

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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JUL 11 2012
SC Court of Appeals

Appeal From Richland County
DeAndrea G. Benjamin, Circuit Court Judge

Richland County Sheriff's Department,

Appellant,

vs.

Nizar Awde,

Respondent.

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

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

1. Entire transcript of post-seizure hearing and motion to reconsider held in Magistrate's Court, transcript pages 1-259;
2. Entire transcript of oral argument, transcript pages 1-68;
3. Magistrate's order dated March 3, 2009;
4. Magistrate's order dated June 19, 2009;
5. Order of destruction;
6. Notice of Appeal dated July 17, 2009;
7. Circuit Court Order dated October 13, 2011;
8. Notice of Motion and Motion to Alter or Amend dated October 27, 2011;
9. Form 4 order denying motion to alter or amend, dated November 22, 2011;

10. Appellant's Memorandum for Oral Argument, dated August 31, 2011;

11. Appellant's proposed order reversing magistrate's ruling and accompanying cover letter to Judge Benjamin;

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

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DAVID SPENCER
Assistant Deputy Attorney General

By: 

DAVID SPENCER

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

ATTORNEYS FOR APPELLANT

July 11, 2012

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Appeal From Richland County
Court of Common Pleas
Honorable DeAndrea G. Benjamin, Judge

Richland County Sheriff's Department,

Appellant,

vs.

Nizar Awde

Respondent.

PROOF OF SERVICE

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

Jonathan S. Altman, Esquire
P.O. Box 600
Charleston, SC 29402

Jonathan S. Gasser, Esquire
Harris & Gasser
1529 Laurel Street
Columbia, SC 29201

I further certify that all parties required by Rule to be served have been served.
This 11th day of July, 2012.

Ellen DuBois

Ellen DuBois
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

July 11, 2012

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

Re: Richland County Sheriff's Department v. Nizar Awde
2010-CP-40-7546

Dear Ms. Kitchings:

Enclosed please find the original of the Initial Brief of Appellant 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
Assistant Deputy Attorney General

DS/erd
Enclosures

cc: Jonathan S. Altman, Esquire (2 copies enclosed)
Jonathan S. Gasser, Esquire (1 copy enclosed)
Trisha Allen, Victim Services (1 copy enclosed)

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