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APR 21 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
R. Lawton McIntosh, Circuit Court Judge

THE STATE,

Respondent,

vs.

CHARLES CAIN,

Appellant.

APPELATE CASE NO. 2013-000817

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

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

- (1) Trial transcript pp. 1-6; pp. 84-99; pp. 153-161; p. 170, pp. 207-208.
- (2) Sentencing transcript pp. 1-5.
- (3) State's Exhibits 1-24 (photographs) (also designated in State v. Parkhurst, pending at the Court of Appeals).

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.

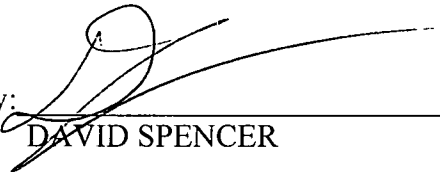
The undersigned hereby certifies this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General

W. WALTER WILKINS, III
Solicitor, 13th Judicial Circuit

By: 
DAVID SPENCER

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Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

April 21, 2014

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THE STATE,

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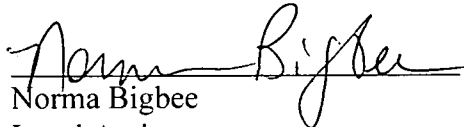
Appellant.

PROOF OF SERVICE

I, Norma Bigbee, 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: Thomas J. Rode, Esquire, P.O. Box 20817, Charleston, SC 29413 and Robert M. Dudek, Esquire, Chief Appellate Defender, SC Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.

This 21st day of April, 2014.



Norma Bigbee
Legal Assistant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

April 21, 2014

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: **State of South Carolina v. Charles Cain**
Appellate Case No: 2013-000817

Dear Ms. Kitchings:

Enclosed please find the original of the **Initial Brief of Respondent and Designation of Matter** in the above matter for filing in your office. By copy of this letter we are serving opposing counsel with this brief today.

Sincerely,

David Spencer
Senior Assistant Attorney General
Bar No: 68571

DS/nb
Enclosures

cc: Thomas J. Rode, Esquire (2 copies enclosed)
Robert M. Dudek, Esquire (2 copies enclosed)
Trisha Allen, Victim Services (1 copy enclosed)

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