

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED
MAY 06 2015
SC COURT of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C Robinson, Administrative Law Judge

Case No. 2015-000797

Deonta L. Brinston,..... Respondent,

v

South Carolina Department of Criminal Justice,.. .. Appellant.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal.

- 1 Administrative Law Court Record on Appeal,
 - a Order Denying Motion to Dismiss dated December 19, 2014;
 - b Notice of Assignment dated December 3, 2014;
 - c Final Agency Decision;
 - d Reply to Appellant's Reply [Sic] to Motion to Dismiss;
 - e Appellant's Reply [Sic] to Motion to Dismiss,
 - f Motion to Dismiss Appeal as Untimely Filed;
 - g. Notice of Appeal,
 - h Transcript of Contested Case Hearing;
 - i. Contested Case Hearing Exhibits,
 - i. Court Exhibits #1-7
 - ii. State's Exhibits #1-3
 - iii. Brinston's Exhibits #1-2

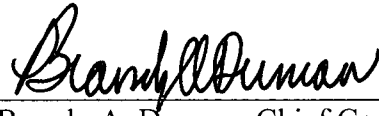
- j. E-mail from Brenda Scott of the Calhoun Falls Police Department to Brandy Duncan dated July 1, 2014 containing a Personnel Change in Status – Hire Form for Deonta L. Brinston
- k. Letter from Brandy A. Duncan to Deonta L. Brinston dated July 24, 2014
- l. E-mail from Brandy A. Duncan to Deonta L. Brinston dated August 19, 2014
- m. Envelope Returned on August 21, 2014 for Letter from Brandy A. Duncan to Deonta L. Brinston dated July 24, 2014
- n. Hearing Officer Recommendation
- o. Letter from Brandy A. Duncan to Law Enforcement Training Council dated September 15, 2014
- p. E-mail from Brandy A. Duncan to Chief Galloway dated September 15, 2014
- q. Letter from Brandy A. Duncan to Candy M. Kern-Fuller dated October 15, 2014
- r. E-mail from Brandy A. Duncan to Candy M. Kern-Fuller, Chief Galloway, & Lt. Steven Reeves dated October 15, 2014
- s. Product & Tracking Information printed on November 21, 2014 for Tracking Number 9405511899561099104457
- t. Letter from Brandy A. Duncan to Jana E. Cox Shealy dated November 21, 2014
- u. E-mail from Teckla S. Henderson to Candy M. Kern-Fuller dated December 5, 2014
- v. E-mail from Candy M. Kern-Fuller to Teckla S. Henderson dated December 15, 2014
- w. E-mail from Brandy A. Duncan to U.S. Postal Service dated December 16, 2014
- x. E-mail from Teckla S. Henderson to Candy M. Kern-Fuller dated December 16, 2014
- y. E-mail from Brandy A. Duncan to Teckla S. Henderson dated December 16, 2014
- z. E-mail from Teckla S. Henderson to Brandy A. Duncan dated December 16, 2014
- aa. Letter from Brandy A. Duncan to the Honorable Shirley C. Robinson dated December 16, 2014
- bb. E-mail from Brandy A. Duncan to Teckla S. Henderson dated December 16, 2014
- cc. E-mail from Teckla S. Henderson to Brandy A. Duncan dated December 16, 2014
- dd. Auto-Reply E-mail from U.S. Postal Service to Brandy A. Duncan dated December 16, 2014
- ee. Product & Tracking Information printed on December 18, 2014 for Tracking Number 9502600002324349000672
- ff. E-mail from Marci of the U.S. Postal Service to Brandy A. Duncan on December 18, 2014

- gg. E-mail from Teckla S Henderson to Candy M. Kern-Fuller and Brandy A Duncan dated December 19, 2014
- hh Certificate of Service

- 2 PCS of Separation from the Anderson County Sheriff's Office for Deonta Brinston;
3. Letter from Director Hubert F Harrell to Deonta Brinston dated May 16, 2014
4. S.C. Reg. 38-009 Response from Deonta Brinston to the PCS of Separation from the Anderson County Sheriff's Office,
- 5 Letter from Brandy A Duncan to the Honorable Shirley C Robinson dated December 23, 2015,
6. Administrative Law Court Brief of Appellant (Mr. Brinston) dated January 22, 2015;
- 7 E-mail from Teckla Henderson to Candy M. Kern-Fuller dated January 23, 2015,
8. E-mail from Brandy A. Duncan to Candy M. Kern-Fuller dated January 23, 2015;
- 9 Administrative Law Court Brief of Respondent (Academy) dated February 9, 2015;
10. Letter from Brandy A. Duncan to the Honorable Shirley C. Robinson dated February 9, 2015,
11. E-mail from Brandy A. Duncan to Candy M Kern-Fuller dated February 27, 2015;
12. E-mail from Brandy A. Duncan to Teckla Henderson dated March 3, 2015;
13. E-mail from Teckla Henderson to Brandy A. Duncan dated March 3, 2015;
14. E-mail from Brandy A Duncan to Teckla Henderson dated March 3, 2015;
- 15 Administrative Law Court Final Order dated March 18, 2015,
- 16 Court of Appeals Notice of Appeal dated April 10, 2015 and filed at the Court of Appeals on April 13, 2015;
17. Court of Appeals Notice of Appeal dated April 10, 2015 and filed at the Administrative Law Court on April 10, 2015;
18. Letter from Brandy A Duncan to the Honorable Jenny Abbott Kitchings dated April 10, 2015;
- 19 Letter from the Honorable Jenny Abbott Kitchings to Brandy A Duncan dated April 20, 2015;
20. Letter (2 pages) from the Honorable Jenny Abbot Kitchings to Brandy A. Duncan dated April 20, 2015;
- 21 Proof of Service dated April 22, 2015;
22. Letter from Brandy A. Duncan to the Honorable Jenny Abbott Kitchings and the Honorable Shirley C Robinson dated April 22, 2015;
23. Proof of Service dated April 22, 2015 and filed at the Court of Appeals on April 24, 2015, and
24. Proof of Service dated April 22, 2015 and filed at the Administrative Law Court on April 22, 2015.

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

May 4, 2015



Brandy A. Duncan, Chief General Counsel
SC Bar #72052
5400 Broad River Road
Columbia, South Carolina 29212
(803) 896-7414
(803) 896-8347 (fax)
Attorney for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C Robinson, Administrative Law Judge

Case No. 2015-000797

Deonta Brinston . . . , Respondent,

v

South Carolina Department of Criminal Justice, Appellant

PROOF OF SERVICE

I certify that I have served the Designation of Matter to be Included in the Record on Appeal on Deonta Brinston by depositing a copy of it in the United States Mail, postage prepaid, on May 4, 2015, addressed to his attorney of record, Candy M. Kern-Fuller, Esquire, Upstate Law Group, LLC, 200 East Main Street, Easley, South Carolina 29640.

May 4, 2015



Brandy A. Duncan, Chief General Counsel
SC Bar #72052
5400 Broad River Road
Columbia, South Carolina 29212
(803) 896-7414
(803) 896-8347 (fax)
Attorney for Appellant

RECEIVED
MAY 06 2015
SC Court of Appeals



South Carolina Criminal Justice Academy

May 4, 2015

RECEIVED

MAY 06 2015

SC Court of Appeals

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

RE: Deonta Brinston, Respondent v. South Carolina Department of Criminal Justice, Appellant,
Case No. 2015-000797

Dear Ms Kitchings.

Enclosed for filing in the above referenced case are:

- 1) Initial Brief of Appellant,
- 2) Proof of Service of the Initial Brief of Appellant on the Respondent;
- 3) Designation of Matter to be Included in the Record on Appeal,
- 4) Proof of Service for the Designation of Matter to be Included in the Record on Appeal on the Respondent.

May 4, 2015

Brandy A. Duncan, Chief General Counsel
SC Bar #72052
5400 Broad River Road
Columbia, South Carolina 29212
(803) 896-7414
(803) 896-8347 (fax)
Attorney for Appellant

Other Counsel of Record:

Candy M. Kern-Fuller, Esquire
Upstate Law Group, LLC
200 East Main Street
Easley, South Carolina 29212
(864) 855-3114
(864) 855-3446 (fax)
Attorney for Respondent