

General Docket
United States Court of Appeals for the Fourth Circuit

Court of Appeals Docket #: 22-4152

US v. Patrick Clemons

Appeal From: United States District Court for the District of South Carolina at Anderson

Fee Status: cja

Docketed:

03/09/2022

RECEIVED

Case Type Information:

- 1) Criminal
- 2) Direct Criminal
- 3) null

Oct 03 2022

S.C. SUPREME COURT

Originating Court Information:

District: 0420-8 : [8:21-cr-00167-HMH-1](#)

Court Reporter: Michele E. Becker, Official Court Reporter

Court Reporter: Debra Bull, Official Court Reporter

Court Reporter: Billie Goodman, Court Reporter Coordinator

Court Reporter: Teresa B. Johnson, Official Court Reporter

Presiding Judge: Henry M. Herlong, Jr., Senior U. S. District Court Judge

Date Filed: 04/13/2021

Date Order/Judgment:

03/08/2022

Date Order/Judgment EOD:

03/08/2022

**Date NOA
Filed:**

03/08/2022

**Date Rec'd
COA:**

03/08/2022

Prior Cases:

None

Current Cases:

None

UNITED STATES OF AMERICA
Plaintiff - Appellee

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v.

PATRICK FITZGERALD CLEMONS
Defendant - Appellant

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Columbia, SC 29204

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

PATRICK FITZGERALD CLEMONS
Defendant - Appellant

03/09/2022	<input type="checkbox"/>	1	Criminal case docketed. Originating case number: 8:21-cr-00167-HMH-1. Date notice of appeal filed: 03/08/2022. Case manager: NaeemahSims. [1001124178] [22-4152] NRS [Entered: 03/09/2022 10:20 AM]
03/09/2022	<input type="checkbox"/>	2	ORDER filed appointing/assigning counsel. Margaret Ann Chamberlain for Patrick Fitzgerald Clemons in 22-4152. Nunc pro Tunc Date: 03/08/2022. Copies to all parties. [1001124185] [22-4152] NRS [Entered: 03/09/2022 10:27 AM]
03/09/2022	<input type="checkbox"/>	3	DOCKETING NOTICE issued Re: 1 criminal case. Originating case number: 8:21-cr-00167-HMH-1. [1001124193] [22-4152] NRS [Entered: 03/09/2022 10:32 AM]
03/09/2022	<input type="checkbox"/>	4	MOTION by Patrick Fitzgerald Clemons to withdraw/relieve/substitute counsel. Attorney or client motion? Attorney. Was a copy of the motion served on the defendant? Y.. Date and method of service: 03/09/2022 US mail. [1001124215] [22-4152] Margaret Chamberlain [Entered: 03/09/2022 10:43 AM]
03/09/2022	<input type="checkbox"/>	5	APPEARANCE OF COUNSEL by Justin W. Holloway for US. [1001124652] [22-4152] Justin Holloway [Entered: 03/09/2022 03:01 PM]
03/10/2022	<input type="checkbox"/>	6	ORDER filed granting Motion to withdraw/relieve/substitute counsel 4 New attorney appointed: Yes. Date counsel accepted case 03/10/2022. Name of new

- 8 pg, 237.11 KB attorney: Elizabeth A. Franklin-Best. Copies to all parties. Mailed to: Appellant's address currently is unavailable. [1001125519] [22-4152] LRM [Entered: 03/10/2022 04:53 PM]
- 03/14/2022 [7](#) APPEARANCE OF COUNSEL for Patrick Fitzgerald Clemons. [1001126767] [22-4152] Elizabeth Franklin-Best [Entered: 03/14/2022 10:12 AM]
1 pg, 75.6 KB
- 03/14/2022 [8](#) DOCKETING STATEMENT by Patrick Fitzgerald Clemons.. [1001126771] [22-4152] Elizabeth Franklin-Best [Entered: 03/14/2022 10:13 AM]
5 pg, 495.57 KB
- 03/14/2022 [9](#) TRANSCRIPT ORDER ACKNOWLEDGMENT filed for Michele E. Becker. Identify by proceeding and date all transcript ordered from this court reporter: Plea 08/26/2021. Names of all parties ordering transcript from this reporter: Patrick Fitzgerald Clemons. Originating case number: 8:21-cr-00167-HMH-1. [1001126790] Transcript due from Michele E. Becker, Official Court Reporter on 04/20/2022. [22-4152] NRS [Entered: 03/14/2022 10:22 AM]
5 pg, 240.14 KB
- 03/14/2022 [10](#) Docket correction requested from Patrick Fitzgerald Clemons. [1001126796] [22-4152] NRS [Entered: 03/14/2022 10:25 AM]
1 pg, 88.51 KB
- 03/14/2022 [11](#) TRANSCRIPT ORDER ACKNOWLEDGMENT filed for Teresa B. Johnson. Identify by proceeding and date all transcript ordered from this court reporter: Sentencing 02/23/2022. Names of all parties ordering transcript from this reporter: Patrick Fitzgerald Clemons. Originating case number: 8:21-cr-00167-HMH-1. [1001126901] Transcript due from Teresa B. Johnson, Official Court Reporter on 04/20/2022. [22-4152] NRS [Entered: 03/14/2022 11:16 AM]
5 pg, 227.49 KB
- 04/21/2022 [12](#) BRIEFING ORDER filed. Paper copy requirements are temporarily suspended unless the case is under pre-argument review or being scheduled for argument, in which case a total of four paper copies of formal briefs and appendices are required. [1001149885] Opening brief and appendix due 05/26/2022. Response brief due 06/16/2022. [22-4152] NRS [Entered: 04/21/2022 12:56 PM]
3 pg, 148.59 KB
- 05/25/2022 [13](#) MOTION by Patrick Fitzgerald Clemons to extend filing time for opening brief and appendix until June 16, 2022... Date and method of service: 05/25/2022 ecf. [1001167746] [22-4152] Elizabeth Franklin-Best [Entered: 05/25/2022 09:06 AM]
2 pg, 39.24 KB
- 05/25/2022 [14](#) ORDER filed granting motion to extend filing time [[13](#)]. Number of days granted: 21. Opening brief and appendix due 06/16/2022. Response brief due 07/07/2022. Paper copy requirements are temporarily suspended unless the case is under pre-argument review or being scheduled for argument, in which case a total of four paper copies of formal briefs and appendices are required. Copies to all parties. [1001167767] [22-4152] NRS [Entered: 05/25/2022 09:27 AM]
1 pg, 55.94 KB
- 06/01/2022 [15](#) APPEARANCE OF COUNSEL by Kathleen M. Stoughton for US. [1001171519] [22-4152] Kathleen Stoughton [Entered: 06/01/2022 04:59 PM]
1 pg, 61.8 KB
- 06/13/2022 [16](#) BRIEF by Patrick Fitzgerald Clemons. Type of Brief: OPENING. [1001176788] [22-4152] Elizabeth Franklin-Best [Entered: 06/13/2022 03:05 PM]
16 pg, 687.55 KB
- 06/13/2022 [17](#) JOINT APPENDIX by Patrick Fitzgerald Clemons. Digital media exhibit volume? No. [1001176789] [22-4152] Elizabeth Franklin-Best [Entered: 06/13/2022 03:06 PM]
83 pg, 7.07 MB
- 06/13/2022 18 SEALED JOINT APPENDIX VOLUME(S) (court access) by Patrick Fitzgerald Clemons . Digital media exhibit volume? No. Filed Ex parte: N. [1001176790] [22-4152] Elizabeth Franklin-Best [Entered: 06/13/2022 03:06 PM]

- 06/13/2022 [19](#) CERTIFICATE OF CONFIDENTIALITY (Local Rule 25(c)) by Patrick Fitzgerald Clemons. Sealing Required: Yes. Description of document referenced by certificate: Sealed Joint Appendix Volume 2. [1001176798] [22-4152] Elizabeth Franklin-Best [Entered: 06/13/2022 03:12 PM]
2 pg, 117.04 KB
- 06/13/2022 [20](#) ORDER filed sealing Joint appendix volume II. Copies to all parties. [1001176806] [22-4152] NRS [Entered: 06/13/2022 03:18 PM]
1 pg, 53.07 KB
- 07/06/2022 [21](#) MOTION by US to extend filing time for until August 6, 2022.. Date and method of service: 07/06/2022 ecf. [1001189107] [22-4152] Kathleen Stoughton [Entered: 07/06/2022 03:28 PM]
2 pg, 156.32 KB
- 07/06/2022 [22](#) ORDER filed granting motion to extend filing time [\[21\]](#). Number of days granted: 30. Response brief due 08/08/2022. Paper copy requirements are temporarily suspended unless the case is under pre-argument review or being scheduled for argument, in which case a total of four paper copies of formal briefs and appendices are required. Copies to all parties. [1001189238] [22-4152] NRS [Entered: 07/06/2022 04:23 PM]
1 pg, 55.33 KB
- 08/03/2022 [23](#) MOTION by US to extend filing time for response brief until August 15, 2022.. Date and method of service: 08/03/2022 ecf. [1001205678] [22-4152] Kathleen Stoughton [Entered: 08/03/2022 02:24 PM]
2 pg, 156.33 KB
- 08/03/2022 [24](#) MOTION by US file supplemental appendix.. Date and method of service: 08/03/2022 ecf. [1001205679] [22-4152] Kathleen Stoughton [Entered: 08/03/2022 02:25 PM]
3 pg, 158.41 KB
- 08/03/2022 [25](#) ORDER filed granting motion to file supplemental appendix [\[24\]](#). Supplemental Appendix due 08/15/2022. No paper copies required unless case has been tentatively calendared or copies otherwise ordered. Copies to all parties. [1001205763] [22-4152] NRS [Entered: 08/03/2022 03:31 PM]
1 pg, 54.72 KB
- 08/03/2022 [26](#) ORDER filed granting motion to extend filing time [\[23\]](#). Number of days granted: 7. Response brief due 08/15/2022. No paper copies required unless case has been tentatively calendared or copies otherwise ordered. Copies to all parties. [1001205830] [22-4152] NRS [Entered: 08/03/2022 04:16 PM]
1 pg, 54.94 KB
- 08/15/2022 [27](#) MOTION by US to extend filing time for response brief until August 29, 2022.. Date and method of service: 08/15/2022 ecf. [1001211820] [22-4152] Kathleen Stoughton [Entered: 08/15/2022 11:39 AM]
2 pg, 152.62 KB
- 08/15/2022 [28](#) ORDER filed granting motion to extend filing time [\[27\]](#). Number of days granted: 14. Response brief due 08/29/2022. No paper copies required unless case has been tentatively calendared or copies otherwise ordered. Copies to all parties. [1001211883] [22-4152] NRS [Entered: 08/15/2022 12:21 PM]
1 pg, 54.85 KB
- 08/15/2022 [29](#) SUPPLEMENTAL APPENDIX by US. Digital media exhibit volume? No. [1001211950] [22-4152] Kathleen Stoughton [Entered: 08/15/2022 01:07 PM]
11 pg, 3.58 MB
- 08/29/2022 [30](#) Joint MOTION by US for certification of question to state court. Date and method of service: 08/29/2022 ecf. [1001220463] [22-4152] Kathleen Stoughton [Entered: 08/29/2022 03:40 PM]
5 pg, 207.33 KB
- 08/29/2022 [31](#) MOTION by US to suspend Briefing Order. Date and method of service: 08/29/2022 ecf. [1001220467] [22-4152] Kathleen Stoughton [Entered: 08/29/2022 03:42 PM]
2 pg, 163.14 KB
- 08/30/2022 [32](#) ORDER filed granting motion to suspend [\[31\]](#). Copies to all parties. [1001220975]

1 pg, 51.98 KB

[22-4152] NRS [Entered: 08/30/2022 11:05 AM]

10/03/2022



[33](#)

5 pg, 240.2 KB

OPINION/ORDER CERTIFYING QUESTION to state court in South Carolina. Motion disposition in opinion--granting motion to certify question to state court [\[30\]](#). District Court Originating case number: 8:21-cr-00167-HMH-1. Copies to all parties and district court. [1001240941] [22-4152] NRS [Entered: 10/03/2022 03:53 PM]

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