

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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MAR 12 2015  
**SC Court of Appeals**

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2014-001871

State of South Carolina ..... Respondent,

v.

John Barra, ..... Appellant,

**APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN  
RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Appellant proposes that the following be included in the  
Record on Appeal:

- 1) Order, dated July 21, 2013
- 2) Order, dated August 18, 2013
- 3) Municipal Judge's Return, dated September 12, 2013
- 4) Notice of Appeal (to Circuit Court), dated August 28, 2013
- 5) Motion to Reconsider, dated August 7, 2014
  - a. Exhibit A - DUI Detection and Standard Field Sobriety Testing, Student and Instructor Manual 2007, Session VIII
  - b. Exhibit B – Incident Report

- 6) Pre-Trial Motions, Trial Motions, and Motions *in Limine*, dated August 20, 2013
- a. Exhibit A – Incident Report (omitted in this section because already included as Exhibit B to Motion to Reconsider, dated August 7, 2014)
  - b. Exhibit B - DUI Detection and Standard Field Sobriety Testing, Student and Instructor Manual 2007, Session VIII (omitted in this section because already included as Exhibit A to Motion to Reconsider, dated August 7, 2014)
- 7) Transcript of Hearing on July 15, 2014

**RULE 209 CERTIFICATION**

I certify pursuant to Rule 209(c), SCACR that this designation contains no matter which is irrelevant to this appeal.

FUTERAL & NELSON, LLC



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Dated:

3/10/15

Attorney for Appellant

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v.

John Barra, .....Appellant,

**PROOF OF SERVICE**

I hereby certify that I have served the *Initial Brief and Appellant's Designation of Matter to be Included in Record of Appeal* on the following by United States Mail, postage prepaid, on March 10, 2015, addressed as follows:

Salley W. Elliott, Esquire  
Office of Attorney General  
Rembert C. Dennis Building  
Post Office Building 11549  
Columbia, South Carolina 29211-1549

Frances Daniel Austin, Esquire  
City of North Charleston Municipal Court  
2500 City Hall Lane  
Charleston, SC 29406

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Dated: March 10, 2015

Attorney for Appellant

March 10, 2015

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1015 Sumter Street  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: State, Respondent v. John Barra, Appellant  
Case No.: 2014-001871

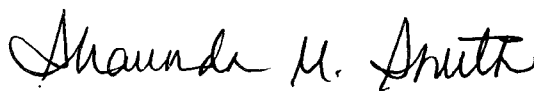
Dear Ms. Kitchings:

Please find enclosed an original and one copy of *Initial Brief, Appellant's Designation of Matter to be Included in Record of Appeal along with Proof of Service* for the above-referenced matter. Please note that the Rule 209 Certification is included within the Designation of Matter. Please file the original and return a clocked copy to this office in the envelope provided. Should you have any questions, please feel free to contact our office.

By copy of this letter, I am serving Frances Daniel Austin, Esquire, and Salley W. Elliott, Esquire. Thank you for your attention to this matter.

With kind regards, I am,

Sincerely,

  
Shaunda M. Smith  
Paralegal

/sms

Enclosure(s): As stated

cc: Frances Daniel Austin, Esquire  
Salley W. Elliott, Esquire

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