

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEE COUNTY
Court of Common Pleas

The Honorable George M. McFaddin, Jr., Judge
Lee County Court of Common Pleas

Case No. 2014-CP-31-00100

RECEIVED
JAN 07 2019
SC Court of Appeals


Levy Bing, Appellant,
v.
South Carolina Department of Corrections, Respondent.

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

Pursuant to Rule 209(a), SCACR, the Appellant designates the following materials for inclusion in the Record on Appeal:

1. September 29, 2011 Complaint
2. October 29, 2011 Answer
3. May 12, 2015 Motion for Summary Judgment with attached exhibits.
4. October 24, 2017 (filed) Affidavit of Emmitt Sparkman.
5. June 7, 2018 Memorandum in Opposition to Defendant's Motion for Summary Judgment with attached exhibits (including June 7 (filed) Affidavit of James E. Aiken).

6. June 7, 2018 Memorandum in Support of Defendant's Motion for Summary Judgment with attached exhibits.
7. August 22, 2018 Order Granting Defendant's Motion for Summary Judgment.



Marion C. Fairey, Jr.
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January 2, 2019
Hampton, South Carolina

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Certification of Counsel

Pursuant to Rule 207(a), SCACR, I certify that the Designation of Matters to Be Included in the Record on Appeal contains no material which is irrelevant to the Appeal.



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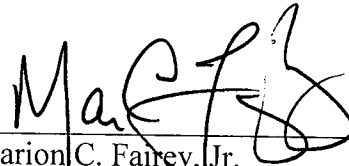
Proof of Service

I certify that on January 2, 2019, I have served a copy of the Designation of Record on
Appeal by United States Mail, postage prepaid, addressed to:

G. Murrell Smith, Jr.
LEE, ERTER, WILSON, HOLLER
& SMITH, LLC
126 North Main Street
Post Office Box 580
Sumter, South Carolina 29151

The Honorable Jenny Abbott Kitchings
Clerk of South Carolina Court of Appeals
1220 Senate Street
P. O. Box 11629
Columbia, SC 29211

<signature page to follow>



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September 12, 2018
Hampton, South Carolina

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MARION C. FAIREY, JR.

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January 2, 2019

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SC Court of Appeals

Via U.S. Mail

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
1220 Senate Street
P. O. Box 11629
Columbia, SC 29211

**Re: Levi Bing v. South Carolina Department of Corrections
Case No. 2014-CP-31-00100**

Dear Ms. Kitchings:

Please find enclosed the original and one copy of the following:

- Initial Brief of Appellant
- Proof of Service for the Initial Brief on Murrell Smith and Jenny A. Kitchings, Clerk of the South Carolina Court of Appeals
- Appellant's Designation of Matters to Be Included in the Record on Appeal
- Certification of Counsel that the Designation of Matters to Be Included in the Record on Appeal contains no material which is irrelevant to the Appeal
- Proof of Service for the Designation of Record on Appeal to Murrell Smith and Jenny A. Kitchings, Clerk of the South Carolina Court of Appeals
- Certification of Counsel that all documents were placed in the U. S. Mail on January 2, 2019

I would greatly appreciate it if you would file the originals and returned the stamped copies to me in the enclosed envelope.

Please accept my kindest regards.

Sincerely,

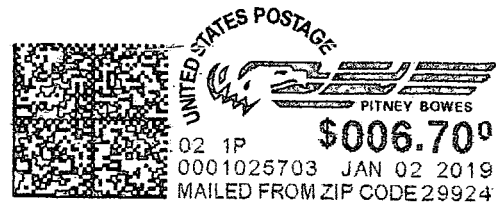


Jill B. Jones

Legal Assistant to Marion C. Fairey, Jr.

Enclosures (as stated)

cc: Murrell Smith
Clyde C. Dean, Jr.



The Fairey Law Firm
P. O. Box 661
Hampton, SC 29924

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