

RECEIVED

DEC 29 2015

S.C. Supreme Court

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Sumter County
The Honorable Michael G. Nettles, Circuit Court Judge

Common Pleas Case No. 2008-CP-43-00905
Appellate Case No. 2013-001968
(Capital PCR Action)

BOBBY WAYNE STONE,

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

MOTION TO EXCEED PAGE LIMIT

The above-named Respondent hereby makes a motion to this Court, pursuant to Rule 208(b)(5), SCACR, to file a Brief of Respondent in excess of the page limit. This capital case is very long and complex. For example, the Order of Dismissal presently being appealed is thirty-four pages long. The Appendix, when combined with the supplemental appendices, is over 8425 pages long. Further, Petitioner has raised five arguments in his brief. Respondent therefore respectfully requests permission to file a brief not to exceed sixty pages in order to properly respond.

Wherefore, Respondent respectfully requests to file a Brief of Respondent to exceed sixty pages in order to properly address Petitioner's allegations.

Respectfully Submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

ALPHONSO SIMON, JR.
Assistant Attorney General
Bar No. 74713

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: 

ALPHONSO SIMON, JR.,
Assistant Attorney General

ATTORNEYS FOR RESPONDENT

December 29, 2015.

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Sumter County
The Honorable Michael G. Nettles, Circuit Court Judge

Common Pleas Case No. 2008-CP-43-00905
Appellate Case No. 2013-001968
(Capital PCR Action)

BOBBY WAYNE STONE,

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

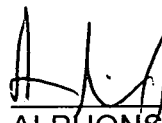
Respondent.

CERTIFICATE OF SERVICE

I, Alphonso Simon, Jr., do hereby certify that I have this date served the within Motion to Exceed Page Limit, together with the Brief of Respondent in the foregoing action on the Petitioner by depositing two copies of the same via U.S. mail to his attorneys of record, Emily C. Paavola, Esq., Death Penalty Resource and Defense Center, 900 Elmwood Avenue, Ste. #200, Columbia, South Carolina 29201, and to John H. Blume, III, Esq., Blume, Norris & Franklin-Best, LLC, 900 Elmwood Avenue, Ste. #200, Columbia, South Carolina 29201.

I further certify that all parties required by Rule to be served have been served.

This 29th day of December, 2015.



ALPHONSO SIMON, JR.
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305