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Aug 31 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Georgetown County
Honorable Steven H. John, Circuit Court Judge
Appellate Case No. 2021-000570

THE STATE,

Respondent,

vs.

JEREMIAH DICAPUA,

Appellant.

**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondent proposes the following to be included in the Record on Appeal:

- (1) November 2020 Pre-Trial Hearing Transcript, Pages 1 and 4-79;**
- (2) May 2021 Trial Transcript, Pages 1, 9-12, 52-140, 152-318, 320-341, 353, 355-389, 403-405, 409-434, 438-461, and 465-473;**
- (3) Indictment (# 2018-GS-22-00677)**
- (4) Arrest Warrant (# 2018A2210500392);**
- (5) Sentencing Sheet;**
- (6) Notice of Intention to Seek a Sentence of Life Without Parole (with Attachments), filed July 19, 2019; and**
- (7) State's Exhibits # 4 (Composite Sketch), # 5 (Photographs), # 6 (Photographs), # 7 (Receipt), # 8 (Photographic Lineup), # 9 (Written Statement), # 11 (911 Call Recording), # 13 (Composite Sketch), # 14 (Photograph), # 15 (Photograph), # 16 (Surveillance Footage), # 17 (First Interview)**

Recording), # 18 (Second Interview Recording), # 21 (Photograph), # 31 (Jail Call Recording), # 33 (Jail Call Recording), # 35 (Jail Call Recording), # 37 (Jail Call Recording), and # 38 (911 Call Recording).

To facilitate the preparation of the Final Brief, Respondent requests that counsel for Appellant retain the page numbers of the trial transcript in the Record on Appeal, in addition to the new page numbers.

The undersigned hereby certifies this Designation contains no matter which is irrelevant to this appeal.

ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Attorney General

JIMMY A. RICHARDSON
Solicitor, Fifteenth Judicial Circuit



BY: _____
Mark R. Farthing
S.C. Bar Number 76901

ATTORNEYS FOR RESPONDENT

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PROOF OF SERVICE

I, Mark R. Farthing, certify I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

David Alexander, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.
This 31st day of August, 2022.



MARK R. FARTHING
Senior Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211

From: [Mark Farthing](mailto:Mark.Farthing)
To: dalexander@sccid.sc.gov
Subject: State v. Jeremiah DiCapua -- Initial Brief of Respondent and Designation of Matter -- Appellate Case # 2021-000570
Date: Wednesday, August 31, 2022 10:23:00 PM
Attachments: [DiCapua.IBOR \(03090083xD2C78\).pdf](#)
[image003.png](#)

Mr. Alexander,

Attached are digital copies of the State's initial brief and designation of matter in the State v. Jeremiah DiCapua appeal. I will be submitting these documents to the Court of Appeals via the electronic filing system shortly. Thanks, and please just let me know if you have any questions or concerns or need anything else.

Sincerely,
Mark

MARK R. FARTHING, Senior Assistant Attorney General
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