

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Oct 06 2022

S.C. SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Honorable Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2022-001280

Case No. 2021-CP-40-02306

FREDDIE EUGENE OWENS, BRAD KEITH SIGMON, GARY
DUBOSE TERRY, and RICHARD BERNARD MOORE, *Respondents*,

v.

BRYAN P. STIRLING, in his official capacity as the
Director of the South Carolina Department of Corrections,
SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS; and HENRY MCMASTER, in his official
capacity as Governor of the State of South Carolina, *Appellants*.

RESPONDENTS' MOTION TO EXCEED PAGE LIMITS

Respondents, through undersigned counsel, respectfully request leave to exceed the 50-page limit set forth in Rule 208(b)(5), SCACR, for the filing of their principal brief. Specifically, counsel request to be allowed to file a principal brief not to exceed 55 pages. In support of this motion, Respondents submit the following:

1. This case involves multiple issues of first impression related to the recently amended execution methods statute, S.C. Code Ann. § 24-3-530 (2021), and the South Carolina Constitution.

2. Consideration of the claims raised in this appeal requires briefing of the expert scientific testimony presented at trial regarding how electrocution and firing squad operate as methods of execution.

3. Appellants raised four issues on appeal in their initial brief. On September 30, 2022, Respondents filed a notice of cross appeal raising an additional issue for consideration on appeal. For efficiency and to avoid unnecessarily duplicative briefing, Respondents intend to address the original appeal and cross appeal issues in a single brief.

4. To adequately brief the novel constitutional and statutory issues raised by the amendment of South Carolina's execution methods statute, and to address the merits of their cross appeal issue, Respondents respectfully request permission to exceed the 50-page limit and file their principal brief not to exceed 55 pages.

Respectfully submitted,

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October 6, 2022.