

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**  
DEC 29 2014  
**SC Court of Appeals**

Appeal from Charleston County  
Honorable Deadra L. Jefferson, Circuit Court Judge  
Appellate Case No. 2013-001440

THE STATE,

Respondent,

vs.

NATHANIEL WITHERSPOON,

Appellant.

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

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

- (1) Trial Transcript, Pages 1, 8-9, 62-112, 120-140, 145-195, 198-219, 230-276, 290-301, 319-323, 349-357, 366-379, 388-421, 429-432, 436-492, 506-508, and 516-526;**
- (2) Indictments;**
- (3) Sentencing Sheets; and**
- (4) State's Exhibits # 4 (Photograph), # 5 (Photograph), # 6 (Photograph), # 7 (Photograph), # 8 (Photograph), and # 19 (D.N.A. Report).**

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

MARK R. FARTHING  
Assistant Attorney General

SCARLETT A. WILSON  
Solicitor, Ninth Judicial Circuit

BY:



Mark R. Farthing

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

ATTORNEYS FOR RESPONDENT

December 22, 2014

STATE OF SOUTH CAROLINA  
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THE STATE,

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Appellant.

**PROOF OF SERVICE**

I, Ellen R. DuBois, 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:

Robert M. Dudek, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.  
This 22nd day of December, 2014.

*Ellen R. DuBois*

ELLEN R. DuBOIS  
Legal Assistant

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



ALAN WILSON  
ATTORNEY GENERAL

December 22, 2014

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S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

RE: State v. Nathaniel Witherspoon – Appellate Case No. 2013-001440

Dear Mr. Dudek:

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

Sincerely,

Mark R. Farthing  
Assistant Attorney General  
Bar Number 76901

MRF/  
Enclosures

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