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SC Court of Appeals

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March 18, 2021

VIA ELECTRONIC SUBMISSION

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

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 to provide the requested monthly status update in the above-referenced appeal. As you are aware, since my last correspondence to the Court the ability to conduct in-person hearings has resumed. Accordingly, Judge Cole's law clerk, opposing counsel, and I have been working to set a date for a hearing on the Motion for New Trial as quickly as possible. Based on those discussions, we believed that we were going to be able to hold the hearing on March 25, 2021, but unfortunately when I reached out to Mr. Richard Vieth, Mr. Ruttle's trial counsel and a necessary witness at the hearing, to confirm his availability, he informed me that he has a federal death penalty case out of Florence that conflicted with the proposed March 25 hearing. After informing Judge Cole's law clerk of the conflict and indicating that Mr. Vieth would make himself available at the Court's convenience during April, Judge Cole's law clerk informed counsel that Judge Cole, other than a week of scheduled vacation time, is scheduled to conduct civil and criminal trials during the other three (3) weeks of April. Looking to early May, Judge Cole, just yesterday, proposed the week of May 10 for the hearing. I am confirming availability with my witnesses, but foresee no conflicts given the gracious advanced notice; however, opposing counsel has indicated that his ability to proceed that week is contingent upon his scheduled murder trial not taking the entire week. This information has been provided by counsel to Judge Cole's law clerk who is presently conferring with Judge Cole as to how to proceed.

The Honorable Jenny Abbott Kitchings

March 18, 2021

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With kindest regards, I am

Truly yours,

s/Christopher T. Brumback

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

CTB/

cc: Melody Brown, Esq. (via email.)