

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**  
NOV 22 2013  
SC Court of Appeals

Appeal from York County  
Honorable Lee S. Alford, Circuit Court Judge  
Appellate Case Tracking No. 2012-213281

City of Fort Mill,

Appellant,

vs.

Colin Duane Fitzgerald,

Respondent.

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

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

- (1) Return dated August 14;**
- (2) Verdict Form;**
- (3) Notice of Appeal and Appellant's Brief of May 1;**
- (4) Order of Judge Hayes dated June 27;**
- (5) Notice of Appeal dated July 23;**
- (6) Return dated July 27;**
- (7) Transcript of September 12 hearing;**
- (8) Uniform Traffic Ticket;**
- (9) Order of Judge Alford; and**
- (10) Video of Incident Scene.**

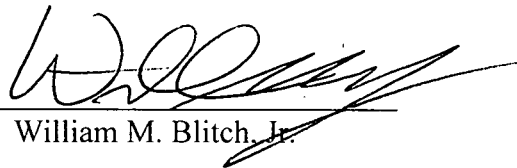
To facilitate the preparation of the Final Brief, Appellant will retain the page numbers of the trial transcript in the Record on Appeal, in addition to the new page numbers.

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

ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General

BY:



William M. Blitch, Jr.

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR APPELLANT

November 22, 2013

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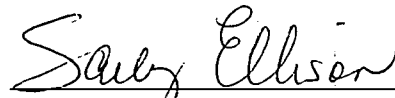
**PROOF OF SERVICE**

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I, Sally Ellison, certify that I have served the within Initial Brief of Appellant and Designation of Matter on Respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

J. Tyler Burns, Esquire  
1012 Market Street Suite 205  
Fort Mill, South Carolina 29708

I further certify that all parties required by Rule to be served have been served.  
This 22<sup>nd</sup> day of November, 2013.



SALLY ELLISON

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

November 22, 2013

J. Tyler Burns, Esquire  
1012 Market Street Suite 205  
Fort Mill, South Carolina 29708

RE: City of Fort Mill v. Colin Fitzgerald  
Appellate Case Tracking No. 2012-213281

Dear Mr. Burns:

I am enclosing two (2) copies of the Initial Brief of Appellant and Designation of Matter in the above-referenced case.

Sincerely,

William M. Blich, Jr.  
Assistant Attorney General  
S.C. Bar No. 15608

Enclosures

cc:  Honorable Jenny A. Kitchings (original and one enclosed)  
Victim Services

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