

**STATE OF SOUTH CAROLINA
In the Court of Appeals**

Appeal from Spartanburg County
Edward W. Miller, Circuit Court Judge

RECEIVED
AUG 23 2019
SC Court of Appeals

THE STATE,

Respondent,

v.

ERIC DALE MORGAN,

Appellant.

Appellate Case No. 2018-001465

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

Respondent agrees with appellant's proposal regarding the designation of matter on appeal and requests the following also be included in the Record on Appeal:

1. Sentencing phase transcript dated February 28-March 9, 2004 (found in Record on Appeal Volumes 4 & 5): pages 1976-2282;
2. Statements by appellant (found in Record on Appeal Volume 5): pages 2306-2340;
3. Sentencing sheets from 2004 & 2006.

The undersigned 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

SHERRIE BUTTERBAUGH
Assistant Attorney General

BARRY J. BARNETTE
Solicitor, Seventh Judicial Circuit

BY: 
SHERRIE BUTTERBAUGH

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ATTORNEYS FOR RESPONDENT

August 23, 2019.

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CERTIFICATE OF SERVICE

I, Sherrie Butterbaugh, counsel for the Respondent, certify that I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by depositing two (2) copies of the same in the United States mail, postage prepaid, and addressed to his attorneys of record: Lindsey S. Vann, Esq., and Hannah L. Freedman, Esq., c/o Justice 360, 900 Elmwood Avenue, Suite 200, Columbia, South Carolina 29201.

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

This 23rd day of August, 2019.



SHERRIE BUTTERBAUGH

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(803) 734-6305

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

August 23, 2019

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

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AUG 23 2019

SC Court of Appeals

Re: *The State v. Eric Dale Morgan*
Appeal from Spartanburg County
Appellate Case No. 2018-001465

Dear Ms. Kitchings:

Enclosed for filing please find the original Initial Brief of Respondent and Designation of Matter, together with Proof of Service in the above-referenced case. If you should have any questions, please feel free to contact me.

Sincerely,

Sherrie Butterbaugh,
Assistant Attorney General

SB/dmd

Enclosures

cc: Lindsey S. Vann, Esq. (w/two copies of encls.)
Hannah L. Freedman, Esq. (w/two copies of encls.)
The Honorable Barry J. Barnette, Solicitor 7th Judicial Circuit (w/copy of encls.)
Trisha Allen, Victim Advocacy Division (w/copy of encls.)