

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case No. 2012-213028

RECEIVED
FEB 28 2014
SC Court of Appeals

THE STATE,

Respondent,

vs.

JAMES IRBY,

Appellant.

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

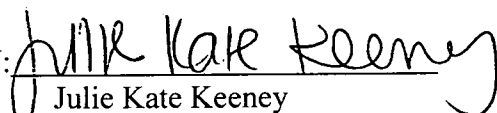
To facilitate the preparation of the Final Brief, Respondent requests that counsel for Appellant retain the page numbers of the trial transcript in the Record on Appeal, in addition to the new page numbers.

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

ALAN WILSON
Attorney General

JULIE KATE KEENEY
Assistant Attorney General

BY:


Julie Kate Keeney
S.C. Bar # 100145

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

ATTORNEYS FOR RESPONDENT

February 28, 2014

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JAN 28 2014

Appeal from Spartanburg County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case No. 2012-213028

SC Court of Appeals

THE STATE,

Respondent,

vs.

JAMES IRBY,

Appellant.

PROOF OF SERVICE

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

Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.
This 28th day of February, 2014.

Ellen R. DuBois

ELLEN R. DuBOIS
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

RECEIVED

JAN 28 2014

SC Court of Appeals

February 28, 2014

Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

RECEIVED

FEB 28 2014

SC Court of Appeals

RE: State v. James Irby - Appellate Case No. 2012-213028

Dear Mr. Dudek:

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

Sincerely,

Julie Kate Keeney
Assistant Attorney General
S.C. Bar # 100145

JKK/erd
Enclosures

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