

**THE STATE OF SOUTH CAROLINA**  
**In the Court of Appeals**

\_\_\_\_\_  
Appeal from Berkeley County  
Court of Common Pleas

Roger M. Young, Circuit Court Judge

\_\_\_\_\_  
Case No. 2010-CP-08-4453  
\_\_\_\_\_

L.G. Elrod,

Appellant,

v.

Berkeley County Sheriff's Department, and  
H. Wayne DeWitt,

Respondents.

\_\_\_\_\_  
**Respondents' Designation of Matter to be**  
**Included in the Record on Appeal**  
\_\_\_\_\_

Pursuant to Rule 209, SCACR, Respondents designate the following items for inclusion  
in the Record on Appeal:

1. J. Jefferson Order, filed June 16, 2011
2. J. Jefferson Order, filed June 30, 2011;
3. J. Young Order, filed May 21, 2012;
4. Complaint, filed December 16, 2010;
5. Motion to dismiss, filed January 11, 2011;
6. Motion to reconsider, filed June 22, 2011;

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NOV 29 2012

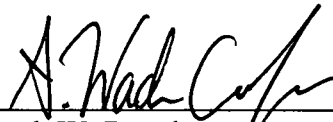
**SC Court of Appeals**

7. Motion for judgment on the pleadings, filed October 28, 2011;
8. Hearing Transcript – May 9, 2012;
9. Exhibits:
  - a. L.G. Elrod Affidavit
  - b. Jerry Williams Affidavit
  - c. Timmons Affidavit with attachments
  - d. McElvogue Affidavit with attachments
  - e. DeWitt Affidavit with attachments

The undersigned certifies that this Designation contains no material which is irrelevant to the appeal.

Respectfully submitted,

**BUYCK & SANDERS,LLC**



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**Counsel for the Respondents**

November 27, 2012

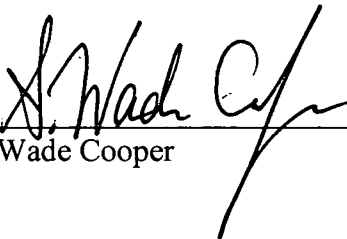
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**Certificate of Service**

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I, G. Wade Cooper , attorney for the Respondents , do hereby certify that on November 27, 2012, I served a copy of the foregoing Designation of Matter to be Included in the Record on Appeal on Counsel for Appellant, via U.S. Mail; first class, postage prepaid to the following address:

M. Brooks Derrick  
36 Broad Street  
Charleston, SC 29401

  
\_\_\_\_\_  
G. Wade Cooper

# BUYCK & SANDERS, LLC

ATTORNEYS & COUNSELORS AT LAW

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Hugh W. Buyck  
Darren K. Sanders  
G. Wade Cooper  
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November 27, 2012

The Honorable Jenny Abbott Kitchings  
S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

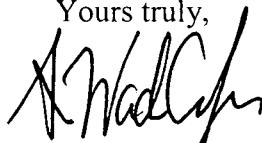
Re: L. G. Elrod v. Berkley County Sheriff's Department  
Tracking No. 2012 - 212325

Dear Clerk:

Enclosed please find the original Initial Brief of Respondents and their Designation of Matter to be Included in the Record on Appeal along with my certificate of service of both upon Counsel for the Appellant this same day.

With appreciation for your consideration and cooperation in this regard,

Yours truly,



G. Wade Cooper

Enclosures

cc: M. Brooks Derrick  
36 Broad Street  
Charleston, SC 29401

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SC Court of Appeals