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MAY 22 2014

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

S.C. Supreme Court

APPEAL FROM THE STATE GRAND JURY - RICHLAND COUNTY
Court of General Sessions

The Honorable L. Casey Manning, Circuit Court Judge

Appellate Case No. 2014-001058
Lower Court Order No. 2014-GS-47---237

Ex parte: Robert W. Harrell, Jr,

Respondent.

v.

Attorney General of the
State of South Carolina,

Appellant,

In re: State Grand Jury Investigation.

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

Appellant designates the following matters to be included in the Record on

Appeal:

- (1) Motion to Disqualify Attorney General from Participation in Grand Jury Investigation and Prosecution Pursuant to SC Code Section 14-7-1650(C), filed February 24, 2014; and supporting Affidavits;
- (2) Response to Robert Harrell's Motion to Disqualify Attorney General Alan Wilson from a Pending State Grand Jury Investigation, filed March 7, 2014; and supporting Affidavits;
- (3) Transcript of proceedings before Judge Manning on March 21, 2014;
- (4) State's Proposed Order Denying Motion to Disqualify Attorney General, sent to the Court on March 28, 2014;

- (5) Brief of Attorney General on the Inapplicability of Rainey v. Haley to the Current State Grand Jury Matter, sent to the Court on April 2, 2014;
- (6) Supplemental Brief Refuting the Application of Rainey v. Haley to this case, sent to the Court on April 16, 2014;
- (7) Transcript of Proceedings before Judge Manning on May 2, 2014;
- (8) Court's Exhibits 1 (Landess letter) and 2 (McIntosh letter) from hearing on May 2, 2014;
- (9) Attorney General's Proposed Order Finding Rainey v. Haley Inapplicable to the Current State Grand Jury Matter; submitted May 7, 2014;
- (9) Order of Judge Manning filed May 12, 2014;
- (10) Complaint from South Carolina Policy Council;
- (11) State Grand Jury Petition to Open Area of Inquiry, filed on January 13, 2014;
- (12) Case Initiation Memorandum and Supporting Affidavit, filed on January 13, 2014; and
- (13) Order initiating a State Grand Jury investigation, filed on January 13, 2014.

Please note that under the law the State Grand Jury Petition (#11), the Case Initiation Memorandum (#12), and the Order Opening an Area of Inquiry (#13), and are protected by South Carolina Code § 14-7-1720 and -1770. Accordingly, the Attorney General will be and must in accordance with the law file a motion to seal these three documents despite their relevance in the Record on Appeal.

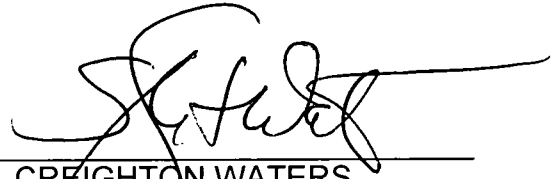
I certify that this designation contains no matter which is irrelevant to this appeal.

ALAN WILSON
ATTORNEY GENERAL

JOHN W. MCINTOSH
CHIEF DEPUTY ATTORNEY GENERAL

ROBERT D. COOK
SOLICITOR GENERAL

W. ALLEN MYRICK
SR. ASS'T DEPUTY ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read 'S. Waters', written over a horizontal line.

S. CREIGHTON WATERS
Assistant Deputy Attorney General
Post Office Box 11549
Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT

May 22, 2014.

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THE STATE OF SOUTH CAROLINA
In The Supreme Court

RULE 203(d)(1)(A)(v), SCACR APPEAL FROM THE STATE GRAND JURY
Court of General Sessions

The Honorable L. Casey Manning, Circuit Court Judge

State Grand Jury Investigation # M2014-237

In the Matter of State Grand Jury Investigation # M2014-237,

Attorney General of the State of
South Carolina,

Appellant,

v.

Robert W. Harrell, Jr.,

Respondent.

PROOF OF SERVICE

I certify that I have served the Designation of Matter to be Included in the Record on Appeal, on Robert W. Harrell, Jr., by depositing a copy of it in the United States Mail, postage prepaid, on May 22, 2014, addressed to his attorneys of record, Gedney M. Howe, III, Post Office Box 1034, Charleston, South Carolina 29402, and E. Bart Daniel, Post Office Box 856, Charleston, South Carolina 29402.

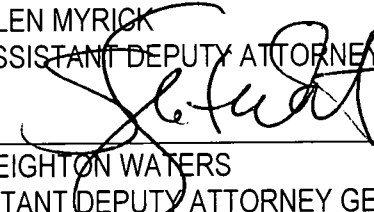
May 22, 2014

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CHIEF DEPUTY ATTORNEY GENERAL

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SOLICITOR GENERAL

W. ALLEN MYRICK
SR. ASSISTANT DEPUTY ATTORNEY GENERAL

By: 
S. CREIGHTON WATERS
ASSISTANT DEPUTY ATTORNEY GENERAL
Post Office Box 11549, Columbia, SC 29211 (803)734-3693.
ATTORNEYS FOR APPELLANT.