

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM HORRY COUNTY
Court of Common Pleas

JUN 14 2017

SC Court of Appeals

The Honorable Benjamin H. Culbertson, Circuit Court Judge

CASE NO. 2016-CP-26-1614

Robert Palmer Appellant

vs.

State of South Carolina, Horry County and David Weaver..... Defendants

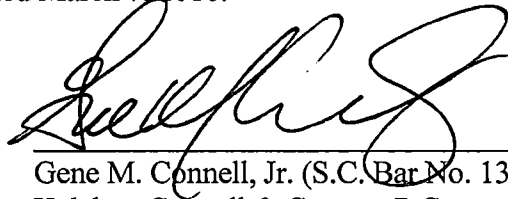
Of which State of South Carolina is the..... Respondent

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

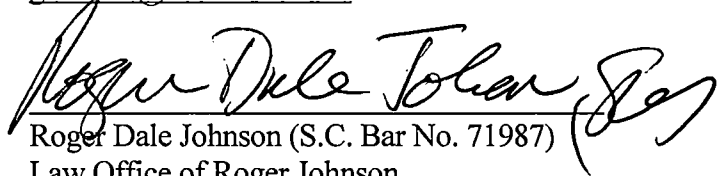
Appellant proposes the following to be included in the Record on Appeal:

1. Order Denying Plaintiff's Motion for Reconsideration issued by The Honorable Benjamin H. Culbertson dated February 15, 2017.
2. Order of Dismissal as to the State of South Carolina issued by The Honorable Benjamin H. Culbertson dated November 10, 2016.
3. Opinion No. 27552 (*The State v. Robert Palmer*) filed July 29, 2015.
4. Plaintiff's Memorandum of Law in Support of Motion for Reconsideration February 1, 2017.
5. Plaintiff's Motion for Reconsideration November 22, 2016.
6. Transcript of Record June 14, 2016.
7. Plaintiff's Response to Defendant's Motion to Dismiss June 13, 2016.

8. Defendant State of South Carolina's Motion to Dismiss and Memorandum of Law in Support dated April 28, 2016.
9. Summons and Complaint filed March 7, 2016.



Gene M. Connell, Jr. (S.C. Bar No. 1358)
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June 12, 2017

Attorneys for Appellant

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Of which State of South Carolina is the Respondent

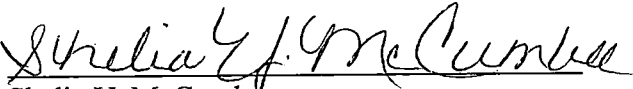
PROOF OF SERVICE

PERSONALLY appeared before me, Shelia Y. McCumbee, who being duly sworn, deposes and says that she is an employee of Kelaher, Connell & Connor, P.C., and that she has served a copy of the **Appellant 's Designation of Matter** on the Respondents on the 12th day of June, 2017, by depositing a copy of same in the United States Mail, postage prepaid, to:


Lisa A. Thomas, Esquire
Thompson & Henry, P.A.
P. O. Box 1740
Conway, SC 29528

Andrew F. Lindemann, Esquire
Davidson & Lindemann, P.A.
P. O. Box 8568
Columbia, SC 29202

J. Emory Smith, Jr., Esquire
Robert D. Cook, Esquire
Alan Wilson, Esquire
Office of Attorney General
P. O. Box 11549
Columbia, SC 29211


Shelia Y. McCumbee

SWORN AND SUBSCRIBED before me,
this 12th day of June, 2017.


Notary Public for South Carolina
My Commission Expires: 2-17-19

KELAHER, CONNELL & CONNOR, P.C.

ATTORNEYS AT LAW
SUITE 209
THE COURTYARD
1500 U.S. HIGHWAY 17 NORTH
P.O. DRAWER 14547
SURFSIDE BEACH, SOUTH CAROLINA 29587

EDWARD T. KELAHER*
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LISA POE DAVIS

* OF COUNSEL

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June 12, 2017

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JUN 14 2017

SC Court of Appeals

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

Re: Appellate Case No. 2017-000567
Robert Palmer vs. State of South Carolina, Horry County and David Weaver
C/A No. 2016-CP-26-1614
Our File No. 2015-0325C

Dear Ms. Kitchings:

Enclosed please find the following for filing in the above-captioned matter:

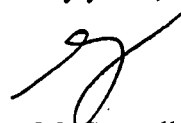
- (1) Original and one copy of Initial Brief of Appellant, with Proof of Service;
- (2) Original and one copy of Appellant's Designation of Matter to be Included in Record on Appeal, with Proof of Service;

We also enclose a self-addressed, stamped envelope for return of a filed copy of each to this office.

By copy of this letter, we hereby serve copies of these documents on Respondents through counsel of record.

With best regards, I am

Sincerely yours,



Gene M. Connell, Jr.

GMC,Jr.:sm
Enclosures
cc w/enc.:

Lisa A. Thomas, Esquire
Andrew F. Lindemann, Esquire
J. Emory Smith, Jr., Esquire
Roger Dale Johnson, Esquire



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SC Court of Appeals

Kelaker, Connell & Connor, PC

1500 US HIGHWAY 17 NORTH, SUITE 209

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