

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Horry County  
Honorable Benjamin H. Culbertson, Circuit Court Judge  
Appellate Case No. 2012-211546

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THE STATE,

Appellant,

vs.

MICHAEL J. HILTON,

Respondent.

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

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Pursuant to Rule 209, SCACR, Appellant proposes the following to be included in the Record on Appeal:

- (1) October 25, 2011, Hearing Transcript;**
- (2) Order Suppressing Breathalyzer Test Results, dated March 26, 2012;**
- (3) Motion to Exclude Evidence, dated September 23, 2011;**
- (4) Defendant's Memorandum in Support of Motion to Exclude Evidence, dated October 25, 2012;**
- (5) Defendant's Supplemental Memorandum in Support of Motion to Exclude Evidence, dated November 8, 2011;**
- (6) State's Memorandum in Opposition to Motion to Exclude Evidence, dated November 8, 2011;**

- (7) Defendant's Objections to State's Memorandum in Opposition to Motion to Exclude Evidence and Motion to Strike Factual Assertions Set Forth Therein, dated November 9, 2011;
- (8) State's Exhibits "A" (Datamaster Machine Breath Records) and "C" (S.L.E.D. Policies and Procedures on Implied Consent);
- (9) Defense Exhibits "A" (Breath Alcohol Analysis Test Report), "B" (Uniform Traffic Tickets), "C" (Form FR-10), "D" (S.C. Traffic Collision Report Form), "E" (Letter), and "G" (Datamaster Machine Status Records); and
- (10) Indictments # 2008-GS-26-4056 and # 2008-GS-26-4057.

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

BY:



Mark R. Farthing

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

ATTORNEYS FOR APPELLANT

October 15, 2012