

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
Steven H. John, Circuit Court Judge

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APR 18 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA,

Respondent,

v.

ARDON P. CATO, II,

Appellant

Appellate Case No. 2016-002081

DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL

In addition to the matter designated by the Appellant, Respondent proposes the following to be included in the Record on Appeal:

Appendix, the Honorable Paula H. Thomas, Circuit Court Judge

SLED Firearms Report dated February 6, 2006

Johnson Petition

Order of this Court Denying Johnson Petition

Remittitur (PCR Appeal)

Federal Habeas Petition

Motion for Summary Judgment (Federal Habeas Petition)

Respondent's Return and Memorandum of Law in Support of Motion for Summary Judgment

Report and Recommendation, the Honorable Thomas E. Rogers, III., U.S.M.J.

Order Adopting the Report and Recommendation, the Honorable Cameron M. Currie, U.S.D.J.

Fourth Circuit Court of Appeals Opinion Dismissing Federal Habeas Appeal

The undersigned hereby certifies that this Designation contains no matter which is irrelevant to this appeal.

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

ANTHONY MABRY
Senior Assistant Attorney General
S.C. Bar No. 11973
P.O. Box 11549
Columbia, South Carolina 29211
803-734-6305

JIMMY A. RICHARDSON
Solicitor, Fifteenth Judicial Circuit
P. O. Drawer 1276
Conway, South Carolina 29526

By:


ANTHONY MABRY

ATTORNEYS FOR RESPONDENT.

April 18, 2017.

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CERTIFICATE OF SERVICE

I, Lonetta B. Brawley, certify that I have served the within Initial Brief of Respondent and Designation on Appellant by depositing copies of the same in the United States mail, first class, postage prepaid, addressed to:

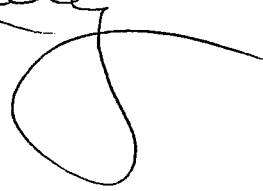
Ardon P. Cato, II, #316535
Evans Correctional Institution
610 Highway 9 West
Bennettsville, SC 29512

I further certify that all parties required by Rule to be served have been served.

This 18th day of April, 2017.



LONETTA B. BRAWLEY
Legal Assistant to Anthony Mabry
Senior Assistant Attorney General





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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

April 18, 2017

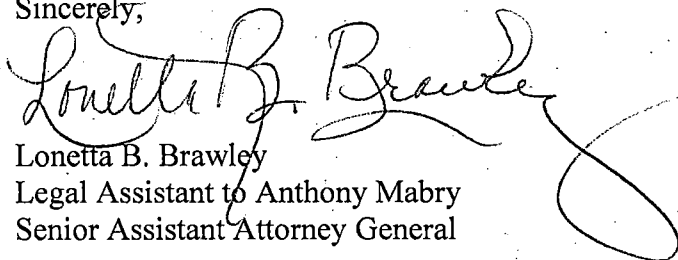
Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: The State v. Ardon P. Cato, II
Appellate Case No. 2016-002081

Dear Ms. Kitchings:

Enclosed please the Initial Brief of Respondent and Designation of Matter in the above-captioned matter for filing in your office. By copy of this letter, I am serving the Appellant with same.

Sincerely,



Lonetta B. Brawley
Legal Assistant to Anthony Mabry
Senior Assistant Attorney General

AM/lbb

cc: Ardon P. Cato, II, #316535
Jimmy A. Richardson, Solicitor
Trisha Allen, Victims Assistant