

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

Appeal from Charleston County
Kristi Lea Harrington, Circuit Court Judge

THE STATE,

Respondent,

v.

TERRELL ARTIETH SMITH,

Appellant.

Appellate Case No. 2017-001178

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

Respondent agrees with appellant's proposal regarding the designation of matter on appeal and requests the following also be included in the Record on Appeal:

1. From the September 19-22, 2016 trial transcript: pp.391-402; pp.535-537;
2. From the May 9, 2017 sentencing hearing: Defendant's Motion to Preclude Life Without Parole as a Punishment, filed May 3, 2017.

The undersigned certifies this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

ALAN WILSON
Attorney General

W. JEFFREY YOUNG
Chief Deputy Attorney General

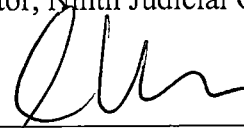
DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

SHERRIE BUTTERBAUGH
Assistant Attorney General
S.C. Bar No. 101477

SCARLETT A. WILSON
Solicitor, Ninth Judicial Circuit

BY:



SHERRIE BUTTERBAUGH

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-6305

ATTORNEYS FOR APPELLANT

June 18, 2018.

STATE OF SOUTH CAROLINA
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Appeal from Charleston County
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THE STATE,

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v.

TERRELL ARTIETH SMITH,

Appellant.

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CERTIFICATE OF SERVICE

I, Sherrie Butterbaugh, counsel for the Respondent, certify that I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by depositing two (2) copies of the same in the United States mail, addressed to her attorney of record: Lara M. Caudy, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201.

I further certify that all parties required by Rule to be served have been served.

This 18th day of June, 2018.



SHERRIE BUTTERBAUGH

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

June 18, 2018

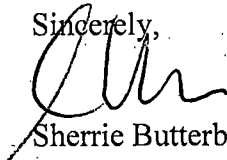
The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: *The State v. Terrell Artieth Smith*
Appeal from Charleston County
Appellate Case No. 2017-001178

Dear Ms. Kitchings:

Enclosed for filing please find the original Initial Brief of Respondent and Designation of Matter, together with Proof of Service in the above-referenced case. If you should have any questions, please feel free to contact me.

Sincerely,


Sherrie Butterbaugh,
Assistant Attorney General

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JUN 18 2018

SC Court of Appeals

SB/dmd
Enclosures

cc: Lara M. Caudy, Esq. (w/ two copies of encls.)
The Honorable Scarlett Wilson, Solicitor, Ninth Judicial Circuit (w/copy of encls.)
Trisha Allen, Victim Advocacy Division (w/copy of encls.)