

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SUMTER COUNTY  
W. Jeffrey Young, Circuit Court Judge (Trial)  
George M. McFaddin, Jr., Circuit Court Judge (Post-Trial)

**RECEIVED**

NOV 29 2018

SC Court of Appeals

Appellate Case No. 2017-002175

THE STATE, .....RESPONDENT

v.

MARCUS C. MCFADDEN, .....APPELLANT.

**DESIGNATION OF MATTER**

In addition to the matter designated by Appellant, Respondent proposes the following matter to be included in the Record on Appeal:


- (1) Initial Notice of Appeal filed July 3, 2017, with Proof of Service (3 pages).
- (2) Order filed July 7, 2017 (2 pages).
- (3) Remittitur dated August 8, 2017 (1 page).

To facilitate the preparation of the Final Brief, Respondent requests that counsel for Appellant retain the page numbers of the trial transcript in the Record on Appeal, in addition to the new page numbers. The undersigned hereby certifies this Designation contains no matter which is irrelevant to this appeal.

ALAN WILSON  
Attorney General

J. BENJAMIN APLIN  
Senior Assistant Deputy Attorney General

ERNEST A. FINNEY, III  
Solicitor, Third Judicial Circuit

BY:   
\_\_\_\_\_  
J. Benjamin Aplin  
S.C. Bar No. 8729

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

Columbia, South Carolina  
November 29, 2018

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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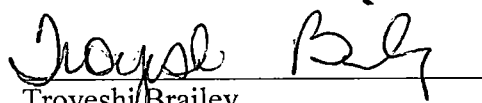
**PROOF OF SERVICE**

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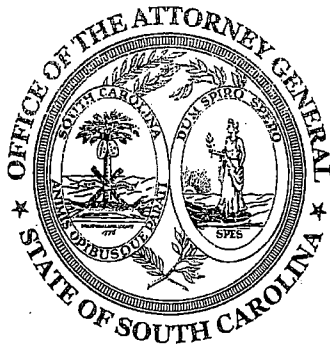
I, Troyeshi Brailey, Legal Coordinator, hereby certify that I have served the within *Initial Brief of Respondent* and *Designation of Matter*, both dated November 29, 2018, on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record:

Kathrine H. Hudgins, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211-1589

I further certified that all parties required by Rule to be served have been served. This 29<sup>th</sup> day of November, 2018.

  
Troyeshi Brailey  
Legal Coordinator

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Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

November 29, 2018

Katherine H. Hudgins, Esquire  
S.C. Commission on Indigent Defense  
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SC Court of Appeals

Re: The State v. Marcus C. McFadden  
Appellate Case No. 2017-002175

Dear Ms. Hudgins:

I am enclosing two (2) copies of the Initial Brief of Respondent and Designation of Matter in the above-referenced case.

Sincerely,

J. Benjamin Aplin  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 8729

JBA/tb  
Enclosures

cc: Honorable Jenny A. Kitchings (original enclosed)  
Victim Advocacy Division