

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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OCT 08 2019

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Honorable Kristi Lea Harrington, Circuit Court Judge

S.C. SUPREME COURT

APPELLATE CASE NO. 2017-001178

THE STATE

Respondent,

v.

TERRELL ARTIETH SMITH

Appellant.

**MOTION FOR LEAVE TO FILE BRIEF OF JUSTICE 360 & CORNELL JUVENILE
JUSTICE PROJECT AS *AMICUS CURIAE* IN SUPPORT OF APPELLANT**

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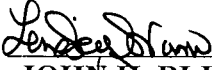
Counsel for *Amicus Curiae*

MOTION FOR LEAVE TO FILE BRIEF OF *AMICI CURIAE*

Pursuant to Rule 213, Justice 360 and the Cornell Juvenile Justice Project, the undersigned *amici*, respectfully move for leave to file a brief of *amici curiae*. The undersigned amici are advocates and academics who work in the state of South Carolina and other jurisdictions on behalf of juveniles facing life without parole, life with parole, and other sentences that effectively result in death by incarceration. The Cornell Juvenile Justice Project is housed in Cornell Law School in Ithaca, New York, and is directed by John Blume, who served as lead counsel for the petitioners in *Aiken v. Byars*, 410 S.C. 534, 765 S.E.2d 572 (2014). Justice 360 is a nonprofit organization based in Columbia, South Carolina, and promotes fairness and justice for individuals facing extreme criminal sentences, such as life without parole. A brief from the undersigned amici is desirable because it represents the views of educated and experienced professionals dedicated to the legal issues affecting juvenile offenders. Both the Cornell Juvenile Justice Project and Justice 360 are currently involved in individual cases involving juvenile clients facing life without parole and sentences that are the functional equivalent of life without parole. The *amici* also conduct academic research and policy reform efforts, as well as serve as resource counsel to court-appointed counsel in cases where juveniles have been sentenced to life without parole or other similar punishments or who are at risk of being sentenced to life without parole or a functional equivalent. As such, the *amici* have a vested interest in protecting the rights of juvenile offenders and promoting a legal system in South Carolina that accounts for academic and scientific research regarding juveniles and juvenile sentencing.

WHEREFORE, the undersigned Justice 360 and the Cornell Juvenile Justice Project respectfully moves the Court to accept and file in this cause the Brief of Amici Curiae, attached to this motion.

Respectfully submitted,

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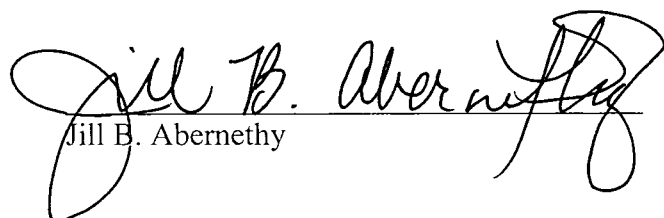
Appellant.

CERTIFICATE OF SERVICE

The undersign hereby certifies that a copy of the Motion for Leave to File Brief of Justice 360 & Cornell Juvenile Justice Project as *Amicus Curiae* in Support of Appellant was serviced by first class United States mail, postage prepaid, this 8th day of October 2019 upon the following:

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