

RECEIVED

Jun 23 2021

SC Court of Appeals



SCCID

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

June 23, 2021

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 May 24, 2021, I advised that I was waiting on a response from my client in reference to a second draft of a proposed stipulation as to the content of the missing testimony to hopefully be submitted instead of conducting a reconstruction hearing. On June 11, 2021, I received a letter from my client with some additional questions about the proposed stipulation. In a letter dated June 17, 2021, I tried to answer my client's questions. Unfortunately, he had not been able to call me. 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