

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Oct 13 2023

S.C. SUPREME COURT

Certiorari to Oconee County

Honorable G.D. Morgan, Jr., Circuit Court Judge

DANIEL LEWIS CROWE,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-000368

MOTION TO WITHDRAW PETITION FOR WRIT OF CERTIORARI AND FILE THE
ATTACHED AMENDED PETITION FOR WRIT OF CERTIORARI

Counsel for Petitioner, Daniel Lewis Crowe, respectfully moves for an order to allow the withdrawal of the original petition for writ of certiorari filed in the South Carolina Supreme Court on October 5, 2023, and allow filing of the attached amended petition for writ of certiorari to correct a factual error. In support of this motion, counsel presents the following:

1. The petition for writ of certiorari and accompanying appendix were filed in the South Carolina Supreme Court on October 5, 2023. The State has not yet filed a return to the petition for writ of certiorari.
2. In reviewing the petition for writ of certiorari, and discussing the brief with Petitioner, counsel discovered a factual error in the petition. The petition at times mistakenly refers

to the deceased and his family using the last name Horton when in fact the correct last name is Heaton. Counsel seeks to correct this error.

3. Counsel for the Respondent, Ambree M. Muller, has consented to this motion via email sent to Petitioner's counsel on October 12, 2023.

Based upon the above showing, counsel respectfully moves for an order from this Court allowing the withdrawal of the original petition for writ of certiorari filed in the South Carolina Supreme Court on October 13, 2023, and allowing Petitioner to file the attached amended petition for writ of certiorari.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner