

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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JUL 07 2014  
SC Court of Appeals

APPEAL FROM HORRY COUNTY  
Larry B. Hyman, Circuit Court Judge

Appellate Case No. 2013-0008764

THE STATE, .....RESPONDENT

v.

JOHN HENRY SMITH, .....APPELLANT.

\_\_\_\_\_  
**DESIGNATION OF MATTER**  
\_\_\_\_\_

In addition to the matter designated by Appellant, Respondent proposes the following matter to be included in the Record on Appeal:

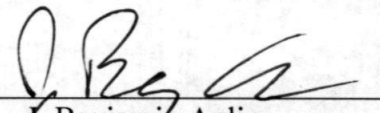
- (1) State's Exhibit #3 – photograph.**
- (2) State's Exhibit #4 – photograph.**
- (3) Transcript page 30**

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

J. BENJAMIN APLIN  
Assistant Attorney General

JIMMY A. RICHARDSON  
Solicitor, Fourteenth Judicial circuit

BY:   
J. Benjamin Aplin  
S.C. Bar No. 8729

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

Columbia, South Carolina  
July 7, 2014

STATE OF SOUTH CAROLINA  
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**PROOF OF SERVICE**

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I, Angela Bennett, Administrative Assistant, hereby certify that I have served the within *Initial Brief of Respondent* and *Designation of Matter*, both dated July 7, 2014, on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record:

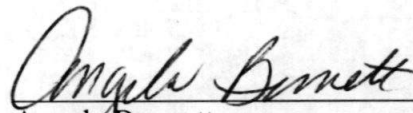
Kathrine H. Hudgins, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211-1589

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**SC Court of Appeals**

I further certified that all parties required by Rule to be served have been served.  
This 7<sup>th</sup> day of July, 2014.

  
Angela Bennett

Administrative Assistant

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

July 7, 2014

Kathrine H. Hudgins, Appellate Defender  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211-1589

Re: The State v. John Henry Smith  
Appellate Case No. 2013-000876

Dear Counsel:

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

Sincerely,

J. Benjamin Aplin  
Assistant Attorney General  
S.C. Bar No. 8729

JBA/ab  
Enclosures

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

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JUL 07 2014

**SC Court of Appeals**