

STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Brooks P. Goldsmith, Circuit Court Judge

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Appellate Case No. 2017-001689

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PRENTISS WAYNE LOVE,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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**MOTION TO ENLARGE PAGE LIMITATION  
FOR  
PETITION FOR WRIT OF CERTIORARI**

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NOW COMES the Petitioner, acting by and through his undersigned counsel, asking for leave of Court to exceed the page limitation set for Petitions for Writ of Certiorari by Rule 227 (e) (3), SCRAP. This Post-Conviction Relief Appeal arises from an unusually complex Application for Post-Conviction Relief. Petitioner has addressed a total of twenty-nine (29) questions covering allegations raised, argued and ruled upon in the Circuit Court.

The Petition for Writ of Certiorari was due in the matter on Monday, January 29, 2018. Counsel made a good faith effort to address all of the Petitioner's issues, within the page limitation set by Rule 227 (e) (3). Unfortunately, due to the number and complexity of the issues presented below, Counsel for Petitioner was unable to present even a summary discussion of the issues within the twenty-five (25) page limitation set by Rule 227 (e) (3), SCRPC. The Petition submitted for filing on January 29, 2018 was eighty-three (83) pages long. Petitioner recognizes that this Petition is unusually lengthy. PCR Counsel has presented a very thorough coverage of the twenty-nine (29) questions presented in an effort to demonstrate not only the merit of the individual Sixth



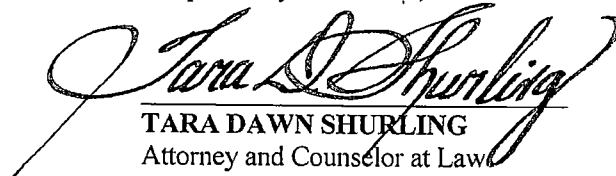
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S.C. SUPREME COURT

Amendment claims raised, but the likelihood that this case may present an appropriate opportunity for this Honorable Court to address the open question of whether the cumulative prejudice arising from multiple errors and omissions may warrant relief. PCR Counsel would note that in her thirty-eight (38) years representing Petitioners in PCR appeals, she has never requested leave of Court to be heard on so lengthy a Certiorari Petition. She has found it necessary to request permission to exceed the page limit provided by the rules no more than a handful of times in the past two decades, and has never requested to exceed the page limit by this much before.

PCR Counsel has spoken with opposing counsel, Johnny E. James, Jr., concerning this request. He advises that he has not yet had the opportunity to read this Certiorari Petition, and is not prepared to take a position on this request until he does so. PCR Counsel would note that this lengthy Petition will not place an undue burden on Respondent, inasmuch as the vast majority of this Petition is drawn from Petitioner's Memorandum in Support, which was filed in the circuit court on January 3, 2017, and Respondent filed a Memorandum of Law on these issues on January 30, 2017. In addition, the current Assistant Attorney General assigned to this file, Johnny E. James, Jr., prepared a proposed order for the lower court which was adopted by the court as its Order of Dismissal. He also prepared a Reply to the Rule 59(e) Motion filed by Petitioner in this matter. Therefore, Counsel for Respondent is already very familiar with the issues raised in this case. Petitioner would ask that opposing counsel advise the Court of his position on this request at his first opportunity.

WHEREFORE, Petitioner prays for this Honorable Court to grant review of her Petition for Writ of Certiorari as submitted for filing on January 29, 2018.

Respectfully submitted,



**TARA DAWN SHURLING**  
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**ATTORNEY FOR PETITIONER.**

This the 1st day of February, 2018.

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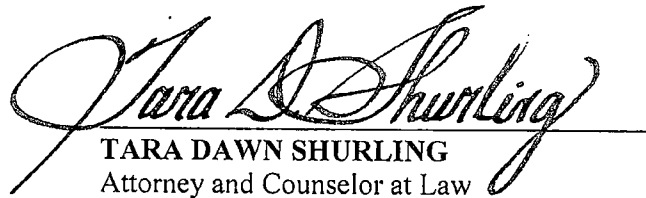
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**CERTIFICATE OF SERVICE**

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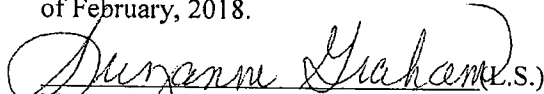
The undersigned attorney hereby certifies that a copy of the Motion to Enlarge Page Limitation for Petition for Writ of Certiorari in the above-entitled case has been served upon opposing counsel this the 15<sup>th</sup> day of February, 2018, by mailing one (1) copy in a stamped envelope properly addressed to:

Johnny E. James, Jr.  
Assistant Attorney General  
Office of the Attorney General  
P. O. Box 11549  
Columbia, SC 29211

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

ATTORNEY FOR PETITIONER.

SWORN TO BEFORE me this 15<sup>th</sup> day  
of February, 2018.

  
Suzanne Graham (s.)  
Notary Public for South Carolina  
My Commission Expires: 2/24/28