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**Jul 08 2020**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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

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THE STATE OF SOUTH CAROLINA,

Respondent,

v.

XZARIERA OKEVIS GRAY,

Appellant.

Appellate Case No. 2019-001109

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

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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. Opposing counsel has graciously consented to the request. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due Wednesday, July 15, 2020 as per this Court's Order dated June 16, 2020 granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since June 16, 2020. Specifically:

1. Counsel filed 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, in the Supreme Court on July 1, 2020.
2. Counsel is working on the Reply to Motion for Discovery and Inspection of Documents in the matter of Antonio Jacobs v. Warden Nelson, C/A# 5:19-cv-3440-JMC-KDW, a Federal Habeas Corpus case pending in the U. S. District Court, due on July 9, 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 July 13, 2020;
4. Counsel is working on Return and Memorandum of Law in Support of Summary Judgment in the matter of Tito F. Harris, #345287 v. Warden Lieber Correctional Institution, C/A# 4:20-cv-906-TMC-TER a Federal Habeas Corpus case pending in the U. S. District Court due on July 27, 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

July 8, 2020.

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**PROOF OF SERVICE**

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I, Brandy Rankin, as an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the third Motion for Extension to file 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, July 8, 2020 to [shackett@sccid.sc.gov](mailto: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 8<sup>th</sup> day of July, 2020.



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Brandy Rankin,  
Legal Assistant to Michael D. Ross  
Assistant Attorney General

**Brandy Rankin**

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**To:** shackett@sccid.sc.gov  
**Cc:** kkasperski@sccid.sc.gov; Mike Ross; Melody Brown  
**Subject:** Xzariera Okevis Gray - Third Motion for Extension to File Initial Brief of Respondent and Designation of Matter  
**Attachments:** Gray, Xzariera Okevis, Appellate Case No. 2019-001109, Third Motion for Extension, 7-1-2020 (02321250xD2C78).pdf

Dear Ms. Hackett,

Attached is a scanned copy of the Third Motion for Extension in which to file the Initial Brief of Respondent and Designation of Matter. A paper copy is being mailed to you this afternoon. The Third Motion for Extension is being submitted to the South Carolina Court of Appeals through e-filing, along with a copy of this email.

Sincerely,

*Brandy Rankin*

Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211-1549

BrandyRankin@scag.gov  
Phone: 803-734-6305  
Fax: 803-734-4035

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**Brandy Rankin**

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Sincerely,

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