

STATE OF MICHIGAN
IN THE COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN

Plaintiff-Appellee

Court of Appeals No. 315495

Lower Court No. 08-17643-FC

-vs-

JEROME WALTER KOWALSKI

Defendant-Appellant.

LIVINGSTON COUNTY PROSECUTOR

Attorney for Plaintiff-Appellee

MARLA R. MCCOWAN (P57218)

State Appellate Defender Office

3300 Penobscot Building

Detroit, Michigan 48226

(313) 256-9833

Attorney for Defendant-Appellant

MOTION FOR PERMISSION TO FILE BRIEF EXCEEDING 50 PAGE LIMIT

Defendant-Appellant, by and through his attorneys, the STATE APPELLATE DEFENDER OFFICE, by Marla R. McCowan, moves this Court to grant his Motion for Permission to File Brief Exceeding 50 Page Limit, as authorized in MCR 7.212 (B), and states:

1. Defendant was convicted of two counts of first degree murder and two counts of felony firearm after a jury trial in the Livingston County Circuit Court, and is serving sentences of life in prison.

2. Defendant's brief is due in this Court on December 9, 2013 by way of an extraordinary extension granted by this Court.

3. Defendant moves for permission to file a brief not exceeding 80 pages because this case meets the definition of "extraordinary":

- a. This case involves multiple volumes of pre-trial and trial transcripts – the transcripts in total consist of 3,598 pages – and a lengthy court record and file involving a significant interlocutory appeal and substantial motion practice.
- b. While counsel intends to be judicious and succinct in the issues she presents to this Court, each issue chosen is sufficiently complex that it cannot be developed properly in a few pages.
- c. Of necessity, the Statement of Facts must be long in order to provide this Court with a full and fair recitation of the facts of the case.
- d. While counsel does not yet know exactly how many pages will be required to do justice to this lengthy and complex case, she requests permission to file as many as 80 pages, with a goal of filing fewer pages if that proves feasible.

WHEREFORE, Defendant-Appellant asks that this Court grant this Motion for Permission to File Brief Exceeding 50 Page Limit and permit her to file as many as 80 pages.

Respectfully submitted,

STATE APPELLATE DEFENDER OFFICE

BY: /s/ Marla R. McCowan
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