

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Certiorari to Greenville County

S.C. SUPREME COURT

Honorable Brian M. Gibbons, Circuit Court Judge

ANTONIO EMERSON TATE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2019-001753

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

Counsel for Petitioner, Antonio Emerson Tate, respectfully requests an order to allow filing the petition for writ of certiorari 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 and appendix are due to be filed on July 6, 2020. The petition is thirty-five (35) pages in length. The appendix is one thousand one hundred and sixteen (1116) pages in length.

2. The trial transcript is seven hundred and forty-six (746) pages in length. The PCR transcript is one hundred and thirty-seven (137) pages in length. The order of dismissal is thirty-five (35) pages in length. Counsel raised six issues in the petition for writ of certiorari. Counsel made every effort to draft the petition in as concise a manner as possible. Based on the length of the record,

however, 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. Opposing counsel, Megan Harrigan Jameson, Senior Assistant Deputy Attorney General, indicated by e-mail that she does not oppose the petition.

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-five (35) pages in length.

Respectfully submitted,

s/ Kathrine H. Hudgins

Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

June 11, 2020