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May 24, 2021

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SC Court of Appeals

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

Dear Ms. Kitchings:

This is an update on the status of the reconstruction hearing ordered by this Court on June 4, 2020. In my last update letter to the Court dated April 21, 2021, I advised that I was working on a second draft of a proposed stipulation as to the content of the missing testimony to be submitted instead of conducting a reconstruction hearing. On May 3, 2021, I mailed a copy of the second draft to Mr. Ginther for his review. As soon as I receive a response from my client, I will send a draft to opposing counsel for her review and hopeful approval. If both sides can reach an agreement as to the stipulation, I will send a draft to the trial judge for his approval. If the trial judge approves the stipulation, I will ask this Court to accept the stipulation so that the direct appeal can proceed without the need for a reconstruction hearing. I respectfully request an additional 30 days to receive a response from my client. 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