

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Beaufort County  
Honorable John C. Hayes, III, Circuit Court Judge  
Appellate Case No. 2016-000612

**RECEIVED**  
APR 17 2017  
SC Court of Appeals

THE STATE,

Respondent,

vs.

BENJAMIN CERVANTES HERNANDEZ,

Appellant.

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

Respondent proposes the following to be included in the Record on Appeal:

- (1) Trial Transcript, Pages 1, 27-28, 198-237, 248-334, and 342-420;
- (2) All Three Indictments;
- (3) Sentencing Sheet;
- (4) Motion for New Trial, dated March 3, 2016;
- (5) Motion to Reconsider Sentence, dated March 3, 2016;
- (6) Order, dated March 8, 2016; and
- (7) State's Exhibits # 1 (Recording From Officer's Body Camera); # 2 (Recording of Victim 1's Forensic Interview), # 3 (Recording of Victim 3's Forensic Interview), # 4 (Recording of Victim 2's Forensic Interview), and # 6 (Recording of Appellant's Interview).

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

MARK R. FARTHING  
Assistant Attorney General

ISAAC McDUFFIE STONE, III  
Solicitor, Fourteenth Judicial Circuit

BY:

A handwritten signature in black ink, appearing to read 'Mark R. Farthing', written over a horizontal line. The signature is stylized and cursive.

Mark R. Farthing

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

April 17, 2017

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**PROOF OF SERVICE**

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I, Keely Carter, certify that I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Susan B. Hackett, Esq.  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.  
This 17th day of April, 2017.

  
\_\_\_\_\_  
KEELY CARTER  
Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727