

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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JUN 17 2019

SC Court of Appeals

APPEAL FROM HORRY COUNTY

Steven H. John, Circuit Court Judge

Appellate Case No. 2017-002553

The State, Respondent,

v.

Tommy Lee Benton, Appellant.

**APPELLANT’S SECOND SUPPLEMENTAL DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

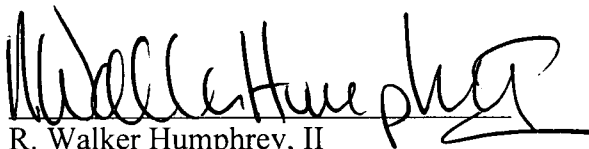
In accordance with this Court’s June 12, 2019 Order and pursuant to Rule 212(b), SCACR, Appellant Tommy Lee Benton designates the following matter to be included in the Record on Appeal in addition to the matter identified in his Designation of Matter to be Included in the Record on Appeal dated October 8, 2018, and Supplemental Designation of Matter to be Included in Record on Appeal dated April 25, 2019:

1. Trial Transcript, dated December 8, 2017, pages: 31-32, 51-52, and 89-90; and
2. Mutual Reciprocal Disclosure Request & Notice of Intent to Impeach by Evidence of a Conviction, April 1, 2016.

As previously indicated, these matters have already been included in the Record on Appeal filed on May 23, 2019. Pursuant to Rule 209, SCACR, the undersigned counsel for the Appellant

certifies that the foregoing Second Supplemental Designation of Matter to Be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

Respectfully submitted,



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Robert M. Dudek
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Attorneys for Appellant

Charleston, South Carolina
June 13, 2019

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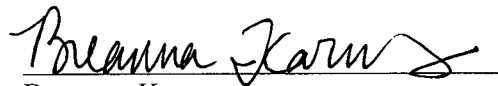
Tommy Lee Benton,Appellant.

Proof of Service

This is to certify that I, a paralegal with the law firm Willoughby & Hoefler, P.A., have caused to be served this day one (1) copy of the **Appellant's Second Supplemental Designation of Matter to be Included in the Record on Appeal** by depositing the same in the U.S. Mail to the following:

Robert M. Dudek
Chief Appellate Defender
South Carolina Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201

Donald J. Zelenka
Melody J. Brown
South Carolina Attorney General's Office
1000 Assembly Street
Columbia, S.C. 29201


Breanna Karns

Charleston, South Carolina
This 13th day of June 2019

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June 13, 2019

VIA U.S. MAIL

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

Re: *The State v. Tommy Lee Benton*
Appellate Case No. 2017-002553

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SC Court of Appeals

Dear Ms. Kitchings:

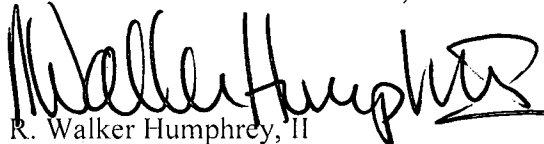
Enclosed for filing please find the original and one (1) copy of the **Appellant's Second Supplemental Designation of Matter to be Included in the Record on Appeal** in the above-referenced matter. I would appreciate your acknowledging receipt of this document by file-stamping the extra copy and returning it to me via the enclosed return envelope.

By copy of this letter, I am serving counsel of record and enclose a Proof of Service to that effect. If you have any questions or if you need any additional information, please do not hesitate to contact me.

With kindest regards, I am

Sincerely yours,

WILLOUGHBY & HOEFER, P.A.


R. Walker Humphrey, II

Enclosures

cc: Robert M. Dudek, Esquire
Melody J. Brown, Esquire

\$1.30

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TO:

JUN 17 2019

The Honorable Jenny Abbott Kiffin
Clerk of Court, Court of Appeals

P.O. Box 11629

Columbia, South Carolina 29211

SC Court of Appeals