

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Honorable Deborah Brooks Durden

Case No. 12-ALJ-04-0916-AP

RECEIVED

OCT 25 2013

SC Court of Appeals

Dustin Gaines, # 316068.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

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

COMES NOW, respondent, South Carolina Department of Corrections, and proposes the following be included in the Record on Appeal:

- (1) Incident Report of Officer Joey Davis, dated May 24, 2012 regarding appellant's conviction for 898.
- (2) Disciplinary Report and Hearing Record for appellant's case number 42(charge 898).
- (3) Transcript of June 11, 2102 disciplinary hearing for conviction of 898.
- (4) Step One Inmate Grievance Form for Grievance Number ECI 1137-12.
- (5) Step Two Inmate Grievance Form for Grievance Number ECI 1137-12.
- (6) Appellant's Notice of Appeal in the Administrative Law Court for ECI 1137-12.
- (7) Front and Side Pictures provided during the hearing for conviction 898.
- (8) Chain of Evidence Form provided during the hearing for conviction 898.

- (9) Photograph of cell phone provided during the hearing for conviction 898.
- (10) Appellant's Notice of Appeal in the Administrative Law Court for ECI 1137-12.
- (11) June 27, 2013 Order of Dismissal by Administrative Law Judge Deborah Brooks Durden for conviction 856.

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

Dated: October 24, 2013.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS

Attorney for Respondent



Shanika K. Johnson
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CERTIFICATE OF SERVICE

I hereby certify that I have served Appellant a copy of the Respondent's Designation of Matter by depositing a copy of same in the United States Mail, postage prepaid, on October 24, 2013, addressed to the Appellant as follows:

Dustin Gaines, # 316068
Evans Correctional Institution
P.O. Box 2951202
Bennettsville, SC 29512



Shanika K. Johnson
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