

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Oct 05 2020
SC Court of Appeals

Appeal from Dorchester County
Honorable Diane Schafer Goodstein, Circuit Court Judge
Appellate Case Tracking No. 2019-002108

The State,

Respondent,

vs.

Jacop Robert Lee Hazlett,

Appellant.

**MOTION TO REMAND TO PLACE EXHIBITS UNDER SEAL
OR IN THE ALTERNATIVE TO PLACE EXHIBITS UNDER SEAL**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

Appellant served and filed his Anders Brief on September 9, 2020. In preparing the Brief and Record it came to the attention of Appellant's counsel that various Exhibits on file with the Dorchester Clerk of Court had not been placed under seal as would be proper given the nature and content of those files. Some of the photographic and video Exhibits in this case contain images which are likely to be contraband under sections 16-15-395 through 16-15-410 of the South Carolina Code. Appellant's counsel informed the undersigned immediately upon learning of the nature of the materials and the fact they were not properly placed under seal.

II.

The undersigned contacted the First Circuit Solicitor's Office in order to have them file a motion for the photographic and DVD Exhibits to be placed under seal due to the nature of their

content. After making a motion, it is the undersigned's understanding the solicitors were informed by the Honorable Diane Goodstein that she did not believe she had jurisdiction to place the files under seal because the case was on appeal.

III.

As a result, the State asks this Court to remand the case to Judge Goodstein for the very limited purpose of placing all Exhibits which contain a visual representation of a minor under seal to prevent their improper and likely illegal dissemination. In the alternative, the State asks this Court to issue an Order requiring all photographic and video Exhibits be placed under seal due to the nature of their content and the need to prevent dissemination. The undersigned believes the following Exhibits need to be placed under seal due to the nature of their content:

- 1) State's Exhibit 2, a video DVD (contains a statement by the defendant and includes references to the child victims, including identifying information);
- 2) State's Exhibit 3, a video DVD (contains material in violation of section 16-15-410);
- 3) State's Exhibits 4-8, photographs (contain material in violation of section 16-15-410);
- 4) State's Exhibits 9-13, photographs (contain photos from which child victims may be readily identified).

The State has consulted with counsel for Appellant who agrees with this request.

WHEREFORE, Respondent respectfully requests the Court to issue an order remanding to the circuit court to place the above referenced photographic and video Exhibits under seal, or in the alternative, issue an Order requiring those referenced Exhibits be placed under seal.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

BY: _____



William M. Blich, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

October 5, 2020

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PROOF OF SERVICE

I, Caroline Collins, certify that I have served the within Motion To Remand To Place Exhibits Under Seal Or In The Alternative To Place Exhibits Under Seal on Appellant by email to his counsel of Record, David Alexander, at the email address provided by the Attorney Information System.

I further certify that all parties required by Rule to be served have been served.
This 5th day of October, 2020.



CAROLINE COLLINS
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

Caroline Collins

From: Caroline Collins
Sent: Monday, October 5, 2020 2:38 PM
To: 'David Alexander (dalexander@sccid.sc.gov)'
Cc: 'Matthews, Lindsey'; William Blicht
Subject: The State v. Jacop Robert Lee Hazlett (2019-002108)
Attachments: HAZLETT Jacop - Motion to Remand to Place Exhibits Under Seal or in the Alternative to Place Exhibits Under Seal - 2019-002108 (02394995xD2C78).PDF

Follow Up Flag: Worldox

Good Afternoon Mr. Alexander,

Attached please find a copy of the State's Motion to Remand to Place Exhibits Under Seal or in the Alternative to Place Exhibits Under Seal in The State v. Jacop Robert Lee Hazlett (2019-002108). This motion will be submitted to the Court of Appeals today via the AIS One Drive System.

If you will, please reply to this email to confirm receipt.

Thank you!

Caroline Collins

Administrative Coordinator
South Carolina Attorney General's Office
P: (803) 734-3723

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