitate to contact me.

Sincerely,

s/ Kathrine H. Hudgins
Kathrine H. Hudgins
Appellate Defender

cc: Senior Assistant Deputy Attorney General Melody Brown

KHH/cws