

**Greene, Diane**

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**From:** Crump, Jeanne D. <JDCrump@sccja.sc.gov>  
**Sent:** Monday, February 29, 2016 8:36 AM  
**To:** Greene, Diane  
**Subject:** 2016-000034 Initial Brief of Appellant - SC Criminal Justice Academy  
**Attachments:** 2016-000034 SC Criminal Justice Academy. Appellant Initial Brie.pdf

*Jeanne' S. Crump*  
*South Carolina Criminal Justice Academy*  
*Administrative Coordinator to*  
*Director Hubert F. Harrell*  
*Office: (803) 896-7779*  
*Fax: (803) 896-8347*  
*Email: [jdc Crump@sccja.sc.gov](mailto:jdc Crump@sccja.sc.gov)*

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FEB 29 2016  
SC Court of Appeals



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**From:** Crump, Jeanne D.  
**Sent:** Thursday, February 25, 2016 11:42 AM  
**To:** 'dgreene@sccourt.org'  
**Cc:** Fennell, Jimmy  
**Subject:** 2016-000034 Initial Brief of Appellant - SC Criminal Justice Academy

Diane,

Thank you so much for checking on the status of this brief.

*Jeanne' S. Crump*  
*South Carolina Criminal Justice Academy*  
*Administrative Coordinator to*  
*Director Hubert F. Harrell*  
*Office: (803) 896-7779*  
*Fax: (803) 896-8347*  
*Email: [jdc Crump@sccja.sc.gov](mailto:jdc Crump@sccja.sc.gov)*





# South Carolina Criminal Justice Academy

February 4, 2016

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

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FEB 08 2016  
SC Court of Appeals

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

Dear Ms. Kitchings:

**COPY**

Enclosed for filing is Initial Brief of Appellant in the above case. Also enclosed are the following:

- (1) Proof of service of the Initial Brief of Appellant on the respondent.
- (2) Certificate of Counsel for the Initial Brief of Appellant.
- (3) Designation of Matter to be Included in the Record on Appeal.
- (4) Proof of service of the Designation of Matter to be Included in the Record on Appeal on the respondent.
- (5) Certificate of Counsel for the Designation of Matter to be Included in the Record on Appeal.

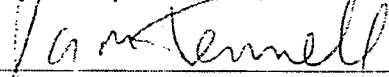
I have enclosed a copy of each of the above along with a self-addressed stamped envelope. I ask that you stamp each and return them in the enclosed envelope.

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**SC Court of Appeals**

Respectfully submitted,



James M. Fennell, General Counsel  
5400 Broad River Road  
Columbia, South Carolina 29212  
(803) 896-7722  
(803) 896-8347 (fax)  
Attorney for Appellant

CC: C. Bradley Hutto, Esquire  
Williams & Williams  
PO Box 1084  
1281 Russell Street  
Orangeburg, SC 29116  
Attorney for Respondent

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

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SC Court of Appeals

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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

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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;

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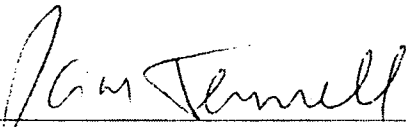
- k. Letter from Hubert F. Harrell to John A. O'Leary dated September 5, 2014;
  - l. Request for Contested Case Hearing received September 10, 2014;
  - m. Notice of Hearing dated September 30, 2014;
  - n. Letter from Chief/Chairman Mark Keel to John A. O'Leary dated November 20, 2014;
  - o. Letter 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.

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FEB 29 2016

**SC Court of Appeals**

  
James M. Fennell, Esquire  
SC BAR # 72576  
5400 Broad River Road  
Columbia, South Carolina 29212  
(803) 896-7722  
(803) 896-8347 (fax)  
[jfennell@sccja.sc.gov](mailto:jfennell@sccja.sc.gov)  
Attorney for Appellant

February 4, 2016

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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

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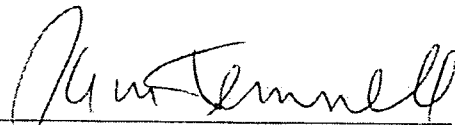
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CERTIFICATE OF COUNSEL  
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The undersigned certifies that this Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

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FEB 29 2016

SC Court of Appeals



James M. Fennell, Esquire  
SC BAR # 72576  
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[jfennell@sccja.sc.gov](mailto:jfennell@sccja.sc.gov)  
Attorney for Appellant

February 4, 2016

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SC Court of Appeals

John Elkin,

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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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SC Court of Appeals

James M. Fennell, Esquire  
SC BAR # 72576  
5400 Broad River Road  
Columbia, South Carolina 29212  
(803) 896-7722  
(803) 896-8347 (fax)  
[jfennell@sccja.sc.gov](mailto:jfennell@sccja.sc.gov)  
Attorney for Appellant

February 4, 2016