

RECEIVED

Jun 16 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County

Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

XABIAN URONIE BAILEY,

APPELLANT.

APPELLATE CASE NO. 2024-001526

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

Counsel for appellant respectfully requests a **fourth and final ten (10) day extension from June 16, 2025, until June 26, 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 appellant 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jamar Huggins v. The State with the Supreme Court on June 9, 2025. Counsel filed the Brief of Petitioner in the case of Marc Anthony Palmer v. The State with the Court of Appeals on May 15, 2025. Counsel appeared for Oral Argument in the case of The State v. Driscoll Riggins before the Court of Appeals on May 13, 2025. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. James Heyward with the Court of Appeals on May 9, 2025. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Cyntonio T. Howard v. The State with the Supreme Court on May 7, 2025. Counsel appeared for Oral Argument in the case of The State v. Justin Hopkins before the Court of Appeals on May 6, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Emeric Hamilton with the Court of Appeals on April 30, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Nasiree Grate with the Court of Appeals on April 16, 2025. Counsel appeared for Oral Argument in the case of The State v. Quayshawn Clark before the Court of Appeals on April 10, 2025. Counsel filed the Brief of Petitioner in the case of Andre T. Heatley, Jr. v. The State with the Supreme Court on March 14, 2025.

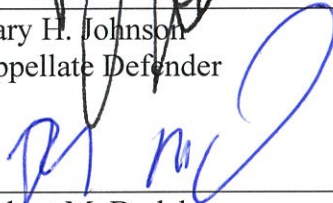
4. On May 30, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final ten (10) day extension from June 16, 2025 until June 26, 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.

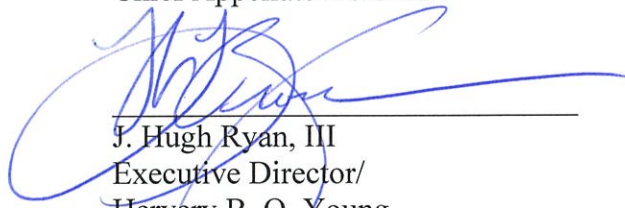
Respectfully submitted,



Gary H. Johnson
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 16th day of June, 2025.

RECEIVED

Jun 16 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Aiken County

Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

v.


XABIAN URONIE BAILEY,

APPELLANT.

APPELLATE CASE NO. 2024-001526

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 16th day of June, 2025.



Gary H. Johnson
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Monday, June 16, 2025 11:17 AM
To: Melody Brown
Cc: 'abennett@scag.gov'; Johnson, Gary
Subject: 2024-001526 - State v. Xabian Bailey - Extension 4
Attachments: 2024-001526 - State v. Xabian Bailey - Extension 4.pdf

Dear Ms. Kitchings,

Attached please find a copy of the fourth extension in the above referenced case.

-Scott Leverett
Admin. Asst. for Gary H. Johnson
Appellate Defense