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Jan 22 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Lexington County  
Honorable Eugene C. Griffith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KIERIN MARCELLUS DENNIS,

APPELLANT

\_\_\_\_\_  
**DESIGNATION OF MATTER TO BE  
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictment;
- (2) Entire transcript of immunity hearing before Judge Russo dated November 17-19, 2014;
- (3) Entire transcript of immunity hearing before Judge Hood dated August 22 & 24, 2017;
- (4) Entire transcript of immunity argument hearing before Judge Hood dated September 18, 2017;
- (5) Order of Judge Russo denying immunity dated February 4, 2015;
- (6) Order of Judge Hood denying immunity dated October 11, 2017;
- (7) All defense motions and memoranda on immunity (including, but not limited to the Defendant's Motion for a second hearing, asserting Statutory Immunity from Prosecution based on Protection of Persons and Property Act, Section 16-11-440, et. seq., of the Code of Laws and Brief in support of Defendant's Renewed Motion for Hearing Pursuant to S.C. Code §16-11-440 (A)&(C) dated September 21, 2017 and "a renewed motion for a hearing pursuant to 16-11-440 (a) and (c)," filed in June 2017;
- (8) **Trial transcript dated August 19-27, 2019:** cover page, p. 1, pp. 92-102, pp. 229-246, pp. 248-250, pp. 273-307, pp. 309-342, pp. 352-405, pp. 407-480, pp. 492-634, pp. 643-655, pp. 664-667, pp. 669-704, pp. 707-831, pp. 843-872, pp. 879-916, pp. 926-944, pp. 952-1012, pp. 1017-1047, pp. 1050-1053, p. 1058, pp. 1099-1173, p. 1180, p. 1197
- (9) State's Exhibit #23 (Cook Out staged photograph showing three vehicles facing in the same direction);

- (10) Court's Exhibit #2 (State newspaper photograph of model of car door);
- (11) **Mistrial transcript dated October 3-11, 2016:** cover page, pp. 29-66, pp. 70-79, pp. 92-102, pp. 117-129, pp. 136-190, pp. 193-234, pp. 236-264, pp. 266-278, pp. 283-289, pp. 292-304, pp. 306-307, pp. 322-336, pp. 341-516, pp. 519-732, pp. 754-765, pp. 769-790, pp. 796-799, pp. 801-806, pp. 809-814, pp. 819-835, pp. 837-875, pp. 878-952, pp. 982-1008, pp. 1016-1077, pp. 1080-1202, pp. 1204-1208
- (12) **Exhibits from Immunity Hearing before Judge Russo dated November 17-19, 2014:**
- (13) State's Exhibit #11 (Video Recording)
- (14) State's Exhibit #12 (iPad Video)
- (15) State's Exhibit #35 (Video Interview)
- (16) State's Exhibit #39 (Video Recording)
- (17) State's Exhibit #41 (Cook-Out Video)
- (18) **Exhibits from Immunity Hearing before Judge Hood dated August 22 & 24, 2017:**
- (19) State's Exhibit #1 (Lynch Written Statement)
- (20) State's Exhibit #2 (Video Clip from Dennis's Second Interview)
- (21) Defendant's Exhibit #1 (Bettini Statement)
- (22) Defendant's Exhibit #2 (Voravudhi Dash Camera Video)
- (23) Defendant's Exhibit #3 (Combined Video)
- (24) Defendant's Exhibit #4 (Lynch's Second Written Interview)
- (25) Defendant's Exhibit #5 (Video of Lynch's Interview)

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

January 22, 2021.

  
Robert M. Dudek  
Chief Appellate Defender

Lara M. Caudy  
Appellate Defender

Adam Sinclair Ruffin  
Appellate Defender

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ATTORNEYS FOR APPELLANT

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

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Initial Brief of Appellant and Designation of Matter in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 22nd day of January, 2021.

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

Lara M. Caudy  
Appellate Defender

Adam Sinclair Ruffin  
Appellate Defender

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