

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County

Heath P. Taylor, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JASON BARRY BELL,

APPELLANT

APPELLATE CASE NO. 2023-001326

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

Counsel for Jason Barry Bell respectfully requests a **fifth and final ten (10) business day extension from July 24, 2024, until Wednesday, August 7, 2024**, 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 fifth 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 Jason Barry Bell respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **Two exhibits**

important to the analysis of the issues on appeal were not listed in the index of the transcript. Because the exhibits were not listed, counsel did not order the exhibits pursuant to our office's normal procedures. The exhibits are State's Exhibit 9, portions of an interview with the defendant, admitted on page 267 of the transcript; and State's Exhibit 92, recording of a jail call, admitted on page 277 of the transcript. Counsel believes that a preserved issue of merit exists with respect to Exhibit 92 and the other exhibit is needed for analysis of several other preserved issues of merit which counsel has identified. Counsel will attempt to file the brief before the deadline requested in this motion. 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 Brief of Appellant in the case of The State v. Xavier Polite with this Court on July 17, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Phillip Lawson with this Court on July 3, 2024. Counsel was a speaker at the Case Law Update CLE on June 21, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Alonza Marable with this Court on June 21, 2024. Counsel filed the Brief of Appellant in the case of The State v. Tommy Long with this Court on June 3, 2024. Counsel presented oral argument in the case of The State v. Ricky Bernard Brown before this Court on June 3, 2024. Counsel filed the Brief of Appellant in the case of The State v. Carlos A. Cesmas-Gomez with this Court on May 29, 2024. Counsel presented oral argument in the case of In the Matter of Ronald Gregg in the Supreme Court on May 22, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Adam D. Lawless in this Court on April 26, 2024. Counsel filed the Return to Petition for Writ of Certiorari in the case of Tyreek Hayes v. The State with the Supreme Court

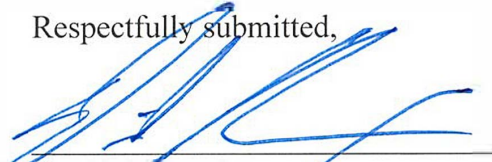
on April 17, 2024. Counsel filed the Brief of Appellant in the case of In the Matter of Christopher T. Wilder with this Court on April 3, 2024.

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 June 26, 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 July 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fifth and final ten (10) business day extension from July 24, 2024, until August 7, 2024**, 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,



David Alexander
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 24th day of July, 2024.

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SC Court of Appeals

STATE OF SOUTH CAROLINA
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Appeal from Dorchester County

Honorable Heath P. Taylor, Circuit Court Judge

THE STATE,

RESPONDENT,

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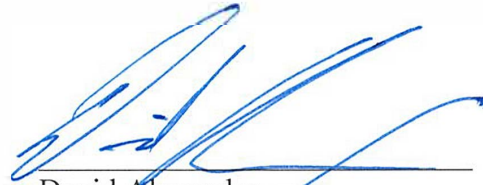
JASON BARRY BELL,

APPELLANT

APPELLATE CASE NO. 2023-001326

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 24th day of July, 2024.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Alexander, David](#)
Subject: Fifth Motion for Extension - The State v. Jason Barry Bell - 2023-001326
Date: Wednesday, July 24, 2024 4:11:00 PM
Attachments: [Fifth Motion for Extension - The State v. Jason Barry Bell - 2023-001326.pdf](#)

Good Afternoon,

Attached for service in the above-referenced case is the Fifth Motion for Extension in which to serve and file the initial brief of appellant and designation of matter. This will be filed today, July 24, 2024, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

Administrative Assistant
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Appellate Division
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