

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Appellate Case No. 2016-000034

RECEIVED

FEB 18 2016

SC Court of Appeals

John Elkin,

Respondent,

v.

South Carolina Criminal Justice Academy,

Appellant.

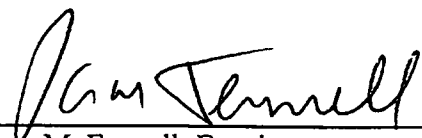
DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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

1. Parts of Administrative Law Court Record on Appeal;
 - a. Notice of Assignment dated June 2, 2015;
 - b. Final Agency Decision dated April 28, 2015;
 - c. Order of Continuance dated December 18, 2014;
 - d. Notice of Appeal to Administrative Law Court dated May 28, 2015;
 - e. Motion for Continuance dated December 18, 2014;
 - f. Transcript of Contested Case Hearing dated November 5, 2014;
 - g. Contested Case Hearing Exhibits
 - i. Court Exhibit #1;
 - ii. Court Exhibit #2;
 - iii. Court Exhibit #3;
 - iv. Elkin's Exhibit #3;
 - h. Transcript of Contested Case Hearing dated February 4, 2015;
 - i. July 30, 2014 Law Enforcement Training Council Meeting Minutes;
 - j. Personnel Change in Status – Hire Form dated received September 4, 2014;

- k. Letter from Hubert F. Harrell to John A. O'Leary dated September 5, 2014;
 - l. Request for Contested Case Hearing received September 10, 2014;
 - m. Notice of Hearing dated September 30, 2014;
 - n. Letter from Chief/Chairman Mark Keel to John A. O'Leary dated November 20, 2014;
 - o. Letter from Brandy A. Duncan to John A. O'Leary dated November 24, 2014;
 - p. Letter from Brandy A. Duncan to John A. O'Leary and Chief Chris Garner dated December 29, 2014;
 - q. Hearing Officer Recommendation dated April 7, 2015;
 - r. Letter from Brandy A. Duncan to Law Enforcement Training Council dated April 8, 2014;
 - s. Letter from Brandy A. Duncan to John A. O'Leary dated May 4, 2015;
 - t. Letter from C. Bradley Hutto to Brandy A. Duncan dated May 29, 2015;
- 2. Administrative Law Court Final Order dated December 10, 2015;
 - 3. Court of Appeals Notice of Appeal dated January 7, 2016;
 - 4. Proof of Service dated January 7, 2016;

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



James M. Fennell, Esquire
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Attorney for Appellant

February 4, 2016

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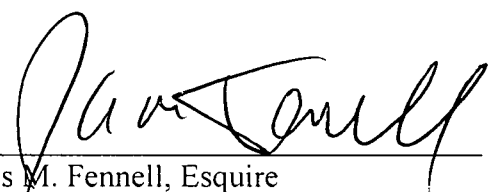
v.

South Carolina Criminal Justice Academy,

Appellant.

CERTIFICATE OF COUNSEL

The undersigned certifies that this Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.



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Attorney for Appellant

February 16, 2016

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

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SC Court of Appeals

Appellate Case No. 2016-000034

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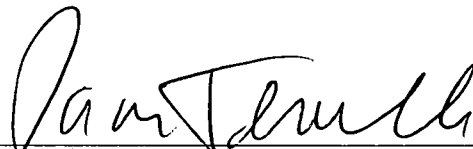
v.

South Carolina Criminal Justice Academy,

Appellant.

PROOF OF SERVICE

I certify that I have served the Designation of Matter to be Included in the Record on Appeal on John Elkin by depositing a copy of it in the United States Mail, postage prepaid, on February 4, 2016, addressed to his attorney of record, C. Bradley Hutto, Esquire, Williams & Williams, Post Office Box 1084, Orangeburg, South Carolina 29116.



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Attorney for Appellant

February 16, 2016



South Carolina Criminal Justice Academy

February 16, 2016

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

RECEIVED
FEB 18 2016
SC Court of Appeals

RE: John Elkin, Respondent, v. South Carolina Criminal Justice Academy, Appellant,
Appellate Case No. 2016-000034

Dear Ms. Kitchings:

Enclosed for filing is Motion to Extend Time to File Brief Pursuant to Rule 208, an original and six copies, in the above case. Also enclosed are the following:

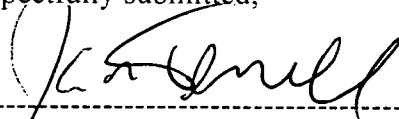
1. Proof of Service for the Motion to Extend Time to File Brief Pursuant to Rule 208 on the respondent.
2. Initial Brief of Appellant.
3. Proof of Service of the Initial Brief of Appellant on the respondent.
4. Certificate of Counsel for the Initial Brief of Appellant.
5. Designation of Matter to be Included in the Record on Appeal.
6. Proof of service of the Designation of Matter to be Included in the Record on Appeal on respondent.
7. Certificate of Counsel for the Designation of Matter to be Included in the Record on Appeal.

I have not enclosed a filing fee because this appeal is filed on behalf of the State of South Carolina. See Rule 203(d)(2)(B)(iii), SCACR.

I have enclosed a copy of each of the above with a self-addressed stamped envelope. I ask that you stamp each and return them in the enclosed envelope.

Signature on next page.

Respectfully submitted,



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Attorney for Appellant

CC: C. Bradley Hutto, Esquire
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Attorney for Respondent