

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Apr 27 2020

SC Court of Appeals

Certiorari to the Court of Appeals
Appeal from Aiken County
Honorable R. Lawton McIntosh, Circuit Court Judge

Opinion No. 2020-UP-018 (S.C. Ct. App. Filed January 29, 2020)

2014-GS-02-01182

THE STATE,

RESPONDENT,

V.

KELVIN JONES,

APPELLANT

APPELLATE CASE NO 2016-001835

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

Counsel for Petitioner, Kelvin Jones, respectfully requests an order to allow filing the petition for writ of certiorari to the Court of Appeals in excess of the twenty-five (25) page limit imposed by Rule 242(d)(4), SCACR. In support of this motion, counsel presents the following:

1. The petition for writ of certiorari to the Court of Appeals and appendix are due to be filed today. The petition is thirty-one (31) pages in length. The record on appeal is six hundred and thirteen (613) pages in length.

2. Counsel raised four issues in the petition for writ of certiorari to the Court of Appeals. Counsel made every effort to draft the petition in as concise a manner as possible. Based on the length of the record and the nature of the issues raised counsel was unable to adequately address the issues in the twenty-five (25) page limit imposed by Rule 242(d)(4), SCACR.

3. Counsel respectfully moves this Court to allow the filing of the petition for writ of certiorari in excess of the twenty-five (25) page limit imposed by Rule 242(d)(4), SCACR.

4. Counsel contacted opposing counsel, Michael D. Ross, Assistant Attorney General, and he does not oppose the motion.

Based upon the above showing, counsel respectfully requests an order from this Court granting the right to exceed the twenty-five (25) pages authorized by Rule 242(d)(4), SCACR. Counsel also requests that the order accept the petition for writ of certiorari in the case as filed, being thirty-one (31) pages in length.

Respectfully submitted,

s/ Kathrine H. Hudgins

Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Petition to Exceed Twenty-Five Page Limit for a Petition for a Writ of Certiorari to the Court of Appeals in the above-referenced case has been served upon Michael D. Ross, Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 27th day of April, 2020.

s/ Kathrine H. Hudgins

Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER