

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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OCT 13 2017

SC Court of Appeals

Appeal from Horry County
Honorable Larry B. Hyman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRIAN KENDRICK SPEARS,

APPELLANT

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

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

- (1) True-billed indictment(s):
- (2) Original record on appeal filed August 22, 2011
- (3) Final brief of appellant filed September 12, 2011
- (4) Final brief of respondent filed September 12, 2011
- (5) State v. Spears, 403 S.C. 247, 742 S.E. 2d 878 (2013)
- (6) Appellant's petition for rehearing filed May 2, 2013
- (7) Respondent's petition for rehearing En Banc filed April 26, 2013
- (8) Order Denying petition for rehearing filed June 14, 2013
- (9) Petition for Writ of certiorari
- (10) State's petition for writ of certiorari filed July 12, 2013
- (11) Spears return to petition for writ of certiorari filed August 1, 2013
- (12) State's Return to Spears' petition for writ of certiorari
- (13) Order denying certiorari filed September 11, 2014
- (14) Transcript on remand dated December 8, 2016
- (15) Amended order on remand filed February 9, 2017

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

October 13, 2017.

Robert M. Pachak
Robert M. Pachak
Appellate Defender

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

ATTORNEY FOR APPELLANT

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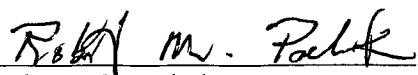
V.

BRIAN KENDRICK SPEARS,

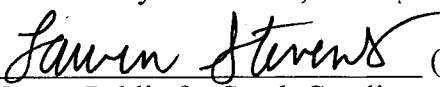
APPELLANT

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 Donald J. Zelenka, 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 Brian Kendrick Spears, #340805, at McCormick Correctional Institution, 386 Redemption Way, McCormick, SC 29899, this 13th day of October, 2017.


Robert M. Pachak
Appellate Defender
ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 13th day of October, 2017.

 (L.S)
Notary Public for South Carolina
My Commission Expires: July 5, 2027.