

RECEIVED

Sep 07 2021

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Capital PCR Action

*On Writ of Certiorari to the Spartanburg County Court of Common Pleas*

The Honorable J. Derham Cole, Circuit Court Judge

Appellate Case No. 2020-000842

---

ANDRES ANTONIO TORRES, # 06028,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

---

**MOTION TO EXCEED PAGE LIMITS FOR THE  
RETURN TO PETITION FOR WRIT OF CERTIOARI**

---

Undersigned counsel for Respondent respectfully moves for an order allowing her to file a return to the petition for writ of certiorari in excess of the twenty-five (25) page limit imposed by Rule 243(g), SCACR. In support of this motion, counsel would respectfully show the Court:

1. The return to the petition for writ of certiorari in this capital post-conviction relief action is due to be served and filed in this Court, today, September 7, 2021.
2. On March 8, 2021, this Court granted Petitioner's petition to exceed the page limit for petitions. The filed petition is ninety-five (95) pages of text. Petitioner raises four (4) issues.
3. Counsel for Respondent has completed the return to the petition. To adequately address the claims, Respondent has prepared a forty-four page return. Respondent has diligently

attempted to trim the return but finds it necessary to request the Court's permission to exceed the standard page limit.

4. Undersigned counsel for Respondent has discussed this motion with opposing counsel, Susan Barber Hackett, Esq. Ms. Hackett has informed undersigned counsel that she has no objection to this motion.

5. Respondent will serve and conditionally submit the return today, pending resolution of this motion.

WHEREFORE, undersigned counsel would respectfully request an order from this Court granting Respondent permission to exceed the twenty-five page limit of Rule 227(e)(3), SCACR, and accept the conditionally filed return.

Respectfully Submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General

JULIANNA E. BATTENFIELD  
Assistant Attorney General

Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

By: s/Julianna E. Battenfield  
JULIANNA E. BATTENFIELD  
SC Bar No. 103135  
ATTORNEYS FOR RESPONDENT

September 7, 2021.