

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Horry County  
The Honorable Robert E. Hood, Circuit Court Judge

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**RECEIVED**  
NOV 22 2019  
SC Court of Appeals  
Respondent,

THE STATE,

v.

JAMES ELBERT DANIELS, JR.,

Appellant.

Appellate Case No. 2018-001630

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**DESIGNATION OF MATTER**

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

1. Tr. August 22, 2018, pp. 1-123;
2. State's Ex. 1 August 22<sup>nd</sup> hearing
3. State's Ex. 2 August 22<sup>nd</sup> hearing (audiotape of 1<sup>st</sup> Interview)/Trial Ex. 167;
4. State's Ex. 3 August 22<sup>nd</sup> hearing (audiotape of 2<sup>nd</sup> interview)/Trial Ex. 168;
5. State's Ex. 2, 3, 5, 6, & 146 Trial, August 27-30, 2018;
6. State's Ex. 17, 18, 19 & 20 Trial [DVDs of Store Surveillance Videos]
7. Tr. August 27-30, 2018, pp. 1, i-xii, 3-6, 69-97, 107-115, 126-27, 131-44, 146-58, 161-216, 221-30, 232-46, 247-79, 281-315, 317-21, 327-355, 357-61, 368-74, 376-95, 398, 401-41; 449-50, 471-503, 524, 529-33, 539-43.

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

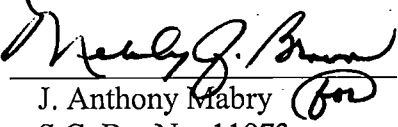
DONALD J. ZELENKA  
Deputy Attorney General

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Senior Assistant Deputy Attorney General

J. ANTHONY MABRY  
Senior Assistant Attorney General

JIMMY A. RICHARDSON, III  
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BY:

  
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S.C. Bar No. 11973

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ATTORNEYS FOR RESPONDENT

Columbia, South Carolina  
November 22, 2019.

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Horry County  
The Honorable Robert E. Hood, Circuit Court Judge  
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THE STATE,

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JAMES ELBERT DANIELS, JR.,

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Appellate Case No. 2018-001630

\_\_\_\_\_  
**CERTIFICATE OF SERVICE**  
\_\_\_\_\_

I, Donna D'Alessio, Legal Assistant to J. Anthony Mabry, counsel for the Respondent, certify that I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by depositing two copies of the same in the United States mail, addressed to his attorney of record: Susan B. Hackett, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite 401, Columbia, South Carolina 29201.

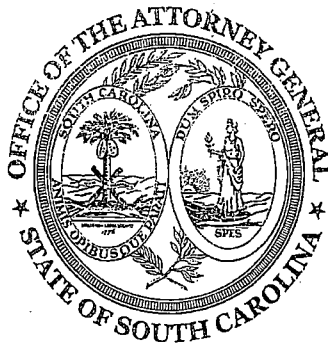
I further certify that all parties required by Rule to be served have been served.

This 22<sup>nd</sup> day of November, 2019.

  
\_\_\_\_\_  
Donna D'Alessio, Legal Assistant to  
J. ANTHONY MABRY

Office of the Attorney General  
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ALAN WILSON  
ATTORNEY GENERAL

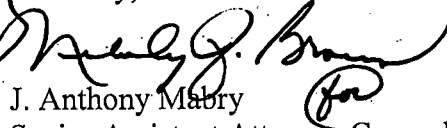
November 22, 2019

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

Re: *The State v. James Elbert Daniels, Jr.*  
Appeal from Horry County  
Appellate Case No. 2018-001630

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,  
  
J. Anthony Mabry  
Senior Assistant Attorney General

AJM:dmd  
Enclosures

cc: Susan B. Hackett, Esq. (w/two copies of encls.)  
The Honorable Jimmy A. Richardson, Solicitor 15<sup>th</sup> Judicial Circuit (w/copy of encls.)  
Trisha Allen, Victim Advocacy Division (w/copy of encls.)

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