

STATE OF SOUTH CAROLINA  
In The Supreme Court

On Writ of Certiorari to the Court of Appeals  
Appeal from Abbeville County  
Court of General Sessions

The Honorable Donald B. Hocker, Circuit Court Judge

Opinion No. 2016-UP-436 (S.C. Ct. App. filed 12/23/15)  
Appellate Case No. 2017-000230

**RECEIVED**  
MAR 23 2017  
S.C. SUPREME COURT

THE STATE,

RESPONDENT,

v.

KEITH DENVER TATE,

PETITIONER.

**MOTION TO RELAX RULE 242(f), SCACR  
AND EXCEED PAGE LIMITS**

(1) This concerns the State's return to Petitioner's petition for writ of certiorari to the Court of Appeals.

(2) In his previously filed and granted February 21, 2016 petition to exceed twenty-five page limit for petition for writ of certiorari, Petitioner argued "justice to the issues presented cannot be done in the twenty-five page limit imposed by Rule 242(d)(4), SCACR." Petitioner contemporaneously filed a petition for writ of certiorari which was thirty-two pages long. Because of the complexity of the issues raised by Petitioner, the State's return to petition for writ of certiorari is in excess of twenty-five pages. Specifically, it is twenty-nine pages in length. The State would move to relax Rule 242(f), SCACR, on the grounds that the additional length of the return is due to the necessity of adequately responding to the arguments raised in the petition

for writ of certiorari.


(3) The undersigned counsel has contacted Susan Hackett, opposing counsel, for consent via email and she has no objections to the request.

WHEREFORE, Respondent prays that the Court relax Rule 242(f), SCACR and allow Respondent to exceed the page limits.

Respectfully Submitted,

ALAN WILSON  
Attorney General

V. HENRY GUNTER, JR.  
Assistant Attorney General

BY:   
V. HENRY GUNTER, JR.  
S.C. Bar No: 102259

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

March 23, 2017

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**PROOF OF SERVICE**

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I, Anne Mueller, certify that I have served the Motion To Relax Rule 242(f), SCACR And Exceed Page Limits on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record Susan B. Hackett, Esquire, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589.

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

This 23<sup>rd</sup> day of March, 2017.



Anne A. Mueller  
Legal Assistant  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727