

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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JAN 03 2019
SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions
Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2017-002168

THE STATE,RESPONDENT,

v.

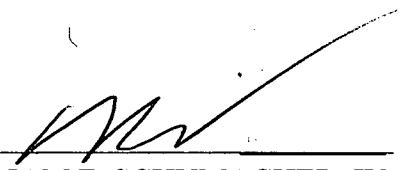
PHILIP DAVID GUDERYON,APPELLANT.

MOTION TO FILE THE FINAL BRIEF OF RESPONDENT OUT OF TIME

Respondent (“the State”), through its undersigned counsel, petitions the Court to allow late filing of the State’s final brief in this case. In support of this petition Respondent shows:

1. Due to a calendaring error the deadline for the final brief was missed. As a result the final brief of respondent was not filed. Counsel apologizes fo this error.
2. The Final Brief of respondent has been prepared and is being submitted along with this petition.
3. Counsel has conferred with opposing counsel, Susan B. Hackett, Esquire, who graciously consents to Respondent’s motion.

WHEREFORE, the undersigned counsel petitions the Court to allow late filing of the Final Brief of Respondent.

By:  _____

WILLIAM F. SCHUMACHER, IV

Assistant Attorney General

Office of the Attorney General

Post Office Box 11549

Columbia, SC 29211

(803) 734-3727

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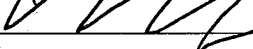
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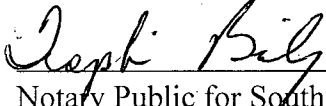
PHILIP DAVID GUDERYON,APPELLANT.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to File the Final Brief of Respondent Out of Time in the above-referenced case has been served on Susan B. Hackett, Esquire, South Carolina Commission of Indigent Defense, Office of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211, this 3rd day of January, 2019.

By: 
WILLIAM F. SCHUMACHER, IV
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

SUBSCRIBED AND SWORN TO before me
this 3rd day of January, 2018

 (L.S.)
Notary Public for South Carolina
My Commission Expires: 08/22/2022



ALAN WILSON
ATTORNEY GENERAL

January 3, 2019

RECEIVED
JAN 03 2019
SC Court of Appeals

Susan B. Hackett, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589

RE: State v. Philip David Guderyon – Appellate Case No. 2017-002168

Dear Ms. Hackett:

I am enclosing two copies of the Final Brief of Respondent in the above-referenced case, along with copies of the State's Motion to File Final Brief Out of Time.

Sincerely,

William F. Schumacher
Assistant Attorney General
Bar Number 100231

WFS/
Enclosures

cc: Honorable Jenny A. Kitchings
(original and nine copies enclosed)
Victim Advocacy Division