

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

Thomas A. Russo, Circuit Court Judge

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Case No. 2015-CP-36-00141

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**RECEIVED**  
FEB 05 2018  
SC Court of Appeals

Desa Ballard..... Appellant/Respondent,

v.

Newberry County..... Respondent/Appellant.

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**DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL OF  
RESPONDENT/APPELLANT NEWBERRY COUNTY**

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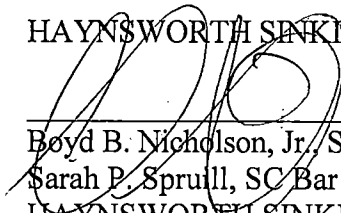
In addition to the materials previously designated by the Appellant/Respondent, Respondent/Appellant Newberry County proposes the following matter to be included in the Record on Appeal:

1. Complaint
2. Answer
3. Orders dated July 7, 2017, October 24, 2017, and November 17, 2017
4. Trial Transcript at pp. cover, introduction for each witness, 18-19, 44-45, 80-120, 151, 183
5. Pl. Exs. 1, 1A
6. Def. Exs. 1, 4
7. Def. Proposed Order with transmittal email dated October 12, 2016.
8. Deposition of A. J. Tothacer at cover, 93-94 (excerpted from Pl. Ex. 27)

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

Respectfully submitted,

HAYNSWORTH SINKLER BOYD, P.A.



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Boyd B. Nicholson, Jr., SC Bar No. 65387

Sarah P. Sprull, SC Bar No. 68337

HAYNSWORTH SINKLER BOYD, P.A.

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Attorneys for Respondent/Appellant

February 2, 2018  
Greenville, South Carolina

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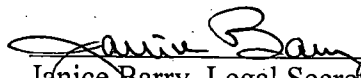
v.

Newberry County..... Respondent/Appellant.

**PROOF OF SERVICE**

I, the undersigned employee of Haynsworth Sinkler Boyd, P.A., do hereby certify that I have this 2nd day of February 2018, caused the foregoing *Initial Brief of Respondent/Appellant and Designation of Matter* to be served via U.S. mail, postage prepaid on counsel of record at the address shown below:

Joseph M. McCulloch, Jr., Esq.  
Kathy R. Schillaci, Esq.  
McCulloch & Schillaci, Attorneys at Law  
Post Office Box 11623  
Columbia, SC 29211

  
\_\_\_\_\_  
Janice Barry, Legal Secretary  
Haynsworth Sinkler Boyd, P.A.  
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Haynsworth  
Sinkler Boyd, P.A.

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February 2, 2018

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

Re: Desa Ballard v. Newberry County  
Appellate Case No. 2017-002429

Dear Ms. Kitchings:

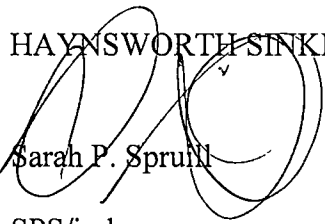
Enclosed herewith for filing is an original and one (1) copy of the Initial Brief of Respondent/Appellant Newberry County and Designation of Matter to be Included in the Record on Appeal regarding the above-referenced case together with a Proof of Service. Please file the originals and return a clocked copy to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance.

With kind regards, I am

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.

  
Sarah P. Spruill

SPS/jmb  
Enclosures

cc: Kathy R. Schillaci  
Joseph M. McCulloch, Jr.

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SC Court of Appeals

**Haynsworth  
Sinkler Boyd, PA.** | ATTORNEYS AND COUNSELORS AT LAW

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The Honorable Jenny Abbott Kitchings  
Clerk, The South Carolina Court of Appeals  
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