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September 2, 2014

The Clerk of the Appellate Courts
Kansas Judicial Center
301 S.W. 10th Ave.
Topeka, KS 66612-1507

Schd. Hrng.
09-16-14

RE: Letter of Additional Authority for *State v. Roland*, 13-109624-A

To the Clerk of the Appellate Courts:

Pursuant to Sup. Ct. Rule 6.09(b), the Appellee, hereby submits the following significant relevant authority that has come to its attention since the filing of its brief:

State v. Bowen, 107,904, 299 Kan. 339, 323 P.3d 853 (2014), was decided on May 9, 2014. In *Bowen*, the Supreme Court held that the violation of the defendant's constitutional right to be present when the trial court answered a jury request for clarification with a written note was harmless beyond a reasonable doubt. The Court further held that the defendant's argument that the jury question procedure violated his rights to public trial and an impartial judge were waived and abandoned.

State v. Verser, 107,906, ___ Kan. ___, 326 P.3d 1046 (2014), was decided on June 6, 2014. In *Verser*, the Supreme Court held that the error in failing to answer a question from the jury in open court and in the defendant's presence was harmless.

State v. Mayberry, 110,088, was decided on June 20, 2014. In *Mayberry*, a panel of the Court of Appeals held that the error in the district court's procedure in responding to the jury question was harmless and that the procedure did not violate the defendant's constitutional rights to a public trial and to an impartial judge.

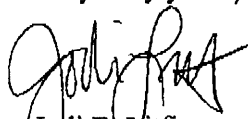
State v. Gleason, 97,296, ___ Kan. ___, 329 P.3d 1102 (2014), was decided on July 18, 2014. In *Gleason*, the Supreme Court held that the violation of the defendant's right to be present that occurred when the trial court responded to a jury question by sending a written response was harmless.

State v. Clay, 107,038, ___ Kan. ___, 329 P.3d 484 (2014), was decided on July 25, 2014. In *Clay*, the Supreme Court held that the district court's failure to answer the jury's questions orally in open court was not reversible error.

State v. Carter, 109,966, was decided on August 8, 2014. In *Carter*, a panel of the Court of Appeals held that the district court's failure to strictly follow K.S.A. 22-3420(3) was harmless.

Appellee seeks to supplement issue V of its brief, pages 29-34.

Very truly yours,

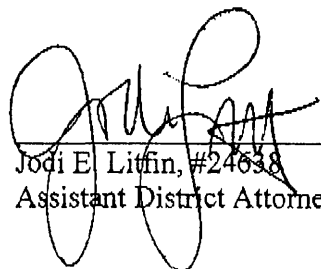

Jodi E. Litfin
Attorney for the Appellee

CERTIFICATE OF SERVICE

I do hereby certify that on this 2nd of September, 2014, I did serve a copy of the above and foregoing letter by fax to:

Heather Cessna, #20974
Kansas Appellate Defender Office
700 SE Jackson, Suite 900
Topeka, KS 66603

and on this date, the letter was faxed to the Clerk of the Appellate Courts.


Jodi E. Litfin, #24638
Assistant District Attorney