

State of South Carolina

In The Court of Appeals

Case No. 2024-000266

The State,

Respondent,

v.

Jacob D. Hall;

Appellant

Motion For Stay And

To Hold Direct Appeal

In Abeyance To Allow

Appellant To File

Pro Se Anders Brief

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OCT 15 2025

SC Court of Appeals

Appellant Jacob D. Hall, (Prose) moves respectfully before this Honorable Court for an order for stay and to hold his direct appeal in abeyance. In support of this motion Appellant states:

1. Appellant's direct appeal is now pending before the Honorable Court pursuant to Case No. 2024-000266.

2. Appellant was represented by appointed Counsel, Wanda H. Carter, who recently at March 7, 2025 filed an Anders brief and stated that in her professional opinion, there are no non-frivolous issues to raise on appeal and requested permission to withdraw.

3. Appellant contends that at no point did his Appellate Counsel explain to him that he had a right to file his own Prose Anders brief in response to Appellate Counsel's filing.

4. Appellant contends that he has been diligently studying his case and he had a lawyer look at his case and the lawyer informed him that there were meritorious issues preserved for appeal and that his Appellate lawyer should have raised the issues in a merits brief instead of filing an Anders brief. Appellant contends that the lawyer informed him to raise the issue in my own Prose Anders brief, that this was my fundamental right.

5. According to *Anders v. California*, 386 U.S. 738 (1967), affords the indigent appellant the opportunity to file a prose brief raising any issues the appellant deems appropriate, in response to Appellate Counsel's filing of an Anders brief. This is a "critical" component of ensuring the appellant's Sixth Amendment right to counsel at a direct appeal and his Fourteenth Amendment right to due process.

6. Appellant contends that the lawyer that reviewed his case wrote him a letter and informed him that the following issue was a meritorious, non-trivial issue preserved for appeal and should have been raised in a "merits brief": "Trial judge erred in denying Appellant's motion for a directed verdict of acquittal on the charges of trafficking in methamphetamine and felony possession of a firearm by a person convicted of a violent crime where the State failed to present sufficient evidence that Appellant was in actual or constructive possession of the drugs and firearms which are essential elements of the crimes charged."

7. Appellant contends that the drugs and firearms were found at his mother's house of which he does not live, had not lived there, and was not present, pursuant to an illegal search. Appellant contends that, trial judge, by his own admission in denying the defense Motion To Suppress the drugs and firearms, admitted that the witnesses that testified at the Suppression Hearing indicated that Appellant, "he did

not live in the house and had not lived in the house. And so, there's the whole issue of what his expectation of privacy in the place that he claims he didn't live there." Appellant contends that this admission by the judge coupled with other evidence proves that there was insufficient evidence to prove Appellant was in actual or constructive possession of the drugs and firearms found at his mother's house.

8. Unfortunately, Appellant cannot afford the attorney that reviewed his case to raise this issue. Therefore, Appellant respectfully request a temporary stay of his direct appeal to properly prepare and present his Anders brief to this Honorable Court, ensuring that his constitutional rights to a meaningful appellate review is not prejudiced by his lack of knowledge regarding the proper procedural response to an Anders brief.

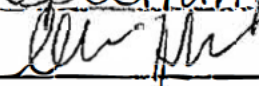
9. In granting this motion, it would allow Appellant the time needed to articulate the meritorious issue for this Court's

independent review, thereby protecting his Sixth Amendment right to Counsel at a critical stage and his Fourteenth Amendment to due process, ensuring that his claim of "actual innocence" is properly raised at the direct appeal stage, and adjudicated on its merits.

Wherefore, Appellant respectfully request that this Honorable Court:

1. Grant this Motion For Stay and hold Appellant's direct appeal in abeyance.
2. Provide Appellant 60 days from the date of this Order to prepare and file his Prose Anders brief.
3. Grant any other relief this Court deems just and proper.

Date Oct. 7th 2025

Respectfully submitted,
S, 

Jacob D. Hall, 3744416

Ker. C. T.

4848 Goldmine HWY

Kershaw, S.C. 29067.

CERTIFICATE OF SERVICE

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SC Court of Appeals

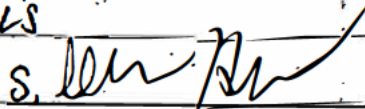
RE: THE STATE V. JACOB D. HALL

CASE NO: 2024-000266

I JACOB D. HALL CERTIFY THAT ON THIS OCT DAY 7th 2025 FILED A "MOTION FOR STAY AND TO HOLD APPEAL IN ABEYANCE TO ALLOW APPELLANT TO FILE PROSE ANDERS BRIEF," BY PLACING IN U.S. MAIL POSTAGE PRE-PAID SENT TO ADDRESS BELOW:

SOUTH CAROLINA COURT OF APPEALS

P.O. BOX 11629
COLUMBIA, SC 29211

S. 
JACOB D. HALL, #374446
KER. C.I.

ATTORNEY GENERAL

ALAN WILSON

P.O. BOX 11549

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4848 GOLDMINE HWY
KERSHAW, SC 29067

Notice

South Carolina Court of Appeals

P.O. Box 11629

Columbia, S.C. 29211

RE: The State v. Jacob D. Hall

Case No. 2024-0002166

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SC Court of Appeals

Dear Clerk:

Enclosed please find one original and one

copy of "Motion For Stay And To Hold Appeal

In Abeyance To Allow Appellant To File

Pro se Anders Brief. "Stamp file please send

copy to me.

Date: Oct. 7th 2025

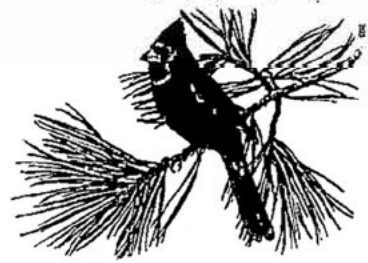
wels,

#374446

HWY

067

Jacob Hall #374446 Oak B24
Kershaw Correctional Institute
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Kershaw SC 29067



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South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
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