

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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

Appeal from Anderson County

The Honorable J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2018-001099

Gavin J. Jones, ..... Petitioner,

v.

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

**MOTION TO RELAX RULE 208(a)(2), SCACR, AND  
FILE BRIEF OF RESPONDENT OUT OF TIME**

Respondent, by and through the undersigned counsel, making its Motion to Relax Rule 208(a)(2) and Request for Extension, would show unto this Court:

I.

The Initial Brief of Respondent and Designation of Matter were due to be filed and served on February 25, 2019. However, the undersigned did not begin working at the Attorney General’s Office until March 4, 2019, and due to a calendaring error, the due date for the brief was inadvertently not calendered. Respondent therefore requests that the rules be relaxed so that Respondent has an additional thirty days in which to file the Initial Brief of Respondent and Designation of Matter. See Rule 263(b), SCACR (“The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rule 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”). This is

Respondent's first extension request in this case.

The undersigned counsel apologizes for any inconvenience this request has caused to the Court and to Petitioner and does not believe this request will result in any prejudice to Petitioner should it be granted. As Petitioner is pro se, Respondent has not attempted to consult with him about his consent or objection to this motion.

II.

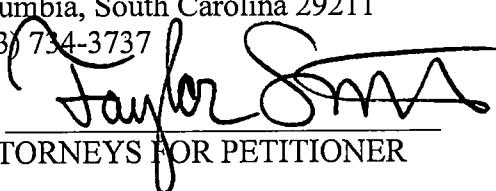
WHEREFORE, Respondent prays that this Court relax the requirements of Rule 208(a)(2), SCACR, thereby permitting Respondent to have an additional thirty days in which to file the Initial Brief of Respondent and Designation of Matter, and prays for such other and further relief as the Court may deem just and proper.

ALAN WILSON  
Attorney General

MEGAN HARRIGAN JAMESON  
Senior Assistant Deputy Attorney General

TAYLOR ZANE SMITH  
Assistant Attorney General  
S.C. Bar No. 103282

Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3737

By:   
ATTORNEYS FOR PETITIONER

May 8, 2019

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Appeal from Anderson County  
The Honorable J. Cordell Maddox, Jr., Circuit Court Judge

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Appellate Case No. 2018-001099

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GAVIN J. JONES, #259726

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

RESPONDENT.

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**CERTIFICATE OF SERVICE**

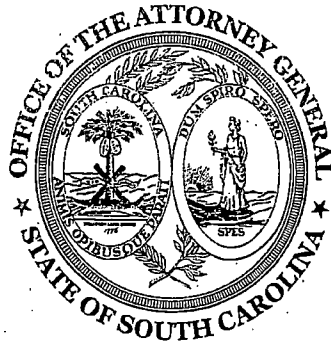
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The undersigned hereby certifies that a true copy of the **Motion To Relax Rule 208(A)(2), Scacr, And File Brief Of Respondent Out Of Time**, has been served upon opposing counsel by mailing two (2) copies in the United States mail, postage prepaid:

Gavin J. Jones, #259726  
Perry Correctional Institution  
430 Oaklawn Road  
Pelzer, South Carolina 29669

This 8<sup>th</sup> day of May, 2019

  
CAMILLE HENRY  
LEGAL ASSISTANT



ALAN WILSON  
ATTORNEY GENERAL

May 8, 2019

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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MAY 08 2019  
SC Court of Appeals

**RE: Gavin J. Jones v. State of South Carolina**  
**Appellate Case No. 2018-001099**  
**Lower Court Case No. 2012-CP-04-0861**

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the **Motion To Relax Rule 208(A)(2), Scacr, And File Brief Of Respondent Out Of Time** in the above mentioned case.

Sincerely,

Taylor Z. Smith  
Assistant Attorney General  
SC Bar No. 103282

TZS/ch

cc: Gavin J. Jones, #259726