

STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Perry M. Buckner, Circuit Court Judge

Case No. 2010-CP-07-2396
Appellate Case No. 2013-001885

RECEIVED

APR 15 2014

S.C. SUPREME COURT

SUSAN TAPPEINER, 338050,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

REPLY TO RESPONDENT'S MOTION TO STRIKE
PURSUANT TO RULE 243(e), SCACR

NOW COMES the Petitioner, acting by and through her undersigned counsel, responding to Respondent's Motion to Strike pursuant to Rule 243 (e), SCACR. In response to said Motion, the Petitioner would ask this Court to note the following:

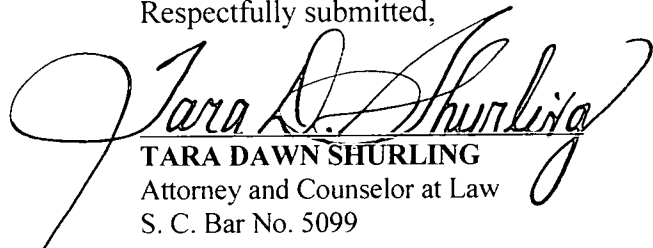
1. The Petition for Writ of Certiorari was duly served on Respondent by mail on March 28, 2014.
2. On March 31, 2014 Counsel for Petitioner filed a Motion to Enlarge Page Limitation pursuant to Rule 227 (e) (3) SCACR. Counsel for Respondent was served with that Petition by mail on that date.
3. On Monday, March 31, 2014 Counsel for Petitioner discovered that the copy of the Certiorari Petition served on Counsel was printed from the version which contained page citations to the original documents as opposed to the Record on Appeal. Counsel for the Petitioner believed that a copy of the corrected Certiorari Petition with appropriate citations to the Appendix was sent to Respondent along with that Motion.
4. The Respondent's Motion to Strike, served upon Counsel for the Petitioner by mail on April 3, 2014 indicates that the State did not receive either the Motion to Enlarge or the replacement copy of the Certiorari Petition.

JS

5. Counsel for Petitioner attaches a copy of the Certificate of Service executed for the Motion to Enlarge which was filed along with said motion on March 31, 2014. Regrettably, Counsel for Petitioner apparently did not do a separate transmittal letter for the Motion to Enlarge inasmuch as that document was hand-delivered to the Court by courier. Counsel for Petitioner had instructed her staff to include a copy of the corrected Certiorari Petition in the envelope serving Respondent's Counsel with her Motion to Enlarge. Said mailing has not been returned to the Law Office of Tara Dawn Shurling, P. A. as of today's date. Counsel has not been able to determine why Respondent has not received her copies of these documents. Counsel for Petitioner has served Counsel for Respondent with a copy of the Motion to Enlarge and the Certiorari Petition with correct page citations on today's date. Counsel for Petitioner apologizes for the delay in Respondent's receipt of these documents.
6. Counsel for Petitioner has set forth with specificity her reasons for requesting an enlargement of the page limitations for the Certiorari Petition in her Motion to Enlarge and incorporates those arguments herein. A copy of that Motion is attached hereto.

WHEREFORE, Counsel for Petitioner respectfully asks that the page limitation found out Rule 243 (e) (3), SCACR, be enlarged to permit acceptance of the Petition for Writ of Certiorari as filed on March 28, 2014.

Respectfully submitted,


TARA DAWN SHURLING
Attorney and Counselor at Law
S. C. Bar No. 5099

3614 Landmark Drive, Suite A
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(803) 738-8622
(803) 738-1600 (FAX)

ATTORNEY FOR PETITIONER.

This the 14th day of April, 2014.

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2013-001885

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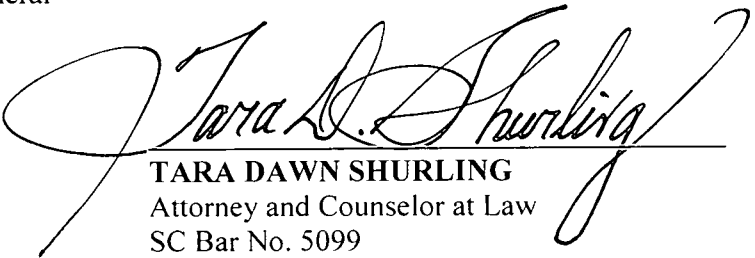
STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the Petitioner's Reply to Respondent's Motion to Strike, the Petition for Writ of Certiorari with corrected citations and the Motion to Enlarge in the above-entitled case has been served upon opposing counsel this the 14th day of April, 2014, by mailing one (1) copy in a stamped envelope properly addressed to:

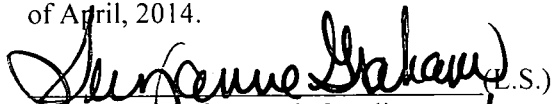
Ashleigh R. Wilson
Assistant Attorney General
Office of the Attorney General
P. O. Box 11549
Columbia, SC 29211



TARA DAWN SHURLING
Attorney and Counselor at Law
SC Bar No. 5099

ATTORNEY FOR PETITIONER.

SWORN TO BEFORE me this 14th day
of April, 2014.


(L.S.)
Notary Public for South Carolina
My Commission Expires: 2/28/2024