

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Dorchester County
Maite Murphy, Circuit Court Judge

Appellate Case No. 2019-001206

RECEIVED

JUL 26 2019

S.C. SUPREME COURT

THE STATE,

Respondent,

vs.

FELIX KOTOWSKI,

Petitioner.

**State' Motion to exceed page
limit for the State's return to the
petition for writ of certiorari**

Undersigned counsel respectfully requests an order from this Court allowing the State to file a return to the petitioner's petition for writ of certiorari in excess of the twenty-five page limit imposed by Rule 242(d)(4), SCACR. The State would respectfully show the following:

I. This case involves lengthy relevant factual considerations, multiple concepts of state and federal law, and multiple sub-issues across the three issues raised by petitioner. The State respectfully submits thorough and helpful analysis by the State cannot be sufficiently set out within the twenty-five page limit of Rule 242 despite its best efforts to be reasonably concise.

II. Petitioner submitted a thirty-four page petition for writ of certiorari with permission of this Court by order dated July 25, 2019. The State did not object. The State's return to the

petition is thirty-five pages.

III. By e-mail correspondence, opposing counsel has advised undersigned counsel that she does not object to the State's motion.

WHEREFORE, Respondent respectfully requests this Court to issue an order allowing undersigned counsel to submit its return in excess of twenty-five pages and to accept the return being submitted concomitantly with this motion.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General
Bar # 68571

BY: 

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ATTORNEYS FOR RESPONDENT

July 26, 2019

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the State's Motion to Exceed Page Limit for the State's Return to the Petition for Writ of Certiorari, has been served upon opposing counsel by delivering two (2) copies addressed to:

**Lara Mary Caudy, Esquire
SC Commission on Indigent Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589**

This 26th day of July, 2019



CAROLINE COLLINS
Administrative Coordinator