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**Feb 03 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Oconee County  
Honorable Letitia H. Verdin, Circuit Court Judge  
Appellate Case No. 2020-001388

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THE STATE,

Respondent,

vs.

GARY MARTIN WIRTZ,

Appellant.

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

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

- (1) Trial Transcript, pages 1, 4, 8, 24-106, 112-144, and 147-154;**
- (2) Both Indictments (#2020-GS-37-00226 & #2020-GS-37-00229);**
- (3) Both Arrest Warrants (#2019A3710400680 & #2019A3710400683);**
- (4) Both Sentencing Sheets;**
- (5) Motion to Suppress, dated October 9, 2020; and**
- (6) Court's Exhibits # 1 (Oconee County Sheriff's Office General Order), # 2 (Pages from Manual of Oconee County Sheriff's Office Manual of Standard Policy and Procedure), and # 3 (Bodycam Recording); and**
- (7) State's Exhibits # 3A-3H (Photographs) and # 5 (Analysis Report).**

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.

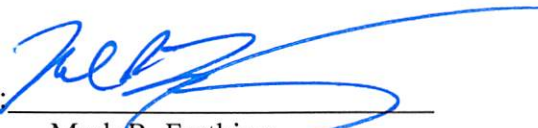
The undersigned hereby certifies this Designation contains no matter which is irrelevant to this appeal.

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Senior Assistant Attorney General

DAVID R. WAGNER, JR.  
Solicitor, Tenth Judicial Circuit

BY:



Mark R. Farthing  
S.C. Bar 76901

ATTORNEYS FOR RESPONDENT

February 3, 2022

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THE STATE,

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**PROOF OF SERVICE**

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I, Mark R. Farthing, certify I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

Jessica M. Saxon, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.  
This 3rd day of February, 2022.

  
\_\_\_\_\_  
MARK R. FARTHING  
Senior Assistant Attorney General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211

**From:** [Mark Farthing](#)  
**To:** "[jsaxon@sccid.sc.gov](mailto:jsaxon@sccid.sc.gov)"  
**Subject:** State v. Gary Martin Wirtz -- Initial Brief of Respondent and Designation of Matter  
**Date:** Thursday, February 3, 2022 6:38:00 PM  
**Attachments:** [Wirtz.IBOR \(02891140xD2C78\).pdf](#)  
[image003.png](#)

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Ms. Saxon,

Attached are electronic copies of the State's Initial Brief of Respondent and Designation of Matter in the State v. Gary Martin Wirtz appeal. I will be electronically filing them with the Court of Appeals shortly. If you would also like a paper copy, have any questions, or need anything else, please just let me know.

Sincerely,  
Mark

**MARK R. FARTHING**, Senior Assistant Attorney General  
South Carolina Attorney General's Office  
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