

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Paul M. Burch, Circuit Court Judge

MARION ALEXANDER LINDSEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2019-001271

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

The undersigned counsel would respectfully request an order allowing him to file a petition for writ of certiorari in this case in excess of the twenty-five page limit imposed by Rule 243(e)(3), SCACR. In support of this motion, counsel would respectfully show the Court:

1. The petition for writ of certiorari and the accompanying appendices in this case are due on January 17, 2020. The Order of Dismissal is one hundred eighty-seven pages. The eight-volume appendix is almost four thousand pages, and numerous meritorious issues were raised during the post-conviction hearing. Additionally, there are two supplemental appendices.

2. Counsel does not think that justice to the highly unusual facts of this death penalty case, and the five issues to be raised, can be done by the twenty-five pages authorized by Rule 243(e)(3), SCACR.

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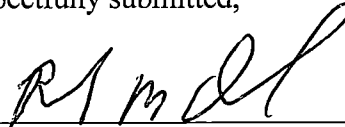
S.C. SUPREME COURT

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

4. Opposing counsel, Donald J. Zelenka, of the Office of the Attorney General, graciously does not oppose this request as indicated by his signature below.

WHEREFORE, undersigned counsel would respectfully request an order from this Court granting him the right to exceed the twenty-five page limit of Rule 243(e)(3), SCACR. Counsel would also request that the order grant him the right to file a petition for a writ of certiorari in this death penalty case not in excess of one hundred thirty-five pages.

Respectfully submitted,



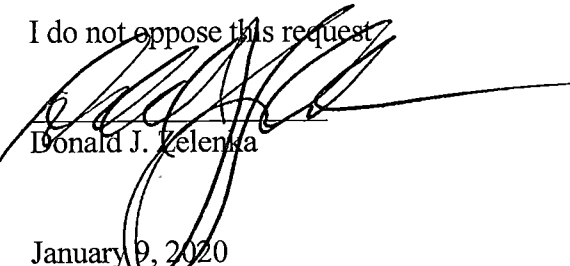
Robert M. Dudek
Chief Appellate Defender

David Alexander
Appellate Defender

Lara M. Caudy
Appellate Defender

Attorneys for Petitioner

I do not oppose this request



Donald J. Zelenka

January 9, 2020

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County

Paul M. Burch, Circuit Court Judge

MARION ALEXANDER LINDSEY,

PETITIONER,

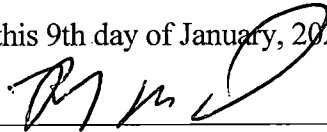
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

I certify that a true copy of the petition to file a petition for writ of certiorari in excess of the twenty-five page limit has been served on Donald J. Zelenka, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 9th day of January, 2020.



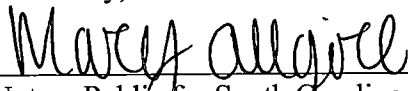
Robert M. Dudek
Chief Appellate Defender

David Alexander
Appellate Defender

Lara M. Caudy
Appellate Defender

ATTORNEYS FOR PETITIONER

SWORN TO BEFORE ME this 9th day
of January, 2020.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: May 12, 2027.