

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM ORANGEBURG COUNTY
Court of General Sessions

Maité D. Murphy, Circuit Court Judge

Appellate Case No. 2018-002035

RECEIVED

JAN 29 2020

S.C. SUPREME COURT

State of South Carolina, Petitioner,

v.

Archie More Hardin, Respondent.

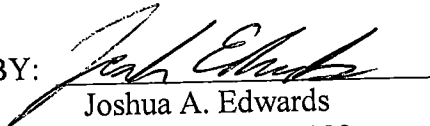
EXPEDITED MOTION FOR PERMISSION TO FILE PETITION FOR REHEARING

On January 29, 2020, this Court issued an opinion in this case dismissing the writ of certiorari as improvidently granted on the grounds that the State is not an aggrieved party and has no right to appeal the Court of Appeals' opinion. The State respectfully requests that the remittitur not be issued and that the State be granted permission to file a petition for rehearing so that it may show: 1) the appellate court rules do not require that a petitioner to this Court be an aggrieved party in order to seek certiorari to this Court; 2) even if the rules do so require, the State is an aggrieved party. The State has not had an opportunity to brief this issue and respectfully submits that substantive litigation of this issue is warranted.

Respectfully submitted,

ALAN WILSON
Attorney General

JOSHUA A. EDWARDS
Assistant Attorney General

BY: 
Joshua A. Edwards
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ATTORNEYS FOR PETITIONER

Columbia, South Carolina
January 29, 2020

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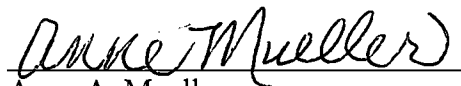
PROOF OF SERVICE

I, Anne Mueller, Legal Assistant, hereby certify that I have served the within *Expedited Motion for Permission to File Petition for Rehearing* dated January 29, 2020, on Respondent by depositing a copy in the United States mail, postage prepaid, addressed to each of his attorneys of record:

Daniel Carson Boles, Esquire
23 Broad Street
P.O. Box 381
Charleston, SC 29402-3001

Robert M. Dudek and Laura Caudy,
Esquires
S.C. Commission on Indigent Defense
P.O. Box 11589
Columbia, SC 29211-1589

I further certify that all parties required by Rule to be served have been served. This 29th day of January, 2020.


Anne A. Mueller
Legal Assistant

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