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**Oct 29 2021**

**SC Court of Appeals**

ALAN WILSON  
ATTORNEY GENERAL

October 29, 2021

The Honorable Jenny A. Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

Re: State of South Carolina v. Dazzelle Smith, Appellate Case No. 2018-000952

Dear Ms. Kitchings:

The above appeal is scheduled for oral argument before this Court on November 2, 2021 at 10:40 a.m. Pursuant to Rule 208(b)(7), SCACR, I would refer to the following as additional authority:

State v. Gibbs, 431 S.C. 313, 847 S.E.2d 495 (2020) (law enforcement officer not qualified as expert testifies about how single and double action revolvers work) (cert granted June 18, 2021);

United States v. Jeri, 869 F.3d 1247, 1265 (11th Cir. 2017) (“[L]aw enforcement officers may testify as lay witnesses even though their expertise often makes them more efficient or productive at their jobs.”).

I am also forwarding a copy of this letter to opposing counsel.

Sincerely,

  
David Spencer  
Senior Assistant Attorney General

cc: Lauren Carole Hobbis, Esquire ([laurenwgylaw@gmail.com](mailto:laurenwgylaw@gmail.com))  
William G. Yarborough, III, Esquire ([wgyarborough@gmail.com](mailto:wgyarborough@gmail.com))