

STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Brooks P. Goldsmith, Circuit Court Judge

Appellate Case No. 2017-001689

Prentiss Wayne Love,

Petitioner,

v.

State of South Carolina,

Respondent.

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

Petitioner seeks leave from the Court to file a Petition for Writ of Certiorari that totals 82 pages in length, well in excess of the 25 page limit set by Rule 243(e)(3). Respondent must respectfully oppose Petitioner's motion in its present form.

Petitioner raises no less than 29 issues for appeal, with a number of issues featuring numerous sub-issues, specifically with the aim of arguing in favor of cumulative error. See Petition for Writ of Certiorari at 81. A plethora of post-conviction relief and appellate allegations do not accumulate to Petitioner's benefit; to the contrary, the multiplicity betrays the inadequacy of any single allegation. See Fifth Third Mortgage Co. v. Chicago Title Ins. Co., 692 F.3d 507, 509 (6th Cir. 2010) ("When a party comes to us with nine grounds for reversing the district court, that usually means there are none."); Pierce v. Visteon Corp., 791 F.3d 782, 788 (7th Cir. 2015) (raising 13 issues on appeal violates principle that counsel must concentrate

attention on the best issues). It is apparent upon cursory review and the undersigned's pre-existing knowledge of the case that not all of the issues raised in the petition are of equal import on appeal, to say the least.

Additionally, it would appear that the petition does not conform to the formatting requirements of Rule 267, SCACR. Pages 20-22 appear to utilize half-inch margins on the right side. Pages 61-62, as well as pages 76-79 provide extended argument in the form of single-spaced "bullet points." Limited purpose formatting, such as bullet points and footnotes, should not be abused for the purposes of circumventing page limitations or to downplay the scope of excessive and needless argument.

To the extent that Petitioner requires a lesser relaxation of the page limits in order to adequately set forth the Statement of the Case, Respondent has no objection. It is undeniable that Petitioner set forth a plethora of allegations between the original and amended allegations, and the necessary recitation of the procedural history may otherwise prohibitively detract from an available page count otherwise needed for argument.

[Conclusion and signature on following page]

THEREFORE, having made a response, Respondent respectfully requests this Court deny Petitioner's "Motion to Enlarge Page Limitation for Petition for Writ of Certiorari" and enforce either the original page limitation set by Rule 227(e)(3), SCACR, or a lesser relaxation of the limit.

Respectfully submitted,

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General

JOHNNY ELLIS JAMES JR.
S.C. Bar No. 101260
Assistant Attorney General

By: 
ATTORNEYS FOR RESPONDENT

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

13 Feb., 2018

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Georgetown County
Court of Common Pleas
The Honorable Brooks P. Goldsmith, Circuit Court Judge

2015-CP-22-0209
Appellate Case No. 2017-001689

PRENTISS WAYNE LOVE,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

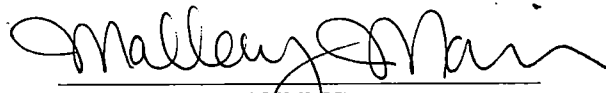
Respondent.

CERTIFICATE OF SERVICE

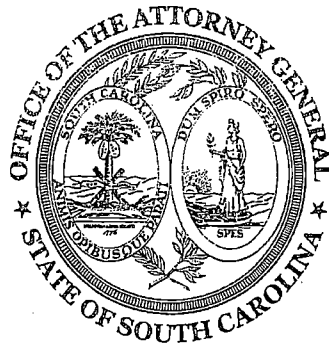
The undersigned hereby certifies that a true copy of Return to Motion to Enlarge Page Limitation for Petition for Writ of Certiorari has been served upon opposing counsel by mailing two (2) copies in the United States mail, postage prepaid:

Tara Dawn Shurling, Esquire
3614 Landmark Drive, Suite A
Columbia, SC 29204

This 13th day of February, 2018.



MALLORY MORRIS
Legal Assistant for Respondent



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FEB 13 2018

S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

February 13, 2018

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RE: Prentiss Wayne Love v. State of South Carolina
Appellate Case No. 2017-001689
Lower Court Case No. 2012-CP-22-0209

Dear Mr. Shearouse:

Enclosed for filing are the original and six (6) copies of the **Return to Motion to Enlarge Page Limitation for Petition for Writ of Certiorari** in the above-referenced case. By copy of this letter we are serving opposing counsel today.

Sincerely,

Johnny E. James Jr.
Assistant Attorney General
S.C. Bar No. 101260

JEJ/mm
Enclosures

cc: Tara Dawn Shurling, Esquire