

From: [Jason Fetzer](#)
To: [Court Of Appeals Filings](#)
Subject: Appellant case num: 2026-001041
Date: Friday, August 21, 2026 4:45:21 PM
Attachments: [Statement and Defense Regarding Second Charge.pdf](#)

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SC Court of Appeals

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Statement and Defense Regarding Second Charge

DEFENDANT: Jason Fetzer
CASE NO.: 20240610562563
DATE OF INCIDENT: July 17, 2024
LOCATION: 1431 Assembly St, Columbia, SC 29201

Statement and Defense

I, **Jason Fetzer**, respectfully submit this statement concerning the second charge arising from the same incident.

At the time of the incident, I was already **walking away from the premises and attempting to leave the property**, consistent with the direction that I vacate the premises. I was not attempting to remain on the property, flee from the officers, or evade law enforcement.

As I was walking away, an officer came behind me and **stomped his feet in a manner that I perceived as an attempt to provoke or incite a reaction from me, including causing me to run or appear as though I was attempting to evade the officer**. I did not intend to run from the officers or flee from the scene. I was attempting to continue walking away and leave the property as I had been instructed.

I further dispute the circumstances surrounding the repeated demand that I present my state identification. The officers already knew my identity from prior encounters and interactions. My position is not that law enforcement may never request identification; rather, I contend that, under the circumstances of this particular encounter, the repeated demand for identification became part of a continuing confrontation while I was simultaneously being directed to vacate the property.

I was placed in a difficult situation in which I was being told that I needed to **leave the premises to avoid another trespassing charge**, while officers were simultaneously requiring me to stop and engage in additional interaction concerning my identification.

I was attempting to comply with the instruction to leave. My conduct should therefore be evaluated in the context of what the officers were actually directing me to do and what I was actually doing at the time.

Defense

I respectfully contend that the second charge should not be sustained merely because I continued walking away from the property while attempting to comply with the instruction to leave.

I did not intentionally attempt to flee, escape, or evade the officers. I was **walking away from the premises because I had been instructed to vacate the property.**

I also dispute any characterization that my conduct was an intentional attempt to obstruct or evade law enforcement. My actions must be distinguished from conduct undertaken with the purpose of preventing an officer from performing a lawful duty.

The circumstances should be evaluated using all available evidence, including:

1. Body-camera footage showing that I was already walking away from the premises;
2. The officers' exact words and commands immediately before and during the encounter;
3. The timing and manner in which the officer approached me from behind;
4. The officer's foot-stomping or other conduct immediately behind me;
5. Whether I actually ran, accelerated, or attempted to escape;
6. Whether I made any attempt to conceal my identity;
7. The officers' prior knowledge of my identity and previous encounters with me;
8. The repeated requests for my identification and the circumstances under which those requests were made;
9. The simultaneous instruction that I leave the property to avoid another trespassing charge; and
10. Whether the officers' actions or commands created conflicting instructions concerning whether I should stop or continue leaving.

I respectfully maintain that **I was walking away because I was attempting to leave the premises, not because I was attempting to evade law enforcement.**

If the prosecution alleges that I intentionally resisted, obstructed, or evaded an officer, I respectfully request that it establish the specific conduct constituting that offense rather than relying solely upon my continued movement away from the property.

I further request that the complete body-camera and surveillance evidence be considered so that the Court can evaluate the encounter based upon what actually occurred rather than solely upon the officer's characterization of the incident.

For these reasons, I respectfully request that the second charge be **dismissed**, or that I be found **not guilty** if the prosecution cannot prove every required element of the offense beyond a reasonable doubt.

Declaration

I declare that the foregoing statement is true and correct to the best of my knowledge and belief.

DEFENDANT: Jason Fetzer

SIGNATURE: _____

DATE: _____

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