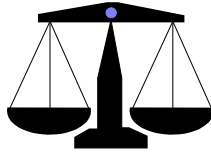


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SC Court of Appeals

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March 25, 2021

SENT BY E-MAIL TO PARTIES COPIED
WITH HARD COPY TO CLIENT SENT BY U.S. MAIL

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

Re: State of South Carolina v. Aaron McKenzie Capers;
Appellate Case No. 2019-000511.

Dear Ms. Kitchings,

The direct appeal in the above captioned direct appeal has been stayed and the matter is currently on remand to the lower court for a hearing on a Motion for a New Trial and a Motion to Reconsider Sentencing. As of my last status report, I was awaiting word from Trial Counsel, Sharon Capers, noticing me of a hearing date concerning report submitted by Dr. Donna Marie Maddox setting forth her evaluation of Appellant. I recently received an e-mail from opposing, sent at 4:40 PM on Friday, March 19, 2021, asking if I had seen the Order entered by Judge Dennis, denying Appellant's Motion for Reconsideration of Sentence and other post-trial motions. On Monday, March 22, 2021, I advised her that I had not and immediately e-mailed Attorney Capers and asked for a copy of the Order.

Attorney Capers responded with the hour and advised me that she though she had given me the hearing date when we last spoke, but acknowledged that she might be mistake. She advised me at that time that the hearing was February 17, 2021 and the filed Order was emailed on February 19, 2021. In my email dated Monday, March 22, 2021, I asked her if she had filed a copy of the report issued by Dr. Maddox as an exhibit. She advised me that it had been filed as an exhibit. I subsequently received a copy of the clocked Order at 11:09 PM, Monday, March 22, 2021. Attorney Capers further advised me that she initially did not believe she needed to file a NOA from this most recent Order since the case was already on appeal before this Honorable Court. I suggested that she file an Amended NOA from this most recent Order inasmuch as post-dated the NOA originally filed. She has advised me that is was her intent to do so, although I have not yet received a copy of that NOA.

The Honorable Jenny Abbott Kitchings
March 25, 2021
State of South Carolina v. Aaron McKenzie Capers;
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Now that I know the date this hearing was held, I will Order a transcript of the February 17, 202, proceeding just as soon as Attorney Capers provides me with a copy of her Notice of Appeal from the Order entered following that hearing and makes arrangements for the payment of the Court Reporter bill for that transcript. I have already ordered and received a transcript of the

For now, I am very grateful for the Court's patience in this matter and remain,

Sincerely,

Tara D. Shurling

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/ts

Cc: The Honorable Markley R. Dennis, Jr. (by email)
Anne M. Williams, Managing Assistant Solicitor, (by e-mail)
William M. Blich, Jr., Esquire, Respondent's Counsel on Direct Appeal (by e-mail)
Sharon Capers, Esquire, Trial Counsel, (by e-mail)
Aaron Capers, Appellant (by USPS)
Christopher Capers, Father of Appellant (by e-mail)