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SC Court of Appeals

**IN THE COURT OF APPEALS
OF THE STATE OF SOUTH CAROLINA**

Appellate Case No. 2026-001680

Darryl R. Kinloch, Appellant,

v.

South Carolina Department of Motor Vehicles and
South Carolina Department of Public Safety, Respondents.

Appeal from the South Carolina Administrative Law Court

ALC Docket No. 25-ALJ-21-0394-AP

The Honorable Robert L. Reibold, Administrative Law Judge

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

Pursuant to Rule 209, SCACR, Appellant Darryl R. Kinloch designates the following matter for inclusion in the Record on Appeal. Each item was submitted to, filed with, or issued by the lower administrative tribunal or the Administrative Law Court and is relevant to the issues raised in Appellant's Initial Brief:

1. OMVH transmittal/certification dated January 7, 2026, reflecting transmission of the certified record and that no transcript or audio recording exists because the case was dismissed before hearing (certified record p. 4).
2. OMVH Order Granting SCDMV's Motion to Dismiss dated October 21, 2025, including certificate/service material (certified record pp. 7-10).
3. OMVH Order Denying Respondent's Motion for Reconsideration dated November 5, 2025, including certificate/service material (certified record pp. 11-14).
4. Appellant's OMVH Motion for Reconsideration filed October 27, 2025 (certified record pp. 15-16).
5. SCDMV Motion to Dismiss and its exhibits, including the SCDMV Official Notice and MV-65 Notice of Suspension (certified record pp. 17-26).
6. Appellant's pre-dismissal response/objection materials concerning notice, the alleged refusal, the completed breath test, and the alleged additional blood/urine request, together with the DataMaster and incident materials relied upon in those submissions, including the SCDPS Uniform Administrative Report dated May 23, 2025 stating that the DataMaster documents and SCDMV suspension form were unable to be located after one year (certified record pp. 27-44, specifically p. 43).
7. Appellant's Notice of Appeal and Defense Outline, including its certificate of service (certified record pp. 46-51).
8. OMVH Notice of Hearing dated October 15, 2025, scheduling a merits hearing for December 12, 2025, including service material (certified record pp. 57-59).
9. OMVH filing-fee receipt and related notice/certification materials bearing on the hearing request and notice documentation, including certified record pp. 60-66.

10. Appellant's Amended Brief filed March 10, 2026, in ALC Docket No. 25-ALJ-21-0394-AP, in its entirety, including all exhibits and Sections V(D), 'Contradictory Government Records Undermine the Suspension,' and V(E), 'Procedural Irregularities in Refusal Documentation.'
11. ALC Order Granting Motion for Leave to File Late Brief and Denying Motion to Dismiss dated May 1, 2026, in its entirety.
12. Respondent SCDMV's Brief filed May 8, 2026, in its entirety.
13. Appellant's Reply Brief filed May 18, 2026, in its entirety.
14. ALC Final Order and Decision dated June 10, 2026, in its entirety.
15. Appellant's Petition for Rehearing / Motion to Alter or Amend Final Order filed June 16, 2026, in its entirety.
16. Respondent SCDMV's Response in Opposition to Appellant's Petition for Rehearing / Motion to Alter or Amend Final Order filed June 26, 2026, in its entirety.
17. Appellant's Reply to Respondent's Memorandum in Opposition to Motion for Reconsideration dated June 26, 2026, in its entirety.
18. ALC Order Denying Petition for Rehearing dated July 7, 2026, in its entirety.

CERTIFICATION

I certify by my signature that this Designation contains no matter that is irrelevant to this appeal, as required by Rule 209(c), SCACR.

Respectfully submitted,

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