

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Greenwood County
The Honorable Frank R. Addy, Circuit Court Judge

RECEIVED
Jun 11 2020
SC Court of Appeals

THE STATE OF SOUTH CAROLINA,

Respondent,

v.

XZARIERA OKEVIS GRAY,

Appellant.

Appellate Case No. 2019-001109

**MOTION FOR SECOND EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. As of May 20, 2020, opposing counsel has consented to extension requests through June 30, 2020. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due Monday, June 15, 2020 as per this Court's Order dated May 15, 2020 granting Respondent's first extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since May 15, 2020. Specifically:

1. Counsel filed the Return and Memorandum of Law in Support of Summary Judgment in the matter of Mokeia Hammond v. Warden of Graham Camille Griffin Correctional Inst. C/A No. 8:20-CV-540-CMC-JDA pending in the U. S. District Court on May 22, 2020;
2. Counsel filed the Return and Memorandum of Law in Support of Summary Judgment in the matter of Antonio Jacobs v. Warden Nelson C/A No. 5:19-3440-JMC-KDW pending in the U. S. District Court on June 3, 2020;
3. Counsel is working on the Return to Petition for Writ of Certiorari in the case of State v. Marion Alexander Lindsey, a Spartanburg County matter in the Supreme Court, Appellate Case No. 2019-001271, due today, June 11, 2020:
4. Counsel is working on the Return to Petition for Writ of Certiorari in the case of State v. Kelvin Jones, an Aiken County matter, Appellate Case No. 2016-001835, due in the Supreme Court on June 16, 2020.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

Michael D. Ross
Assistant Attorney General

No. 12990

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: s/Michael D. Ross
ATTORNEYS FOR RESPONDENT

June 11, 2020 .

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PROOF OF SERVICE

I, Michael D. Ross, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Initial Brief of Respondent, Designation of Matter, and Certificate of Service has been forwarded to Appellant's counsel, Susan B. Hackett, Esq., via email today, June 11, 2020 to shackett@sccid.sc.gov, and by depositing one copy of the same in the United States mail, postage prepaid, and addressed to his attorney of record: Susan B. Hackett, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201.

I further certify that all parties required by Rule to be served have been served.

This 11th day of June, 2020.

s/Michael D. Ross

MICHAEL D. ROSS
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

Melody Brown

From: Angela Bennett
Sent: Thursday, June 11, 2020 4:43 PM
To: Susan Hackett (shackett@sccid.sc.gov); Kasperski, Katriel
Cc: Mike Ross; Brandy Rankin
Subject: The State v. Xzariera Gray
Attachments: Gray, Xzariera-2019-001109-Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter-June (02299652xD2C78).PDF

Attached is the State's Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter in the above matter. The motion will be filed with the Court of Appeal's on today date. The email and motion previously sent today was sent in error and has been amended.

Thank you.

*Angela Brown
Administrative Coordinator
Criminal Division*

*Office of the Attorney General
Post Office Box
Columbia, South Carolina
(803) 734-0368*

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SC Court of Appeals



ALAN WILSON
ATTORNEY GENERAL

June 11, 2020

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SC Court of Appeals

Susan Hackett, Esquire
Office of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211

Re: *The State v. Xzariera Okevis Gray*
Appeal from Greenwood County
Appellate Case No. 2019-001109

Dear Ms. Hackett:

Enclosed please find two copies of the Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter, together with Certificate of Service. The motion was electronically filed with the court today.

Sincerely,

s/Michael D. Ross

Michael D. Ross
Senior Deputy Assistant Attorney General

MDR/ab
Enclosures