

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County
The Honorable Heath P. Taylor, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JASON BARRY BELL,

APPELLANT.

Appellate Case No. 2023-001326

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

The undersigned counsel would respectfully request a SECOND thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Counsel for Appellant has graciously consented to extension requests through October 31, 2024. In support of this motion, counsel would respectfully show the Court the following circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed today, October 28, 2024. The undersigned attorney has had a number of state, and federal matters to attend to since September 26, 2024. Specifically:

R. Brandon Larrabee, Esq. was assigned this case shortly after joining this office. Mr. Larrabee has been working on the following matters:

1. Counsel filed the Return and Memorandum of Law in the matter of Theodore Wills vs. Warden Levern Cohen, C/A No. 5:24-708-JFA-KDW, an Horry County federal habeas matter on October 21, 2024;
2. Counsel is also currently working on the Federal Habeas Corpus matter of Millanyo Woody vs. Warden Tucker, 2:19-cv-785-SAL-MGB;
3. Counsel had a term of court for post-conviction relief commencing on Wednesday, October 9, 2024;
4. Counsel is currently preparing the Initial Brief in the matter of The State vs. Marcus D. Batson, Appellate Case No. 2023-001593, a Spartanburg County murder appeal matter now pending in this court;
5. Counsel is also currently preparing the Initial Brief of Respondent in the matter of The State vs. Trevor Anthony Irvin, Appellate Case No. 2023-001075, a Lexington County direct appeal matter also pending in the South Carolina Court of Appeals; and
6. Counsel is currently preparing the Initial Brief of Respondent in this matter.

WHEREFORE, for the following extraordinary circumstances, counsel respectfully requests a SECOND 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. This extension will make Respondent's Initial Brief due on November 27, 2024.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General
S.C. Bar No. 14244

R. BRANDON LARRABEE
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By: *s/R. Brandon Larrabee*
R. BRANDON LARRABEE
ATTORNEYS FOR RESPONDENT

October 28, 2024.

RECEIVED

Oct 28 2024

SC Court of Appeals

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PROOF OF SERVICE

I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to R. Brandon Larrabee, of counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Second Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, David Alexander, Esq., via email today, October 28, 2024 to dalexandere@sccid.sc.gov and to his assistant at cstock@sccid.sc.gov.

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

This 28th day of October, 2024.

s/ Donna D'Alessio
Donna D'Alessio, Legal Assistant to
R. Brandon Larrabee,
Assistant Attorney General
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