

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Darlington County  
The Honorable J. Michael Baxley, Circuit Court Judge  
Appellate Case No. 2011-198246

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

KRISTOPHER WILMONT BERRY,

APPELLANT.

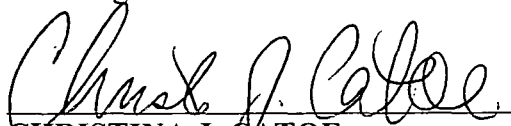
**DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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

- (1) True-billed indictment(s);
- (2) Trial Transcript p. 109-275; p. 341-437; p. 445-46; p. 487;  
p. 494-97; p. 512; p. 518-21;
- (3) Court's Exhibit # 2 (Appellant's military records);
- (4) State's Exhibits # 3 and # 4 and # 6 through # 254 (photos of  
text messages), and State's Exhibit # 264 (photo of Appellant);
- (5) Order Denying Defendant's Motion for New Trial.

**ALL DOCUMENTS DESIGNATED SHOULD BE REDACTED IN  
ACCORDANCE WITH THE SOUTH CAROLINA SUPREME COURT ORDER  
ON PERSONAL DATA IDENTIFIERS.**

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

  
CHRISTINA J. CATOE

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Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737

MAR 27 2013

March 27, 2013

SC Court of Appeals

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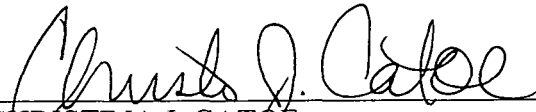
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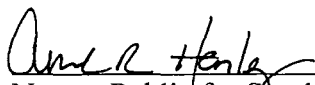
AFFIDAVIT OF SERVICE

The undersigned attorney hereby certifies that the **Initial Brief of Respondent** and **Designation of Matter** in the above-referenced case has been served upon **Dayne C. Phillips**, Division of Appellate Defense, South Carolina Commission on Indigent Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589, this **27<sup>th</sup>** day of **March, 2013**.

  
CHRISTINA J. CATOE  
Assistant Attorney General

Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737

SWORN to before me this 27<sup>th</sup> day of March, 2013.

  
Notary Public for South Carolina.  
My Commission Expires: 7/18/2017

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SOUTH CAROLINA