

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County
Honorable R. Markley Dennis, Jr., Circuit Court Judge
Appellate Case No. 2019-000511

THE STATE,

Respondent,

vs.

AARON McKENZIE CAPERS,

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) March 2019 Trial Transcript, Pages 1, 21-25, 72-74, 114-163, 171-219, 221-254, 263-294, 300-327, 329-334, 346-389, 393, 406-420, 426-429, 440-451, 454-499, 502-554, 556-570, 581, 588-632, 634-644, 649-669, 675-680, 699-746, 776-777 and 781-799;**
- (2) Notarized Letter from Court Reporter Regarding Correction of Error in March 2019 Trial Transcript, dated September 21, 2022;**
- (3) January 2020 Post-Trial Hearing Transcript, Pages 1, 3, and 16-72;**
- (4) February 2021 Post-Trial Hearing Transcript, Pages 1 and 3-11;**
- (5) Six Indictments (# 2018-GS-08-00528; # 2018-GS-08-00529; # 2018-GS-08-00530; # 2018-GS-08-00531; # 2018-GS-08-00532; and # 2018-GS-08-01146);**

- (6) Four Arrest Warrants with Attached Affidavits (# 2017A0820200879; # 2017A0820200880; # 2017A0820200881; and # 2017A0820200882);**
- (7) Five Sentencing Sheets;**
- (8) Motion to Reconsider Sentence, filed April 1, 2019;**
- (9) State’s Response to Defense Motion to Reconsider, filed April 15, 2019;**
- (10) State’s Response to Defense Motion for Reconsideration and Continuance of Hearing with Attached Exhibits, filed January 3, 2020;**
- (11) Forensic Evaluation Report from Dr. Donna S. Maddox, dated August 25, 2020; and**
- (12) Order Denying Defendant’s Motions, filed February 19, 2021.**

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

SCARLETT A. WILSON
Solicitor, Ninth Judicial Circuit



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

ATTORNEYS FOR RESPONDENT

December 9, 2022

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SC Court of Appeals

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THE STATE,

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Appellant.

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:

Tara Dawn Shurling, Esquire
3614 Landmark Drive, Suite A
Columbia, SC 29204

I further certify all parties required by Rule to be served have been served.
This 9th day of December, 2022.



MARK R. FARTHING
Senior Assistant Attorney General
Office of the Attorney General

From: [Mark Farthing](#)
To: [Tara Shurling](#)
Cc: tdshurling@aol.com
Subject: State v. Aaron McKenzie Capers (Appellate Case # 2019-000511) -- Initial Brief of Respondent and Designation of Matter
Date: Friday, December 9, 2022 9:33:00 PM
Attachments: [image001.png](#)
[Capers.IBOR \(03173201xD2C78\).pdf](#)

Ms. Shurling,

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

Sincerely,
Mark

MARK R. FARTHING, Senior Assistant Attorney General
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