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SC Court of Appeals



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August 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 July 30, 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. I was finally able to complete the proposed stipulation. Today I sent a copy of the proposed stipulation to Senior Assistant Deputy Attorney General Melody Brown, opposing counsel. If the proposed stipulation meets the approval of opposing counsel, 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 opposing counsel. 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