

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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**Apr 02 2026**

APPEAL FROM PICKENS COUNTY  
Court of General Sessions

**S.C. SUPREME COURT**

Jessica A. Salvini, Circuit Judge

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Appellate Case No. 2025-002334

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The State of South Carolina

Respondent,

v.

Benjamin Allen Wemp,

Appellant.

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

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

- (1) Arrest Warrant No. 2024A3920300078
- (2) Indictment No. 2025-GS-39-03291, filed October 21, 2025
- (3) Defendant’s Demurrer to Indictment and Motion to Dismiss Warrant, filed on Nov. 12, 2025
- (4) State’s Reply to Demurrer to Indictment and Motion to Dismiss, filed on November 17, 2025
- (5) Defendant’s Request to Charge 5 – Willfully
- (6) Defendant’s Request to Charge 5-A - Knowingly
- (7) Defendant’s Request to Charge 5-B – General Intent

- (8) Defendant's Request to Charge 5-C – Reckless
- (9) Defendant's Request to Charge 6 – Mistake of Fact
- (10) Defendant's Request to Charge 6-A – Mistake of Fact (General Intent)
- (11) Trial Transcript, Nov. 17-18, 2025

As counsel for the Appellant I certify, pursuant to Rule 209(c), *SCACR*, that the foregoing designations contain no matter which is irrelevant to this appeal.

Respectfully Submitted,

*s/ W.H. McAbee III*  
Samuel B. Tooker (S.C. Bar #78999)  
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Date: April 2, 2026  
Greenville, South Carolina