

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Thomas A. Russo, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DAVID GERRARD JOHNSON,

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;
- (2) Sentence sheets;
- (3) Hearing Transcript dated February 9, 2012;
- (4) Trial Transcript dated February 13, 2012 pages: 1; 8; 12-19; 42-43; 59-85; 90-99; 109-112; 178-251; 294-295; 297-331; 442-501; 520-579; 652-703; 805; 812; 826-827
- (5) State's Exhibit #2 (waiver of rights form)
- (6) State's Exhibits # 56, 59, and 61 (photographs)
- (7) State's Exhibit #116 (audio CD)
- (8) State's Exhibit 117 (release form)
- (9) State's Exhibit #120 (waiver of rights form)
- (10) Court's Exhibit #1 from February 9, 2010 hearing (Dr. Hall's report)
- (11) Court's Exhibit #3 from February 9, 2012 hearing (transcript of statement)

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

January 16th, 2013

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JAN 16 2013

SC Court of Appeals

Susan B. Hackett

Susan B. Hackett
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
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CERTIFICATE OF SERVICE

The undersigned attorney 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 Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and David Gerrard Johnson, # 312138, at Lieber Correctional Institution, PO Box 205, Ridgeville, SC 29472, this 16th day of January, 2013.

Susan B. Hackett
Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 16th day of January, 2013.

Emily Byrne (L.S.)
Notary Public for South Carolina
My Commission Expires: November 16, 2022.

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