

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

H.W. Funderburk, Jr., Administrative Law Judge

Appellate Case No. 2018-001323

George Wylie Mittag, #117736

v.

South Carolina Department of Corrections Appellant.

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

The Appellant, the South Carolina Department of Corrections ["SCDC"], by and through its undersigned counsel, respectfully proposes the following matter to be included in the Record on Appeal in the instant in the above-captioned matter:

1. Record on Appeal filed July 7, 2016 by SCDC with the South Carolina Administrative Law Court ["ALC"] with the following contents:
 - a. Respondent George Wylie Mittag's Step 1 Grievance dated June 21, 2007;
 - b. SCDC's Reply, dated July 25, 2007, to Mittag's Step 1 Grievance;
 - c. Mittag's Step 2 Grievance Appeal dated August 6, 2007;
 - d. SCDC's Response, dated March 28, 2016, of Mittag's Step 2 Grievance Appeal;
 - e. Mittag's Notice of Appeal to the ALC dated April 26, 2016;
 - f. Mittag's "Brief in Support of Appeal" to the ALC dated July 18, 2016;
 - g. SCDC's "Motion to Hold in Abeyance" filed August 29, 2016 with the ALC;

RECEIVED

NOV 05 2018

SC Court of Appeals

- h. "Order of Abeyance" issued August 30, 2016 by the ALC;
 - i. "Order Lifting Abeyance" issued June 15, 2017 by the ALC; and
 - j. Mittag's "Brief in Support of Appeal" to the ALC dated June 28, 2017.
2. SCDC's Brief to the ALC filed August 8, 2017.
 3. "Final Order" issued June 20, 2018 by the ALC.
 4. SCDC's "Notice of Appeal" to the South Carolina Court of Appeals filed July 18, 2018.

SCDC's undersigned counsel respectfully certifies that this designation contains no matter which is irrelevant to this appeal.

RESPECTFULLY SUBMITTED:



November 5, 2018

Lake E. Summers
Malone, Thompson, Summers & Ott LLC
339 Heyward Street, Suite 200
Columbia, South Carolina 29201
Office: (803) 254-3300
Fax: (803)-254-0309
E-mail: summers@mtsolvlawfirm.com

Counsel for Appellant

Pro se Respondent:

George Wylie Mittag, #117736
Perry Correctional Institution Q-2-A-112
430 Oaklawn Road
Pelzer, South Carolina 29669

RECEIVED
NOV 05 2018
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

H.W. Funderburk, Jr., Administrative Law Judge

Appellate Case No. 2018-001323

George Wylie Mittag, #117736 Respondent,

v.

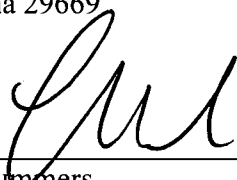
South Carolina Department of Corrections Appellant.

PROOF OF SERVICE

I certify that I have served the **APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** on the above-named *pro se* Respondent by depositing a copy of it in the United States Mail, First Class Postage Pre-Paid, to the Respondent's Counsel addressed as follows:

George Wylie Mittag, #117736
Perry Correctional Institution Q-2-A-112
430 Oaklawn Road
Pelzer, South Carolina 29669

November 5, 2018



Lake E. Summers
Malone, Thompson, Summers & Ott LLC
339 Heyward Street, Suite 200
Columbia, South Carolina 29201
Office: (803) 254-3300
Fax: (803) 254-0309
E-mail: summers@mtsollawfirm.com

Counsel for Appellant