

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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Oct 04 2021

S.C. SUPREME COURT

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APPEAL FROM JASPER COUNTY  
Court of General Sessions

The Honorable Carmen Mullen, Circuit Court Judge

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Appellate Case No. 2021-1007

RICHARD PASSIO, Jr.....Petitioner,

v.

STATE OF SOUTH CAROLINA.....Respondent.

**MOTION TO EXCEED PAGE LIMITATIONS**

Undersigned counsel, respectfully and hesitantly, asks this Court to allow her to file a petition for writ of certiorari that exceeds the 25-page limitation proscribed by SCAR, Rule 242(d)(4). The critical issue in this case is the sufficiency of the evidence adduced at trial by the State to support a murder conviction. It also involves intentionally misleading statements by State witnesses that were not at all supported by existing scientific literature. To make this point, counsel has cited in the petition to several generally available sources that undermine these witness's testimonies. This combination of a sufficiency argument which is necessarily fact-intensive and citations to publicly available sources have resulted in a petition that is longer than is allowed under the Rule. Respectfully, counsel requests this Court allow counsel to exceed the page limits, by 4 pages, in this case.

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**CERTIFICATE OF SERVICE**

**S.C. SUPREME COURT**

Counsel hereby certifies she has served a copy of this motion on William Schumacher of the Attorney General's Office by sending via email on this date, October 4, 2021 via email.

/s/ Elizabeth Franklin-Best