

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from York County Court of General Sessions  
The Honorable Brian Gibbons, Circuit Court Judge

**RECEIVED**  
MAY 13 2019  
SC Court of Appeals

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Appellate Case No. 2018-000423

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State of South Carolina,.....Respondent,

v.

Jonathan Ostrowski,.....Appellant.

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**MOTION TO FILE OUT OF TIME  
AND MOTION TO AMEND THE DESIGNATION OF MATTER**

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NOW COMES the Appellant, Jonathan Ostrowski, by and through the undersigned attorney, Lauren C. Hobbis, and hereby moves this Honorable Court to permit the late filing of the enclosed Final Brief and Record on Appeal. This motion is made in good faith and Counsel's delay does not stem from any intention to stall proceedings or to cause inconvenience or prejudice to this Court, Respondent, or Petitioner. The shared office building Counsel's office occupies has been sold and Counsel's office has been in the process of packing and moving all files. The preparation for a federal trial, other state and federal pleadings, as well as the displacement of

Counsel's files culminated in the delay in preparing, filing, and serving the Final Brief and Record on Appeal.

Counsel respectfully submits that the ends of justice are served by permitting the late filing of the Final Brief and Record on Appeal.

Counsel also respectfully requests permission to amend the Designation of Matter in excluding Court's Exhibit 9 from the Record on Appeal. This exhibit is a note from a juror about having to make a phone call and is irrelevant to the appeal but was included in the Appellant's Designation of Matter by mistake.

WHEREFORE Appellant prays for this Court to grant this motion and accept as filed the Final Brief and Record on Appeal, and to grant the motion to amend the Designation of Matter to exclude Court's Exhibit 9 from the Record on Appeal.

Respectfully submitted,

WILLIAM G. YARBOROUGH III  
LAUREN C. HOBBS

By: 

Lauren Carole Hobbs  
South Carolina Bar #103190

William G. Yarborough III, Attorney at Law, LLC  
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**COUNSEL FOR APPELLANT**

May 9, 2019  
Greenville, SC

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the Final Brief, Record on Appeal, Motion To File Out of Time, Amended Designation of Matter, and the appropriate number of copies for each document were filed with this Court, this day May 9, 2019, through the United States mail with sufficient postage attached addressed to:

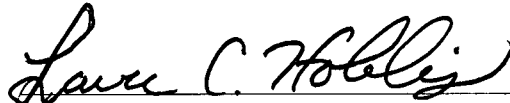
The Honorable Jenny Abbott Kitchings, Clerk of Court  
SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

The undersigned further certifies that copies of each of the afore-mentioned documents were served upon the Respondent this day May 9, 2019, through the United States mail with sufficient postage attached addressed to:

Assistant Attorney General Scott Matthews  
SC Attorney General's Office  
Post Office Box 11549  
Columbia, SC 29211

The undersigned further certifies that all parties required to be served pursuant to the appellate court rules have been served.

This 9th day of May, 2019



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Lauren C. Hobbis, SC Bar #103190  
William G. Yarborough III, Attorney at Law, LLC