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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from the Lexington County
Court of Common Pleas

Appellate Case No. 2025-001760

GARY DUBOSE TERRY, PETITIONER,

v.

STATE OF SOUTH CAROLINA,RESPONDENT.

**MOTION FOR LEAVE TO FILE A PETITION FOR
WRIT OF CERTIORARI IN EXCESS OF 25 PAGES**

The petition for a writ of certiorari and appendix in this matter are currently due to be filed on January 6, 2026. Although undersigned counsel have diligently worked to edit and shorten the petition, counsel believe that adequate treatment of the issues in this case requires a petition that is longer than the twenty-five pages allowed by Rule 243(e)(3), SCACR. Counsel note that this is a death penalty case raising a claim pursuant to *Atkins v. Virginia*, 536 U.S. 394 (2002), which requires fact-intensive discussion both of the unique facts of Petitioner’s case and history and the relevant clinical standards applicable to *Atkins* issues. Counsel believe that a petition of not more than thirty-six (36) pages is necessary to adequately address the questions presented in this case. Counsel, therefore, respectfully request that this Court permit the filing of a petition for a writ of certiorari of up to thirty-six (36) pages in length.

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Respectfully submitted,

/s/ Allison Franz

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January 5, 2026.