

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Aug 18 2023

S.C. SUPREME COURT

Certiorari to the Court of Appeals
Appeal from Horry County
Benjamin H. Culbertson, Circuit Court Judge

Opinion No. 5987 (S.C. Ct. App. Filed July 5, 2023)

Lower Court Case Nos. 2014-GS-26-01127, 2018-GS-26-03066

THE STATE,

RESPONDENT,

V.

TAMMY CAISON MOORER,

PETITIONER.

MOTION TO EXCEED TWENTY-FIVE
PAGE LIMIT FOR A PETITION FOR
A WRIT OF CERTIORARI

The undersigned counsel would respectfully request an order allowing her to file a petition for writ of certiorari to the Court of Appeals in this case in excess of the twenty-five page limit imposed by Rule 242(d)(4), SCACR. In support of this motion, counsel would respectfully show the Court:

1. The petition for writ of certiorari to the Court of Appeals in this case is due to be served and filed on August 23, 2023.
2. Five fact intensive issues were raised to and ruled upon by the Court of Appeals, including a fact intensive issue concerning the denial of a directed verdict. The trial in this case


lasted twelve days and the record on appeal is 2,807 pages. The final brief of appellant was fifty-six pages and the final brief of respondent was sixty pages. Counsel does not think that justice to the facts and argument of this case can be done in the twenty-five pages authorized by Rule 242(4)(4), SCACR.

3. Consequently, counsel respectfully moves that this Court allow her to file a petition for a writ of certiorari not in excess of fifty pages. Counsel will make every effort for brevity.

4. Undersigned counsel contacted counsel for Respondent and is authorized to state Respondent does not object to Petitioner's request to exceed the twenty-five page limit imposed by Rule 242(d)(4), SCACR, and wishes to leave the matter in the discretion of the Court.

WHEREFORE, undersigned counsel would respectfully request an order from this Court granting her permission to exceed the twenty-five page limit imposed by Rule 242(d)(4), SCACR. Counsel would also request that the order grant her the right to file a petition for a writ of certiorari in this case not in excess of fifty pages.

Respectfully submitted,



Lara M. Caudy
Appellate Defender

Robert M. Dudek
Chief Appellate Defender

ATTORNEYS FOR PETITIONER

August 18, 2023