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Jan 08 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenwood County

Frank R. Addy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

XZARIERA OKEVIS GRAY,

APPELLANT

APPELLATE CASE NO. 2024-000993

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for Xzariera Okevis Gray respectfully requests a **fourth and final thirty (30) day extension from January 8, 2025 until February 7, 2025**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed with the Court today.
2. Counsel for Xzariera Okevis Gray respectfully submits that extraordinary

circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Brandan Richardson with the Court of Appeals on January 3, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of Brian Foster v. The State with the Supreme Court on January 2, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Bradley Mark Corlew with this Court on December 19, 2024. Counsel appeared before Judge Daniel McLeod Coble in the Richland County Court of General Sessions for a remote Reconstruction Hearing in the case of Alonzo Tarell Jones v. The State on December 17, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Jontez M. Ward v. The State with the Supreme Court on December 11, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Michael J. Smith with this Court on December 9, 2024. Counsel filed the Petition for Writ of Certiorari, the Brief of Petitioner Pursuant to *White v. State*, and the Appendix in the case of Matthew L. Jackson v. The State with the Supreme Court on December 3, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Dante Zachius Wheeler v. The State with the Supreme Court on November 20, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Steve Lester with this Court on November 20, 2024. Counsel filed the Reply to Return to Petition for Writ of Certiorari in the case of Ben Robert Stewart v. The State with the Supreme Court on November 14, 2024.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel

intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

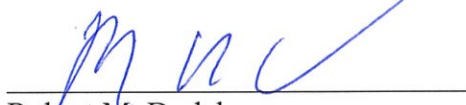
5. On December 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from January 8, 2025 until February 7, 2025**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

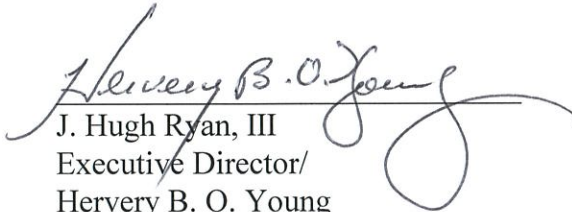
Respectfully submitted,



Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 8th day of January, 2025.

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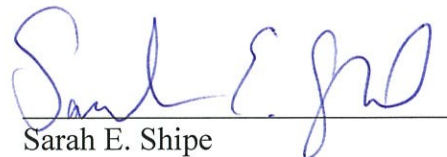
XZARIERA OKEVIS GRAY,

APPELLANT

APPELLATE CASE NO. 2024-000993

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 8th day of January, 2025.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [Mark Farthing](#)
Cc: [Shipe, Sarah](#); [Caroline Collins](#)
Subject: 2024-000993 The State v. Xzariera Okevis Gray
Date: Wednesday, January 8, 2025 8:57:00 AM
Attachments: [2024-000993 The State v. Xzariera Okevis Gray Fourth Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for Extension which will be filed today, January 8, 2025, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330