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December 21, 2020

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

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

RECEIVED

Dec 21 2020

SC Court of Appeals

Dear Ms. Kitchings:

This is a fifth 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 am still in the process of drafting the stipulation and hope to be able to send a draft to my client and opposing counsel within the next 30 days. 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