

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to York County
Lee S. Alford, Circuit Court Judge

RECEIVED
SEP 05 2012
S.C. Supreme Court

JAMES ROBERTSON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-205909

PETITION TO EXCEED TWENTY-FIVE
PAGE LIMIT FOR A PETITION FOR
A WRIT OF CERTIORARI

The undersigned counsel would respectfully request an order allowing him to file a petition for writ of certiorari in this case in excess of the twenty-five page limit imposed by Rule 243(e)(3), SCACR. In support of this motion, counsel would respectfully show the Court:

1. The petition for writ of certiorari and the appendix in this case are due on September 14, 2012. The Appendix is four thousand six hundred pages.
2. Counsel does not think that justice to the highly unusual facts of this death penalty case can be done in the twenty-five pages authorized by Rule 243(e)(3), SCACR.
3. Consequently, counsel respectfully moves that this Court allow him to file a petition for a writ of certiorari not in excess of forty pages.

4. Opposing counsel, William Edgar Salter, III, of the Office of the Attorney General, graciously does not oppose this request as indicated by his signature below.

WHEREFORE, undersigned counsel would respectfully request an order from this Court granting him the right to exceed the twenty-five page limit of Rule 243(e)(3), SCACR. Counsel would also request that the order grant him the right to file a petition for a writ of certiorari in this death penalty case not in excess of forty pages.

Respectfully submitted,




Robert M. Dudek
Chief Appellate Defender

A. Mattison Bogan
Nelson Mullins Riley & Scarborough, LLP
Meridian, 17th Floor
1320 Main Street
Columbia, South Carolina 29201

Attorneys for Petitioner

I do not oppose this request



William Edgar Salter, III

September 5, 2012

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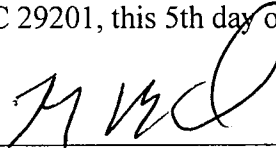
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

I certify that a true copy of the petition to file a petition for writ of certiorari in excess of the twenty-five page limit has been served on William Edgar Salter, III, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 5th day of September, 2012.



Robert M. Dudek
Chief Appellate Defender

A. Mattison Bogan
Nelson Mullins Riley & Scarborough, LLP

ATTORNEYS FOR PETITIONER

SWORN TO BEFORE ME this 5th day
of September, 2012.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013.