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Jul 23 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from State Grand Jury

R. Scott Sprouse, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

NICHOLAS GRACELY,

APPELLANT.

APPELLATE CASE NO. 2024-001879

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

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Counsel for appellant respectfully requests a **fourth and final thirty (30) day extension from July 23, 2025, until August 22, 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Travis Young with the Court of Appeals on July 14, 2025. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Kristopher Bagwell with the Court of Appeals on June 30, 2025. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Michael I. Mobley with the Supreme Court and Court of Appeals on June 23, 2025. Counsel had an oral argument in the case of State v. Jeremy S. Cornish in the Court of Appeals on June 11, 2025. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Kenneth Mitchell with the Court of Appeals on June 11, 2025. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Samuel S. Horton with the Court of Appeals on June 9, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jonathan Lee Gray with the Court of Appeals on May 30, 2025. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Shanekia R. Garvin with the Supreme Court on May 19, 2025. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Derrick L. Tuten with the Court of Appeals on May 12, 2025. Counsel filed the petition for rehearing in the case of State v. Michael Mobley with the Court of Appeals on May 8, 2025. **Counsel also has extensive administrative duties as the Interim Chief Appellate Defender while carrying a full caseload.**

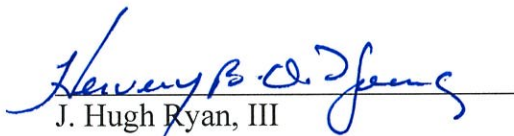
4. On June 27, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from July 23, 2025, until August 22, 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,



Wanda H. Carter  
Interim Chief Appellate Defender



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

This 23rd day of July, 2025.

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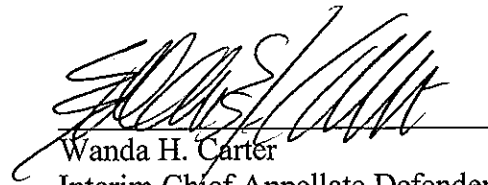
APPELLATE CASE NO. 2024-001879

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CERTIFICATE OF SERVICE

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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 R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 23rd day of July, 2025.

  
Wanda H. Carter  
Interim Chief Appellate Defender

ATTORNEY FOR APPELLANT

## Leverett, Scott

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**From:** Leverett, Scott  
**Sent:** Wednesday, July 23, 2025 11:11 AM  
**To:** Mark Farthing  
**Cc:** Caroline Collins; Carter, Wanda  
**Subject:** 2024-001879 - State v. Nicholas Gracely - Extension 4  
**Attachments:** 2024-001879 - State v. Nicholas Gracely - Extension 4.pdf

Dear Mr. Farthing,

Attached please find a copy of the fourth extension in the above referenced case that is being filed today with the Court of Appeals.

-Scott Leverett  
Admin. Asst. for Wanda Carter  
Appellate Defense