

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2019-001063

**RECEIVED**  
NOV 03 2020  
S.C. SUPREME COURT

Dennis J. Powell, Jr.,

Respondent,

v.

Mark Keel, Chief, State Law  
Enforcement Division, and the  
State of South Carolina

Appellants.

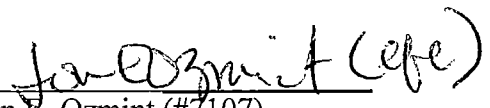
**NOTICE OF MOTION AND MOTION TO ARGUE AGAINST PRECEDENT**

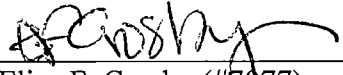
TO: The Hon. Alan M. Wilson, Esq., Harley L. Kirkland, Esq., Adam L. Whitsett, Esq., Paul T. Ahearn, III, Esq., Blake T. Williams, Esq., Amber M. Hendrick, Esq., Daniel J. Westbrook, Esq.

YOU WILL PLEASE TAKE NOTICE the Respondent, by and through undersigned counsel, moves before the South Carolina Supreme Court for permission to argue against precedent at oral argument in this case November 19, 2020.

The grounds for this motion are that the Final Brief of Respondent cites cases previously decided by this and other courts of precedence. Respondent distinguishes the facts and the legal arguments in his case from those underlying previous decisions of this court. However, to the extent the Court construes any portion of Respondent's argument contrary to precedent, he respectfully requests permission to argue against precedent. Rule 217, SCACR.

WE SO MOVE.

  
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October 30, 2020