

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Horry County

Honorable Larry B. Hyman, Circuit Court Judge  
\_\_\_\_\_

**ORIGINAL  
RECEIVED**  
MAR 08 2019  
SC Court of Appeals

THE STATE,

APPELLANT,

V.

JAVON DION GIBBS,

RESPONDENT

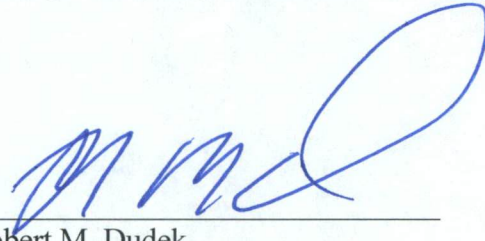
APPELLATE CASE NO. 2017-001846  
\_\_\_\_\_

**MOTION TO ACCEPT THE FINAL BRIEF  
OF RESPONDENT OUT OF TIME**  
\_\_\_\_\_

Counsel for Javon Dion Gibbs respectfully requests the Court to accept the Final Brief of Respondent in this case out of time. In support of this request, counsel shows:

- (1). The Final Brief of Respondent was due to be served and filed with this Court on March 5, 2019, in accordance with Rule 211, SCACR.
- (2). Due to a calendaring error the Final Brief of Respondent due date was overlooked and missed.
- (3). The Final Brief of Respondent has been prepared and is being filed simultaneously with this motion.
- (4). I am notifying opposing counsel, J. Clayton Mitchell, of this error.

WHEREFORE, counsel for Respondent respectfully requests the Court accept the  
Final Brief of Respondent as filed out of time.



---

Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR RESPONDENT

March 8, 2019

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Horry County

Honorable Larry B. Hyman, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**  
MAR 08 2019  
SC Court of Appeals

THE STATE,

APPELLANT,

V.

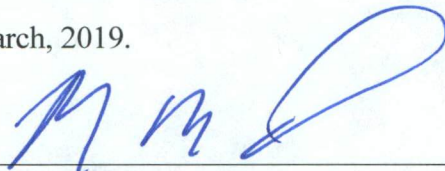
JAVON DION GIBBS,

RESPONDENT

APPELLATE CASE NO. 2017-001846  
\_\_\_\_\_

CERTIFICATE OF SERVICE  
\_\_\_\_\_

The undersigned attorney hereby certifies that a true copy of the Motion to Accept the Final Brief of Respondent Out of Time in the above referenced case has been served upon J. Clayton Mitchell, Esquire, this 8th day of March, 2019.



\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

SUBSCRIBED AND SWORN TO before me  
this 8th day of March, 2019.

Courtney Powers (L.S.)  
Notary Public for South Carolina  
My Commission Expires: May 2, 2027.