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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

April 22, 2022

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29201

RE: The State v. Phillip W. Lowery
Appellate Case No.: 2018-002242

Dear Ms. Kitchings:

Yesterday, the State filed both a Petition For Rehearing and a Motion To Supplement The Record On Appeal in the above matter. As explained in the State's motion, due to technical errors, the portion of Officer McNeely's dash cam video which showed the Miranda warnings being read was not shown to the trier of fact. The State has a complete and unredacted copy of Officer McNeely's dash cam video which does show both the field sobriety tests and the Miranda warnings being read. We are submitting a copy of it for the Court to review in connection with both the State's motion and its petition.

Sincerely,

Ambree M. Muller
Assistant Attorney General
S.C. Bar No. 104213

AMM/aam
Enclosure

cc: Taylor D. Gilliam, Esquire (w/enclosure) (via U.S. mail)
Victim Advocacy Division