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May 6, 2013

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MAY 07 2013

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter St. P.O. Box 11629
Columbia, SC 29211

RE: State v. Quentin Gause, Appellate Case No. 2011-194087

Dear Ms. Kitchings:

On February 21, 2013, this Court held the above appeal in abeyance and partially remanded the case to the circuit court for a reconstruction hearing because trial counsel's motion to sever, appearing on pages 79-80 of the Supplemental Record on Appeal, is noted in the transcript as "not audible on tape." The Court also asked for status reports every thirty days. Please allow this letter to serve as the second thirty day status report.

I have spoken with trial counsel and am in the process of drafting an affidavit to reflect the grounds he argued for severance. Once the proposed affidavit is drafted and signed by trial counsel I will send the affidavit to the Attorney General's office to determine if they can consent to the contents of the affidavit. I hope a consent order will avoid the need for a remand to the circuit court for the reconstruction hearing.

I hope this course of action is acceptable to the Court. I hope to resolve the matter as soon as possible. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Kathrine H. Hudgins
Appellate Defender

Cc: Quentin Gause
Donald J. Zelenka