

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JAN 09 2017

Appeal from Richland County
Honorable Clifton B. Newman
Honorable Robert E. Hood, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

RICHARD A. CAPELL,

APPELLANT

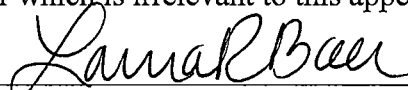
APPELLATE CASE NO 2016-000475

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

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

- (1) Defense Notice and Motion for Immunity Hearing;
- (2) Defense Memorandum in Support of Immunity;
- (3) Transcript of Jan. 19, 2016 immunity hearing;
- (4) Transcript of Jan. 24-25, 2016 trial designated pages only): 1-20, 63-236;
- (5) Transcript of Feb. 16, 2016 sentencing hearing (designated pages only): 13-15;
- (6) State's Exhibit 1 (video of incident); and
- (7) True-billed indictment.

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



Laura R. Baer
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

January 9, 2017

ATTORNEY FOR APPELLANT

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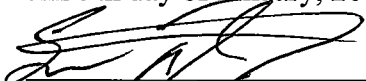
CERTIFICATE OF SERVICE

The undersigned 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 the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201; and a copy of the Initial Brief of Appellant and Designation of Matter have been served on Richard A. Capell, at 6905 Cleaton Road, I149, Columbia, SC, 29206, this 9th day of January, 2017.



Laura R. Baer
Appellate Defender
ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 9th day of January, 2017.

 (L.S)

Notary Public for South Carolina
My Commission Expires: October 30, 2022.