

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to the Court of Appeals
Appeal from Spartanburg County
Honorable J. Derham Cole, Circuit Court Judge

Opinion No. 5892 (S.C. Ct. App. filed 3/25/2022)
Lower Court Case No. 2016-GS-42-02201

THE STATE,

RESPONDENT,

V.

THOMAS STEPHEN ACKER,

PETITIONER

APPELLATE CASE NO. 2016-002368

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

Counsel for Petitioner, Thomas Stephen Acker, 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 is due to be filed on April 25, 2022. The petition is thirty-seven (37) pages in length.
2. The trial transcript is two hundred and twenty-seven (227) pages in length. The opinion by the Court of Appeals is twenty-three (23) pages in length. Counsel raised five issues in the petition for writ of certiorari to the Court of Appeals. Counsel made every effort to draft the

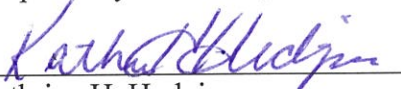
petition in as concise a manner as possible. Based on the length of the record, however, and the nature of the issues raised counsel was unable to adequately address the issues in the twenty-five (25) page limit imposed by Rule 242(d)(4), SCACR.

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, Scott Matthews, Assistant Attorney General, indicated by e-mail that he 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-seven (37) pages in length.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

April 21, 2022