

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge H. W. Funderburk, Jr.

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ALC Case No. 18-ALJ-04-0547-AP  
Appellate Case No. 2019-001410

**RECEIVED**

**NOV 25 2019**

**SC Court of Appeals**

GREGORY PENCILLE, # 312332,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

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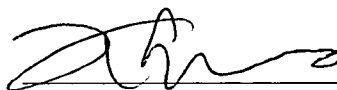
**RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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The Respondent submits that the following should be included in the Record on Appeal:

- (1) Step One and Step Two Grievance Forms;
- (2) All filings in the Administrative Law Court;
- (3) Administrative Law Judge Funderburk's Order dated July 24, 2019.

The undersigned hereby certifies this Designation contains no matter that is irrelevant to this appeal.



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**Kensey Evans**  
Deputy General Counsel  
South Carolina Department of Corrections  
Post Office Box 21787  
Columbia, South Carolina 29221  
(803) 896-8508

**ATTORNEY FOR RESPONDENT**

November 21, 2019

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge H. W. Funderburk, Jr.

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GREGORY PENCILLE, # 312332,

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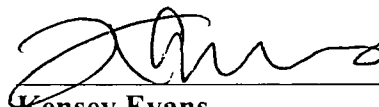
v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

**CERTIFICATE OF SERVICE**

Undersigned counsel hereby certifies that on today's date she mailed a copy of the **Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal** to Appellant, addressed as follows: **Gregory Pencille**, Evans Correctional Institution, 4A-0253-B, 610 Highway 9 West, Bennettsville, SC 29512.



**Kensey Evans**  
Deputy General Counsel  
Office of General Counsel  
South Carolina Department of Corrections  
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November 21, 2019



**SOUTH CAROLINA**  
DEPARTMENT OF CORRECTIONS  
*Safety, Service, and Stewardship*

HENRY McMASTER, Governor  
BRYAN P. STIRLING, Director

OFFICE OF GENERAL COUNSEL

November 21, 2019

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

**RECEIVED**  
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SC Court of Appeals

**RE: Gregory Pencille, #312332 v. South Carolina Department of Corrections**  
**Appellate Case No. 2019-001410**

Dear Ms. Kitchings:

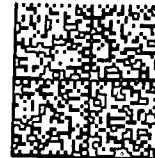
Enclosed please find the original and a copy of the **Initial Brief of Respondent, Designation of Matter to be Included in the Record on Appeal, and Motion to File Out of Time**, with six (6) copies for the Court, in the above captioned appeal, along with **Proof of Service**. Please file the originals and copies of the motion with the Court, and clock stamp and return the second set of copies to myself in the enclosed, stamped envelope.

Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

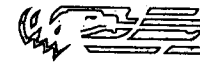
Sincerely,

Kensey Evans  
Deputy General Counsel  
South Carolina Department of Corrections

cc: Gregory Pencille, 312332  
Evans Correctional Institution  
4A-0253-B  
610 Highway 9 West  
Bennettsville, SC 29512



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**SOUTH CAROLINA**

DEPARTMENT OF CORRECTIONS

*Office of General Counsel*

P.O. Box 21787 - 4444 Broad River Road - Columbia, SC 29221-1787

The Honorable Jenny A. Kitchings  
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