

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Debra R. McCaslin, Circuit Court Judge

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 **fourth and final thirty (30) day extension from September 11, 2024 until October 11, 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 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 Jason J. Otero 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 Initial Reply Brief of Appellant in the case of The State v. Quinterris Javon Carmichael with this Court on September 5, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Ty Leic Dae Jhon Chaneyfield with this Court on August 20, 2024. 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 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. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Morgan Dayle Carr with this Court on June 21, 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 August 30, 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 September 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from September 11, 2024 until October 11, 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,

  
Joanna K. Delany  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

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

This 11th day of September, 2024.

RECEIVED

Sep 11 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

---

Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

JASON J. OTERO,

APPELLANT

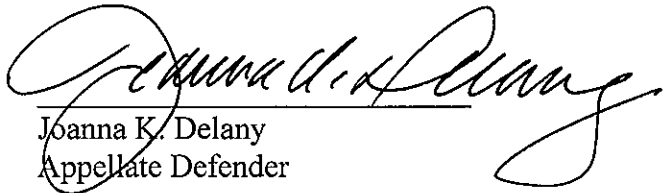
APPELLATE CASE NO. 2023-001574

---

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 11th day of September, 2024.



---

Joanna K. Delany  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Warren, Kaylynn](#)  
**To:** [Mark Farthing](#)  
**Cc:** [Delany, Joanna](#); [Caroline Collins](#)  
**Subject:** 2023-001574 The State v. Jason J. Otero  
**Date:** Wednesday, September 11, 2024 10:47:00 AM  
**Attachments:** [2023-001574 The State v. Jason J. Otero Fourth Motion for Extension.pdf](#)

---

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for Extension which will be filed today, September 11, 2024, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

**Kaylynn Warren**

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330