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S.C. Supreme Court

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Honorable Doyet. A. Early, III, Circuit Court Judge

CA No. 05-CP-18-1368
Appellate Case No. 2014-000387

KENNETH SIMMONS, SK5066..... *Petitioner,*

v.

STATE OF SOUTH CAROLINA..... *Respondent.*

MOTION FOR ADMISSION PRO HAC VICE

Through her undersigned counsel, hereby moves the South Carolina Supreme Court to permit Lori R. Mason to practice pro ha vice before the Court in the above captioned matter.

Pursuant to SCACR 404, Ms. Mason, together with undersigned counsel has filed a *Verified Application for Admission Pro Hac Vice* with the South Carolina Supreme Court. Attached hereto is a stamped copy of Ms. Mason's Verified Application, as it was filed with the Supreme Court.

WHEREFORE, as the provisions set forth in SCACR 404 have been satisfied, the parties request that this motion be granted.

Respectfully submitted this 10th day of December, 2015.



Joseph M. McCulloch, Jr.
Law Offices of Joseph M. McCulloch, Jr.
1426 Richland Street
P.O. Box 11623
Columbia, South Carolina 29211
Tel: 803.779.0005
Fax: 803.779.0666
Email: joe@mccullochlaw.com

THE STATE OF SOUTH CAROLINA
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CERTIFICATE OF SERVICE

The undersigned, Joseph M. McCulloch, Jr., Esquire, does hereby certify that he has served the persons listed below with a copy of the **MOTION FOR ADMISSION PRO HAC VICE** in the above-captioned proceeding by dispatching a copy to them via U.S., Mail or electronic mail at the address listed below on December 10th, 2015.

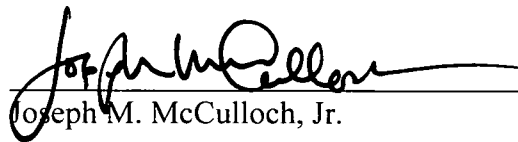
Donald J. Zelenka
Melody Brown
SC Attorney General's Office
P.O. Box 11549
Columbia, South Carolina 29211

Emily C. Paavola
Death Penalty Resource & Defense Center
900 Elmwood Avenue, Suite 200
Columbia, South Carolina 29201

Jennifer Pavane Kenter, Esq.
Cooley, LLP
500 Boylston Street
Boston, Massachusetts 02116

Adam S. Gershenson, Esq.
Cooley, LLP
500 Boylston Street
Boston, Massachusetts 02116

Lori R. Mason, Esq.
Cooley, LLP
500 Boylston Street
Boston, Massachusetts 02116



Joseph M. McCulloch, Jr.

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

COPY

State of South Carolina	Appellate Case No. 2014-000387 CA No. 05-CP-18-1368	South Carolina Supreme Court
Plaintiff	Case No.	Tribunal
vs.	Mailing Address of Tribunal:	Supreme Court of South Carolina
Kenneth Simmons, SK5066		PO Box 11330
Defendant		Columbia, SC 29211

Comes now Lori Mason, applicant herein, and respectfully represents the following:

1. Applicant resides at:

16020 Zagros Way
 Street Address
 Austin Travis TX 78738
 City County State Zip Code
 512-698-8439
 Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Cooley LLP, with offices at

3175 Hanover St.
 Street Address
 Palo Alto Santa Clara CA 94304
 City County State Zip Code
 650-843-5000 512-698-8439 650-849-7400 lmason@cooley.com
 Primary Telephone Cell Phone Fax Number Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by The Innocence Network to provide legal representation in connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since June 21st of 1999, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of California where applicant regularly practices law. Attached is a certificate of good standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
Supreme Court of the United States	11/7/2005
U.S. Court of Appeals for the Federal Circuit	7/12/1999
U.S. Court of Appeals for the First Circuit	3/17/2003
U.S. Court of Appeals for the Second Circuit	7/12/2010

Court:	Date Admitted:
U.S. Court of Appeals for the Third Circuit	4/4/2011
U.S. Court of Appeals for the Fourth Circuit	2/19/2003
U.S. Court of Appeals for the Fifth Circuit	7/24/1998
U.S. Court of Appeals for the Ninth Circuit	11/9/1998
U.S. Court of Appeals for the Tenth Circuit	10/31/2006
U.S. Court of Appeals for the Eleventh Circuit	3/16/2005
U.S. Court of Appeals for the DC Circuit	4/27/2005
USDC, Western District of Texas	4/9/1997
USDC, Eastern District of Texas	5/13/2013
USDC, Northern District of California	12/22/1999
USDC, Southern District of California	7/27/1999
USDC, Central District of California	12/15/2000

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

9. Local counsel of record associated with applicant in this case is Joseph M. McCulloch, Jr. of the Joseph M. McCulloch, Jr. law firm, which has offices at:

1426 Richland St.

Street Address

Columbia

City

803-779-0005

Primary Telephone

0003760

South Carolina Bar Number

County

Cell Phone

South Carolina

State

Fax Number

29211

Zip Code

joe@mccullochlaw.com

Email Address

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

DATED this 23rd day of November, 2015



APPLICANT

VERIFICATION

STATE OF TEXAS)

COUNTY OF TRAVIS)

I, LORI R. MASON, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission *pro hac vice*. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear *pro hac vice* in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

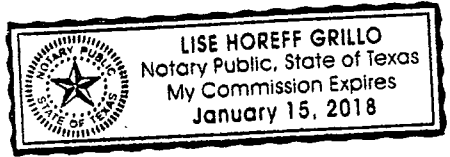
[Signature]
APPLICANT/AFFIANT

Subscribed and sworn to before me this 23RD day of NOVEMBER, 20 2015

[Signature]

Notary Public for the State of TEXAS

My Commission Expires: 1/15/2018



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 23RD day of November, 20 15

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

Hand Delivered

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 23RD day of November, 20 15

[Signature]
APPLICANT/AFFIANT



CERTIFICATE OF STANDING

November 16, 2015

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, LORI RENEE ELLIS PLOEGER, #202113 was admitted to the practice of law in this state by the Supreme Court of California on June 21, 1999; that at her request, on October 4, 2010, her name was changed to LORI R. MASON on the records of the State Bar of California; that she has been since the date of admission, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in cursive script, appearing to read "Louise Turner".

Louise Turner
Custodian of Membership Records

DATE	DESCRIPTION	AMOUNT
11/13/2015	South Carolina Supreme Court	050867-001 *B0 250.00
11/13/2015	PA11132015 302607-811/ Pro Hac Vice	250.00

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK. HOLD AT ANGLE TO VIEW.

Cooley

ATTORNEYS AT LAW
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Palo Alto Account

Wells Fargo Bank, N.A.
San Francisco, CA

Check No.
12440

11-24 1210

DATE
11/13/2015

CHECK AMOUNT
\$250.00

VOID AFTER 6 MONTHS

PAY EXACTLY: **Two Hundred Fifty and 00/100 US\$**

TO THE ORDER OF:

South Carolina Supreme Court
1231 Gervais St.
Columbia, SC 29201

BR Smith

TWO SIGNATURES REQUIRED OVER \$2,500.00

SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

⑈ 12440 ⑈ ⑆ 21000248 ⑆ 412915522 ⑈