

**RECEIVED**

**Jun 13 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Horry County  
Honorable Benjamin H. Culbertson, Circuit Court Judge  
Appellate Case Tracking No. 2024-001477

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THE STATE,

Respondent,

vs.

DAJON MALIK LAVERN GRATE,

Appellant.

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**MOTION TO SERVE AND FILE  
A SECOND EXTENSION OF TIME WITHIN WHICH TO SERVE AND FILE THE  
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER OUT OF  
TIME**

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Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

Due to confusion, the undersigned failed to properly calendar the due date and seek an extension or serve and file the second extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter by June 12, 2025. The second extension request is being served and filed contemporaneously with this motion. As a result, the undersigned does not believe Appellant has suffered any prejudice.

II.

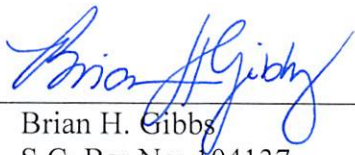
This request is not intended for purposes of delay, but rather allowed the undersigned to ensure that the Initial Brief of Respondent and Designation of Matter is properly prepared, served, and filed.

WHEREFORE, Respondent prays that the Court accept service and filing of the second extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter out of time; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

BRIAN H. GIBBS  
Assistant Attorney General

By:   
\_\_\_\_\_  
Brian H. Gibbs  
S.C. Bar No: 104137

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**PROOF OF SERVICE**

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I, Grace Sommer, certify that I have served the within Motion to Serve and File the Second Extension of Time within which to serve and file the Initial Brief of Respondent and Designation of Matter Out of Time on Jordan M. Wayburn, Esquire, counsel of record for the Appellant, by sending one copy by electronic mail to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.  
This 13<sup>th</sup> day of June, 2025.



GRACE SOMMER

Legal Assistant

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