

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Beaufort County  
Honorable Perry M. Buckner, Circuit Court Judge

\_\_\_\_\_  
Appellate Case No. 2013-001885

SUSAN TAPPEINER,

**RECEIVED**  
APR - 8 2014  
Petitioner,  
**S.C. Supreme Court**

v.

STATE OF SOUTH CAROLINA,

Respondent.

\_\_\_\_\_  
**MOTION TO STRIKE PURSUANT TO RULE 243(e), SCACR**  
\_\_\_\_\_

In response to the Petitioner's filing of a Petition for Writ of Certiorari with this Court, the Respondent moves to strike the Petition for failing to comply with Rule 243(e), SCACR.

Rule 243(e)(3), SCACR, requires a petition to contain "[a] direct and concise argument in support of the petition. The argument in each question shall include citation of authority and specific reference to pertinent portions of the lower court record. The total length of the petition shall not exceed twenty-five pages."(Emphasis added).<sup>1</sup>

The Petition for Writ of Certiorari in this matter is more than double the page limit allowed under Rule 243(e), SCACR, and is unnecessarily lengthy. While the Petitioner does raise ten issues for review on appeal, only twenty-six pages of the fifty-five page Petition

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<sup>1</sup> The Respondent also notes the Petition for Writ of Certiorari as originally filed also fails to completely make reference to citations in the appendix. This scrivener's error was brought to the Respondent's attention by counsel for the Petitioner; however, as of the date of this filing an amended version of the Petition with proper appendix citations had not been received by the Respondent.

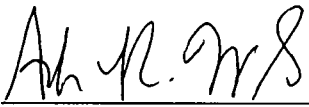
represent the Petitioner's argument to the Court. The Petitioner has also failed to file any motion requesting leave from this Court to exceed the page limits outlined in the Appellate Court Rules.

The Respondent respectfully requests that this Court strike the Petitioner's current filing and require the Petitioner to re-file a Petition for Writ of Certiorari that substantially complies with Rule 243(e), SCACR. The Respondent also asks this Court to hold in abeyance the filing of the Respondent's Return to the Petition for Writ of Certiorari until the Court's ruling on this motion.

Respectfully submitted,

ALAN WILSON  
Attorney General

ASHLEIGH R. WILSON  
Assistant Attorney General

BY:   
\_\_\_\_\_  
Ashleigh R. Wilson

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737

ATTORNEYS FOR RESPONDENT

April 3, 2014

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Beaufort County  
Court of Common Pleas  
The Honorable Perry M. Buckner , Circuit Court Judge  
\_\_\_\_\_

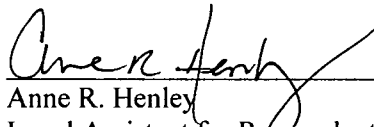
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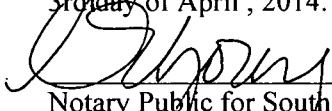
**STATE OF SOUTH CAROLINA,**  
Respondent.

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

The undersigned hereby certifies that a true copy of the Motion to Strike Pursuant to Rule 243(e), SCACR has been served upon opposing counsel, Tara D. Shurling, Esquire by mailing a copy in an envelope properly addressed with postage prepaid this 3<sup>rd</sup> day of April 2014.

  
\_\_\_\_\_  
Anne R. Henley  
Legal Assistant for Respondent

SWORN to before me this  
3<sup>rd</sup> day of April , 2014.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina.  
My Commission Expires: 10/28/2014



ALAN WILSON  
ATTORNEY GENERAL

April 3, 2014

*Via Hand Delivery*

The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

**RECEIVED**

APR - 3 2014

**S.C. Supreme Court**

**RE: Susan Tappeiner v. State of South Carolina**  
**Appellate Case No. 2013-001885**

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the **Motion to Strike Pursuant to Rule 243(e), SCACR** for filing in your office. By copy of this letter we are serving opposing counsel, Tara D. Shurling with this motion today.

Sincerely,

Ashleigh R. Wilson  
Assistant Attorney General

ARW/arh  
Enclosures

cc: Tara D. Shurling, Esquire