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SC Court of Appeals



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July 30, 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 June 23, 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 has not been able to call me and I have not yet received a written response from him indicating that he has no further questions about the stipulation. I wrote a letter to my client today and asked him to contact me by phone or letter as soon as possible. When I receive a response from my client, I will send a draft of the proposed stipulation 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