

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Charleston County  
Honorable Kristi L. Harrington, Circuit Court Judge

Lower Court Case No. 2010-CP-10-4462  
Appellate Case No. 2013-000692

**RECEIVED**

MAR 28 2014

**SC Court of Appeals**

LARRY G. HARVIN,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

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

Pursuant to Rule 209, SCACR, the Respondent submits the following materials should be included in the Record on Appeal in this matter:

1. Appellant's murder indictment and sentencing sheet (1997-GS-10-4288)
2. Appellant's possession of a weapon during commission of a violent crime indictment and sentencing sheet (1997-GS-10-4289)
3. Appellant's armed robbery indictment and sentencing sheet (1997-GS-10-4290)
4. Opinion affirming the Appellant's convictions on direct appeal
5. Remittitur issued on May 29, 2001 concluding the Appellant's direct appeal
6. Appellant's first PCR application filed August 9, 2001 (2001-CP-10-2971)
7. Respondent's Return to Appellant's first PCR Application dated February 1, 2002
8. Order denying Appellant's first PCR filed October 29, 2002
9. Order denying Appellant's Motion to Alter and Amend filed May 23, 2009
10. Appellant's Federal Habeas Petition dated February 26, 2003
11. Respondent's Return and Motion for Summary Judgment filed May 21, 2003
12. Magistrate's Report and Recommendation filed October 6, 2003
13. Order granting Respondent's Motion to Dismiss filed January 16, 2004
14. Order denying appeal to Fourth Circuit Court of Appeals dated August 10, 2004
15. Order denying Appellant's Motion to Vacate order granting of summary judgment dated January 11, 2007

16. Order denying Appellant's Motion for Relief from Judgment granting summary judgment dated September 13, 2011
17. Appellant's second PCR application filed March 3, 2010 (2010-CP-10-1709)
18. Respondent's Return and Motion to Dismiss Appellant's second PCR applicant dated June 24, 2010
19. Conditional Order of Dismissal of Appellant's second PCR filed July 6, 2010
20. Appellant's Response to signed Conditional Order of Dismissal filed August 6, 2010
21. Final Order of Dismissal of Appellant's second PCR filed November 12, 2010
22. Petition for Writ of Habeas Corpus filed in the circuit court on June 1, 2010
23. Respondent's Return and Motion to Dismiss Appellant's habeas petition dated October 20, 2011
24. Conditional Order of Dismissal of habeas petition filed November 8, 2011
25. Appellant's Response to signed Conditional Order of Dismissal filed December 5, 2011
26. Final Order of Dismissal of Appellant's habeas petition filed December 16, 2011
27. Order from the Fourth Circuit Court of Appeals dismissing and denying certificate of appealability dated February 28, 2012
28. Notice of Appeal initiating appeal from state habeas petition dated January 13, 2012
29. Appellant's Written Explanation pursuant to Rule 203(d)(1)(B)(vi) in appeal of state habeas petition dated January 13, 2012
30. Order dismissing appeal of denial of Appellant's state habeas petition filed April 9, 2012
31. Remittitur issued on August 21, 2012
32. Order recalling August 21, 2012 Remittitur filed August 24, 2012
33. Order denying Appellant's Petition for Rehearing dated July 20, 2012
34. Order denying Appellant's Petition for Writ of Certiorari to the Supreme Court filed August 21, 2012
35. Remittitur issued on October 9, 2012 concluding appeal of Appellant's state habeas petition
36. Appellant's Motion for Relief from Judgment dated January 31, 2013
37. Order from the Honorable Kristi L. Harrington denying Appellant's motion filed February 28, 2013
38. Notice of Appeal initiating present appeal

Counsel for the Respondent, State of South Carolina, certifies this Designation contains no matter which is irrelevant to this appeal.

ALAN WILSON  
Attorney General

ASHLEIGH R. WILSON  
Assistant Attorney General  
#100269

BY: Ashleigh R. Wilson 3/28/14  
Ashleigh R. Wilson

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
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 )  
LARRY G. HARVIN , #253468 )  
 )  
Applicant, )  
 )  
vs )  
 )  
STATE OF SOUTH CAROLINA, )  
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Respondent. )  
\_\_\_\_\_ )

IN THE SOUTH CAROLINA COURT OF APPEALS

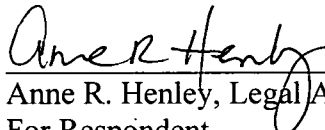
2012-CP-10-2988

AFFIDAVIT OF SERVICE BY MAIL

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the **Initial Brief of Respondent and original Designation of Matter** in the above-captioned matter on the following person by depositing same in the United States mail, postage prepaid:

Larry G. Harvin, #253468  
McCormick Correctional Institution  
386 Redemption Way  
McCormick, SC 29899

DATED this 28th day of March, 2014

  
\_\_\_\_\_  
Anne R. Henley, Legal Assistant  
For Respondent

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