

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Aiken County
J. Mark Hayes, II, Circuit Court Judge

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JAN 14 2019

S.C. SUPREME COURT

DAGGART B. FRAZIER,

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2018-000033

PETITION TO EXCEED TWENTY-FIVE
PAGE LIMIT FOR A RETURN TO PETITION FOR
A WRIT OF CERTIORARI

The undersigned counsel would respectfully request an order allowing her to file a return to the petition for writ of certiorari in this case in excess of the twenty-five page limit imposed by Rule 243(g), SCACR. In support of this motion, counsel would respectfully show the Court:


1. The return to the petition for a writ of certiorari in this case is due to be served and filed in this Court today, Monday, January, 14, 2019.
2. Counsel requests permission to exceed the page limit based on the number of issues on appeal. The post-conviction relief judge granted Respondent relief on five issues, at least one of which involved an alternative theory. Those five issues, excluding the alternative theory, have been raised by Petitioner in the petition for writ of certiorari. Many of the issues are fact-specific and require a detailed explanation of what transpired during the trial and post-conviction relief hearing.

In order to make complete arguments regarding the five issues and the alternative theory to this Court, it is necessary for undersigned counsel to exceed the imposed page limit.

3. Consequently, counsel respectfully moves that this Court allow her to file a return to petition for a writ of certiorari not in excess of forty pages. Counsel will make every effort for brevity, and hopefully will be considerably short of that forty page limit in the final analysis.

WHEREFORE, undersigned counsel would respectfully request an order from this Court granting her the right to exceed the twenty-five page limit of Rule 243(g), SCACR. Counsel would also request that the order grant her the right to file a return to petition for a writ of certiorari in this case not in excess of forty pages.

Respectfully submitted,


Susan B. Hackett
Appellate Defender

ATTORNEY FOR RESPONDENT.

January 14, 2019