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S.C. Supreme Court

STATE OF SOUTH CAROLINA
In the Supreme Court

CAPITAL CASE
APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions
Roger L. Couch, Circuit Court Judge

The State of South Carolina, Respondent,

v.

Ricky Lee Blackwell, Appellant

Appellate Case No. 2014-000610

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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

- (1) All Transcripts, including pre-trial, *voir dire*, jury selection, trial, sentencing and post-trial motion(s);
- (2) Atkins Pre- Trial Hearing Exhibits:
 - Court Exhibit 1 (CV),
 - Court Exhibit 2 (DMH Report);
 - Court Exhibit 3 (CV);
 - Court Exhibit 4 (DDSN Report);
 - State's Exhibit 1, Report;
 - State's Exhibit 2, Report;
 - Defense Exhibit 8, (Defense Expert Report);
- (3) February 25, 2014 Order (*Atkins* pre-trial decision);
- (4) Trial Exhibits:
 - Court Exhibit 3, Statement Angela Blackwell
 - Court Exhibit 6 (Privilege Issue)
 - Court Exhibit 7 (Privilege Issue)

- (5) Motion for Change of Venue Based on the Retaliatory Attempted Murder of the Defendant's Family Members and the Potential Threats of Violence and Intimidation from Others, Including Local Biker Gangs;
- (6) Motion for Change of Venue Based on Pre-trial Publicity and Potential Presence of Biker Gangs Which Will Influence Jurors and Deny the Defendant's Right to a Fair and Impartial Jury
- (7) State's Return to Defendant's Motions for Change of Venue;
- (8) Notice of Motion and Motion in Limine (to exclude any reference to any matters involving incidents or investigations in the neighborhood of the defendant that occurred after the date of the murder of the victim concerning non-related incidents or crimes, and any further attacks on the character of the victim's father under South Carolina case law and Rules 401, 402, 403, 801, 802, and 804 of the South Carolina Rules of Evidence);
- (9) State's Return to Defendant's Motions in Limine (Defendant's Pleadings #23 & 25);
- (10) Motion for Disclosure ;
- (11) Motion to Exclude Testimony of Dr. Ginger Calloway;
- (12) State's Return to Defendant's Discovery Motion for Disclosure ;
- (13) State's Return to Defendant's Discovery Motion to Deny Meaningful Access to *Atkins* Sentencing Information;
- (14) State's Return to Defendant's Motion to Exclude Evidence of Evaluation by Dr. Brown;
- (15) State's Return to Defendant's Motion to Preserve Notes, Et. Al.;
- (16) State's Return to Defendant's Motion to Preserve Voir Dire Analysis For Defendant's Use in Future Proceedings;
- (17) FOIA Objections; Motion for Protective or Modifying Order Under SCRCrP 5(d)(1), and for Remedies (with attachments).

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

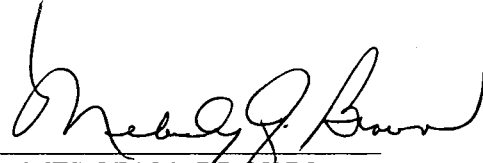
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November 18, 2015.
Columbia, South Carolina.

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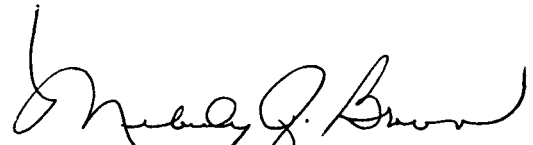
Ricky Lee Blackwell, Appellant.

PROOF OF SERVICE

I, Melody J. Brown, certify that I have served the *Initial Brief of Respondent* and *Designation of Matter* on Appellant by depositing two copies of same in the United States mail, postage prepaid, addressed to his attorney of record:

Robert M. Dudek, Chief Appellate Defender
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This 18th day of November, 2015.



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