

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions
Steven H. John, Circuit Court Judge

The State,

Respondent,

v.

Tommy Lee Benton,

Appellant.

Appellate Case No. 2017-002553

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent proposes the following be included in the Record on Appeal:

- (1) Indictments;
- (2) Written Order (Mistrial);
- (3) State's Exhibits 54, 55, 56;
- (4) March Transcript, pages 6-15;
- (5) July Transcript, pages 114-129; 133; 134-141;
- (6) December Transcript, pages 56-59; 89-90; 126-127; 129-147;
161-163; 165; 167; 189-191; 198-201; 202-206; 209-212;
243-244; 341-342; 453-455; 525-534; 537-547; 556-558; 569;
577-589; 594; 611-614; p. 617-619; 623; 626-635; 639-641;
644-649; 655-683; 692; 763-764; 776-777; 780-781;
- (7) Dec. 8 morning Transcript, pages 98; 104-118.

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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.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

JIMMY A. RICHARDSON
Solicitor, Fifteenth Judicial Circuit

BY: 

MELODY J. BROWN
SC Bar No. 14244

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-6305

ATTORNEYS FOR RESPONDENT

April 4, 2019.
Columbia, South Carolina.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
The Honorable Steven H. John, Circuit Court Judge

Appellate Case No. 2017-002553

THE STATE,

vs.

TOMMY LEE BENTON,

Respondent,

Appellant.

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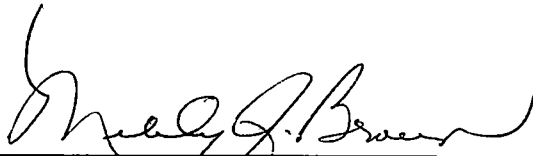
SC Court of Appeals

PROOF OF SERVICE

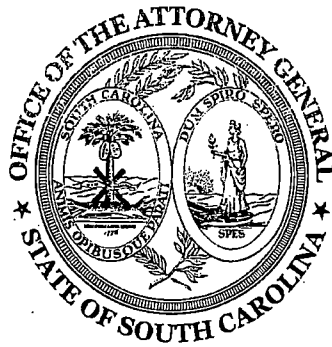
I, Melody J. Brown, certify that I have served the Initial Brief of Respondent, Designation of Matter and Motion to Accept Initial Brief and Designation of Matter Out of Time on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to: Robert M. Dudek, Esquire, Office of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211 and R. Walker Humphrey, II, Esquire 133 River Landing Drive, Suite 200, Charleston, South Carolina 29492.

I further certify that all parties required by Rule to be served have been served.

This 4th day of April, 2019.



MELODY J. BROWN
Senior Assistant Deputy Attorney General
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ALAN WILSON
ATTORNEY GENERAL

April 4, 2019

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SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: The State v. Tommy Lee Benton
Appeal from Horry County
Appellate Case No: 2017-002553

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the *Initial Brief of Respondent and Designation of Matter* and the original and six (6) copies of the *Motion to Accept Initial Brief of Respondent and Designation of Matter Out of Time* along with proof of service in the above-referenced case.

Sincerely,

Melody J. Brown
Senior Assistant Deputy Attorney General
S.C. Bar No: 14244

MJB/ab
Enclosures

cc: Robert M. Dudek, Esquire
R. Walker Humphrey, II, Esquire
Victim Advocacy Division