

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

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas  
Lee S. Alford, Circuit Court Judge

Case No. 2012-213281

City of Fort Mill,

Appellant,

v.

Colin Duane Fitzgerald,

Respondent.

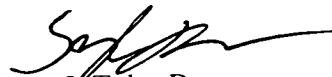
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Respondent proposes the following be included in the Record on Appeal:

1. Order of Judge Lee Alford, dated September 22, 2012.
2. Respondent's notice of appeal dated April 30, 2012.
3. Respondent's Brief dated April 30, 2012.
4. Order of Judge John C. Hayes dated June 28, 2012.
5. Respondent's Notice of Appeal dated July 23, 2012.
6. Transcript of proceedings dated September 7, 2012 pages 1-35
7. Respondent's reply to Appellant's motion to Vacate Circuit Court Rulings:  
Remand for a New Trial and Dismiss Appeal without Prejudice.
8. Respondent's Reply to Appellant's Motion to hold Appeal in abeyance.

I certify that this designation contains no matter which is irrelevant to this appeal.

July 22, 2013



J. Tyler Burns  
SC Bar # 77512  
PO Box 1297  
Fort Mill, South Carolina 29716  
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Fax: 803-548-7050

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JUL 26 2013

**SC Court of Appeals**

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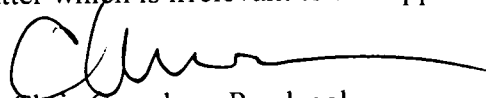
**PROOF OF SERVICE**

I, Christina Grundner, certify that I have served Respondent's Designation of Matter to be Included in the Record on Appeal on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to :

Mr. William Blitch  
Office of the Attorney General  
PO Box 11549  
Columbia, SC, 29211

I certify that this designation contains no matter which is irrelevant to this appeal.

July 22, 2013

  
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ROBERT J. REEVES +\*\*\*

ARTHUR K. AIKEN +\*

A. BEA HIGHTOWER +

J. TYLER BURNS +



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PLEASE REPLY TO: Fort Mill

July 22, 2013

**Via US Mail:**

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC  
29211

**Re: City of Fort Mill, Appellant v. Colin Duane Fitzgerald, Respondent  
Case# 2012-213281**

Please find enclosed the original as well as six copies of Respondent's Designation of Matter to be Included in the Record on Appeal.

Sincerely,

J. Tyler Burns

JTB/tms

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**SC Court of Appeals**

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