

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM HORRY COUNTY

Steven H. John, Circuit Court Judge

Appellate Case No. 2017-002553

**RECEIVED**  
OCT 08 2018  
SC Court of Appeals

The State, ..... Respondent,

v.

Tommy Lee Benton, ..... Appellant.

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

Pursuant to Rule 209, of the South Carolina Appellate Court Rules (SCACR), Appellant Tommy Lee Benton designates the following to be included in the Record on Appeal:

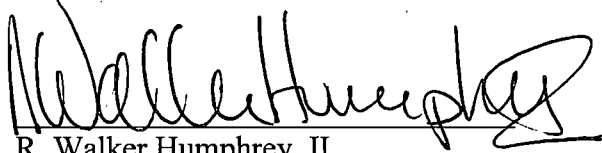
1. Order of Mistrial dated July 31, 2017
2. Notice of Appeal
3. Hearing Transcript, dated March 14, 2017, pages: cover page, 4-5, 8, 10-16
4. Trial Transcript, dated July 17-19, 2017, pages: cover page, 34-35, 80-81, 103, 119-127, 131-133, 135-137, 139-141
5. Trial Transcript, dated December 4-8, 2017, pages: cover page, 31-32, 51-52, 56-59, 89-90, 127-130, 136-137, 140-142, 150-151, 154, 163, 167, 199-206, 210-212, 227-228, 231-236, 240-242, 262, 307-308, 311-312, 320-322, 331-332, 350-

351, 366, 372-373, 375, 452-453, 455, 516-517, 521, 575-590, 619-623, 674-677,  
684-685, 689-692, 697-699, 737-742, 767-777, 780-781

6. Trial Transcript, dated December 8, 2017 (Morning), pages: cover page, 9-11, 14-16, 18-19, 20-21, 23-30, 37-44, 47, 55-57, 67-68, 84-87
7. State's Trial Exhibit Nos. 16-57
8. State's Trial Exhibit No. 71
9. State's Trial Exhibit No. 72, p. 1, 17-18, 35-52
10. State's Trial Exhibit No. 76, p. 1, 26-30, 46-47, 49-50, 54
11. Arrest Warrant, 2014A2610201255
12. Arrest Warrant, 2014A2610201195
13. Arrest Warrant, 2014A2610700452
14. Indictment, 2016-GS-26-01719
15. Indictment, 2016-GS-26-05008
16. Indictment, 2016-GS-26-05009
17. Indictment, 2016-GS-26-05011
18. Voluntary Statement of Garland Rose dated May 6, 2014
19. Voluntary Statement of Mitchell Cheatham dated May 6, 2014
20. Horry County Fire/Rescue Records dated April 29, 2014
21. Horry County Police Department, Crime Scene Investigator Notes dated April 29, 2014
22. Anatomical Pathology Results dated April 29, 2014
23. Fire Investigation Unit, Investigation Report dated May 2, 2014

Pursuant to Rule 209, SCACR, the undersigned counsel for the Appellant certifies that the foregoing Designation of Matter to Be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

Respectfully submitted,



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October 8, 2018

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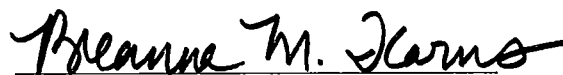
Tommy Lee Benton, .....Appellant.

**Proof of Service**

This is to certify that I, a paralegal with the law firm Willoughby & Hoefler, P.A., have caused to be served this day one (1) copy of the **Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal** by depositing the same in the U.S. Mail to the following:

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This 8th day of October 2018