

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS

DeAndrea G. Benjamin, Circuit Court Judge

RECEIVED

FEB 08 2013

SC Court of Appeals

Case No.: 2010-CP-40-7546

Richland County Sheriff's Department,.....Appellant,

v.

Nizar Awde,.....Respondent.

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

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


1. Transcript of Post Seizure Hearing;
2. Transcript of Motion to Reconsider;
3. Transcript of Circuit Court Appeal;
4. Order of Magistrate Davis - March 3, 2009;
5. Order of Magistrate Davis - June 19, 2009;
6. Order of Judge Benjamin – October 13, 2011;
7. Form 4 Order denying Motion to Alter or Amend - November 22, 2011;
8. Order of Destruction/Notice of Post Seizure Hearing – December 29, 2008;
9. Notice of Motion and Motion to Alter or Amend Judgment Pursuant to Rule 59(e), SCRPC - March 13, 2009;
10. Respondent's Memorandum in Opposition to Petitioner's Motion to Alter or Amend Judgment Pursuant to Rule 59(E), SCRPC - April 14, 2009;
11. Appellant's Reply to Respondent's Motion in Opposition to Appellant's Motion to Alter or Amend - May 20, 2009;
12. Appellant's Memorandum for Oral Argument – August 31, 2011;
13. Respondent's Memorandum of Law – September 1, 2011;
14. Appellant's Reply to Respondent's Memorandum of Law - September 7, 2011;

15. Notice of Motion and Motion to Alter or Amend Judgment Pursuant to Rule 59 (e), SCRCP - October 27, 2011.

Certificate of Counsel

I certify that this designation contains no matter which is irrelevant to this appeal.

Date: February 7, 2013



Jonathan S. Altman, Esq.
Derfner, Altman & Wilborn, LLC
P.O. Box 600
Charleston, SC 29402
Telephone: (843) 723-9804

Jonathan S. Gasser, Esq.
Harris & Gasser
1529 Laurel Street
Columbia, SC 29201

Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS

DeAndrea G. Benjamin, Circuit Court Judge

Case No.: 2010-CP-40-7546

Richland County Sheriff's Department,.....Appellant,

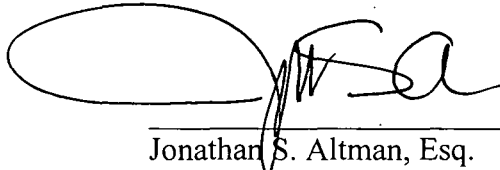
v.

Nizar Awde,.....Respondent.

PROOF OF SERVICE

I certify that I have served Respondent's Initial Brief and Designation of Matter on Appellant via UPS Overnight Delivery on February 7, 2013, addressed to his attorney of record, David Spencer, Esq.

February 7, 2013



Jonathan S. Altman, Esq.
Derfner, Altman & Wilborn, LLC
P.O. Box 600
Charleston, SC 29402
Telephone: (843) 723-9804

Jonathan S. Gasser, Esq.
Harris & Gasser
1529 Laurel Street
Columbia, SC 29201

Attorneys for Respondent