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SC Court of Appeals



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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

December 9, 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. On August 23, 2021, I sent a proposed stipulation in regard to the content of the missing testimony to hopefully be submitted instead of conducting a reconstruction hearing to Senior Assistant Deputy Attorney General Melody Brown, opposing counsel. On September 17, 2021, I received some requested revisions from opposing counsel. I reviewed the requested revisions and on November 2, 2021, wrote a letter to my client with regard to the requested revisions. I am waiting to hear back from my client. I wrote to my client again today and asked him to please contact me immediately.

If both sides can agree to a proposed 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 hear back from y client about the requested revisions from opposing counsel. I am hopeful that we are close to an agreement. 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