

LAW OFFICE OF



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April 21, 2014

**RECEIVED**

APR 23 2014

The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211

**S.C. SUPREME COURT**

RE: Daydrian Rouse, 342518 v. State of South Carolina; 2011-CP-40- 1921;  
Appellate Case No. 2013-001269

Dear Mr. Shearouse:

Enclosed for filing please find the original and six copies of the Motion to Enlarge Page Limits pursuant to Rule 227 (e) (3), SCRAP and Certificate of Service in the above-captioned case. The State filed a Motion to Strike my Certiorari Petition which slightly exceeded the 25 page limit set by that rule. I intended to file a Motion to Enlarge at the time the Certiorari Petition was filed but inadvertently neglected to do so. I have asked that my Motion to Enlarge be considered my response to the State's Motion to Strike. Please advise me if the Court wishes for me to file a separate response to the State's motion. I enclose two extra copies of my motion which I would appreciate having returned, clocked, for my file in the enclosed self-addressed envelope. Thank you for your assistance in this matter. I remain,

Sincerely yours,

A large, stylized handwritten signature in black ink that reads "Tara Dawn Shurling". The signature is written over the typed name and title below it.

Tara Dawn Shurling  
Attorney and Counselor at Law

TDS/sm

Enclosures

cc: Megan E. Harrigan, Assistant Attorney General (w/ enclosures via hand-delivery)  
Daydrian Rouse, 342518 (w/ enclosures via U.S. Mail)  
Ernest and Betty Rouse (w/ enclosures via U.S. Mail)

STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
The Honorable J. Ernest Kinard, Jr., Circuit Court Judge

**RECEIVED**

APR 23 2014

Appellate Case No. 2013-001269

**S.C. SUPREME COURT**

DAYDRIAN ROUSE, 342518,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

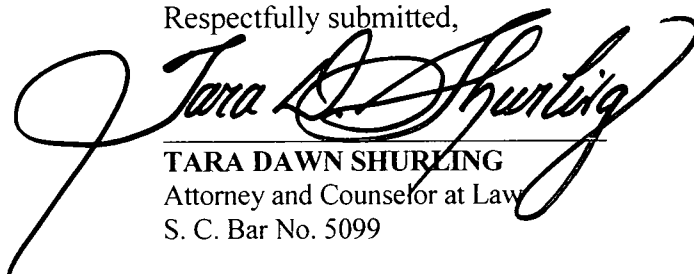
MOTION TO ENLARGE PAGE LIMITATION  
FOR  
PETITION FOR WRIT OF CERTIORARI

NOW COMES the Petitioner, acting by and through his undersigned counsel, asking leave of court to exceed the page limitation set for Petitions for Writ of Certiorari by Rule 227 (e) (3), SCRAP. This appeal arises from an unusually complex Application for Post-Conviction Relief. The Petition for Writ of Certiorari filed by Petitioner on March 25, 2104, contains eight (8) arguments covering twenty-five (25) allegations raised and argued by Petitioner in his applications for relief and at his PCR hearing. In order to provide the lower court with the best possible proposed order in this matter, Petitioner ordered a transcript of his PCR hearing and referenced it extensively in the Memorandum in the Form of a Proposed Order Granting PCR filed in the circuit court.

Petitioner respectfully submits that a fair summary of the issues addressed in his PCR appeal required extensive reference to supporting testimony from the PCR proceeding. That factor, couple with the number of allegations raised below, resulted in a Certiorari Petition which slightly exceeded the page limitation set by Rule 227 (e) (3), SCRAP. Counting the cover and the Certificate of Service the Certiorari Petition was thirty-two (32) pages long and therefore, exceeded the page limitation set by Rule 227 (e) (3), SCRAP by seven (7) pages... Counsel for Petitioner apologizes for not filing a motion to exceed the page limit at the time the Certiorari Petitioner was filed.

Counsel would note that she has handled literally hundreds of PCR appeals in her career and has very rarely asked to exceed the page limitation found in this rule. Counsel for Respondent has filed a Motion to Strike in this matter. Counsel asks that this Honorable Court consider this Motion to enlarge as her response to said motion. Petitioner asks that his Petition for Writ of Certiorari be accepted by this Honorable Court for review *as filed*. In the alternative, Counsel for Petitioner would ask that she be afforded the opportunity to edit this petition to comply with Rule 227 (e) (3), SCRAP. She asks that Respondent's Motion to Strike be denied.

Respectfully submitted,



**TARA DAWN SHURLING**  
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S. C. Bar No. 5099

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**ATTORNEY FOR PETITIONER**

This the 21<sup>st</sup> day of April, 2014.

STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
The Honorable J. Ernest Kinard, Jr., Circuit Court Judge

Appellate Case No. 2013-001269

DAYDRIAN ROUSE, 342518,

PETITIONER,

v.

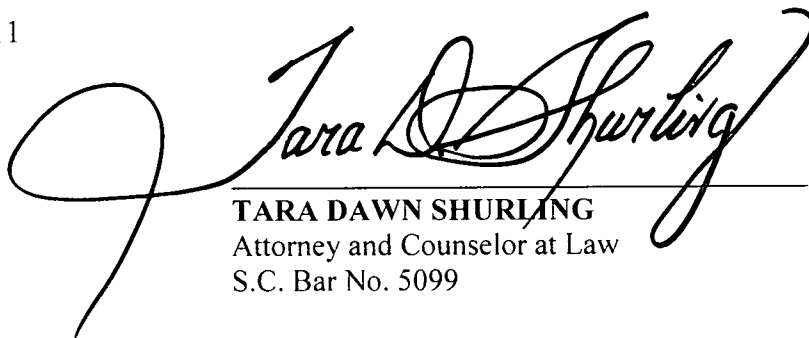
THE STATE OF SOUTH CAROLINA,

RESPONDENT,

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a copy of the Motion to Enlarge Page Limit in the above-entitled case has been served upon opposing counsel this the 21<sup>st</sup> day of April, 2014, by depositing in the U.S. Mail, postage prepaid, one (1) copy properly addressed to:

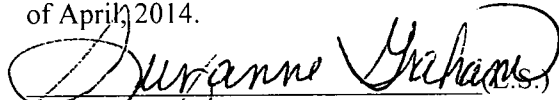
Megan E. Harrigan  
Assistant Attorney General  
Office of the Attorney General  
P. O. Box 11549  
Columbia, SC 29211



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

ATTORNEY FOR PETITIONER

SWORN TO BEFORE me this 21<sup>st</sup> day  
of April, 2014.



Durianne Yickman, S.C.  
Notary Public for South Carolina  
My Commission Expires: 2/28/2024