

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Debra R. McCaslin, Circuit Court Judge

RECEIVED

Aug 12 2024

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JASON J. OTERO,

APPELLANT

APPELLATE CASE NO. 2023-001574

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

Counsel for Jason J. Otero respectfully requests a thirty (30) day extension from August 12, 2024 until September 11, 2024, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.
2. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case

of The State v. Frank L. Mills with this Court on August 5, 2024. Counsel filed the *Johnson* Petition for Writ of Certiorari and the Appendix in the case of Jaycoby Terreak Williams v. The State with the Supreme Court on August 5, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Steven Levon Williams v. The State with the Supreme Court on July 31, 2024. Counsel filed the Brief of Petitioner in the case of Ronnie C. Swofford v. The State with this Court on July 22, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Travontae Mitchell with this Court on July 17, 2024. Counsel filed the Petition for Writ of Certiorari, the Brief of Appellant Pursuant to *White v. State*, and the Appendix in the case of Gerald Akeem Gadsden v. The State with the Supreme Court on July 8, 2024. Counsel filed the Brief of Petitioner in the case of Maurice Roberts v. The State with this Court on June 27, 2024.

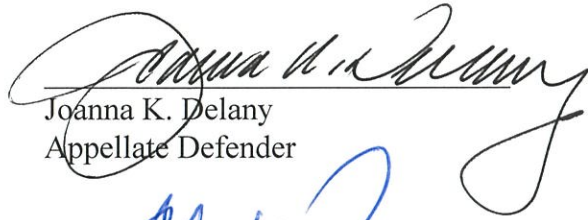
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On July 29, 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 August 31, 2024.

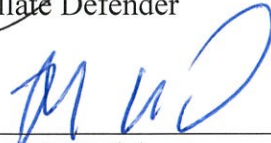
WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from August 12, 2024 until September 11, 2024. Counsel respectfully requests that the time

limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 12th day of August, 2024.

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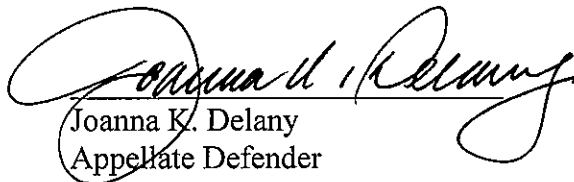
JASON J. OTERO,

APPELLANT

APPELLATE CASE NO. 2023-001574

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 Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 12th day of August, 2024.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT