

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

Appeal from Horry County  
Deadra L. Jefferson, Circuit Court Judge

JAN 06 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

XAVIER HEMINGWAY,

APPELLANT

APPELLATE CASE NO. 2014-002603

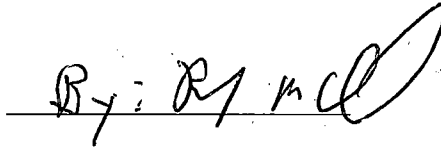
**DESIGNATION OF MATTER TO BE  
INCLUDED IN RECORD ON APPEAL**

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

- (1) True-billed indictment(s);
- (2) Testimony: Jackson v. Denno Hearing  
Terry Elliott, Direct by Mr. Richardson pg 50 – pg 54.  
Terry Elliott, Cross by Mr. Joye, pg 56– pg 59.
- (3) Court's Ruling; Transcript pg 63 – pg. 72.
- (4) Testimony: Trial  
Terry Elliott, Direct by Mr. Richardson pg. 335– pg. 351  
Terry Elliott, Cross by Mr. Joye pg 382– pg. 385.
- (5) Court's ruling – Statement; Transcript pg. 315 – pg. 323.
- (6) Directed Verdict pg. 408- pg. 412.
- (7) Closing Argument by Mr. Richardson pg. 434- pg. 458.
- (8) Closing Argument by Mr. Joye pg. 458- pg. 466
- (9) Charge on the Law pg. 467- pg. 486.
- (10) Verdict pg. 492- pg. 497.

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

January 6, 2016.

A handwritten signature in black ink, appearing to read "By: B. R. Matthews", is written over a horizontal line.

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Chief Appellate Defender

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ATTORNEYS FOR APPELLANT

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\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_


The undersigned attorney hereby certifies that a true copy of the Initial Brief of Appellant and Designation of Matter in the above referenced case has been served upon J. Benjamin Aplin, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 6<sup>th</sup> day of January, 2016.



\_\_\_\_\_  
ROBERT M. DUDEK  
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me  
This 6<sup>th</sup> day of January, 2016.

 (L.S.)

Notary Public for South Carolina  
My Commission Expires: July 3, 2023.