

RECEIVED

Jul 17 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Daniel D. Hall, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JAMES J. PATTERSON, III

APPELLANT

APPELLATE CASE NO. 2023-001474

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for James J. Patterson respectfully requests a thirty (30) day extension from July 17, 2024, until August 16, 2024, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.
2. Counsel plans to file the Initial Brief of Respondent and Designation of Matter in the case of The State v. Anijah Yarnell with this Court on or before April 19, 2024. Counsel

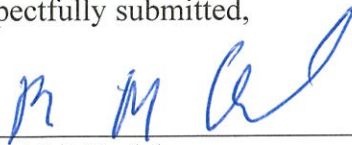
filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Antonio Anderson in which a self-defense instruction was the issues with this Court on Friday, July 12, 2024. Counsel was a faculty trainer specializing in preserving trial issues for appeal at the PD 103 CLE seminar at the Greenville County Courthouse from July 1-3, 2024. Counsel filed the three issue Petition for Writ of Certiorari and Appendix in the case of Christopher Moore v. The State with the Supreme Court on Friday, June 28, 2024. Counsel presented on the Case Law Update at the Indigent Defense CLE on June 21, 2024, in Columbia. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of Shana Robinson v. The State with the Supreme Court on June 10, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Cory Allen v. The State with the Supreme Court on June 6, 2024. **Counsel also has extensive administrative duties as the Chief Appellate Defender. These duties include the task of hiring two more Appellate Defenders after Appellate Defender Breen Stevens accepted another position.**

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

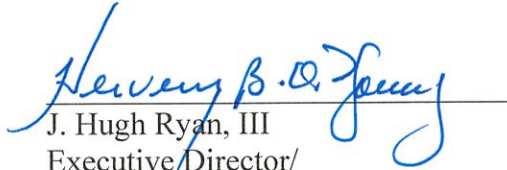
4. On June 26, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from July 17, 2024, until August 16, 2024. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 17th day of July, 2024.

RECEIVED

Jul 17 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Daniel D. Hall, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

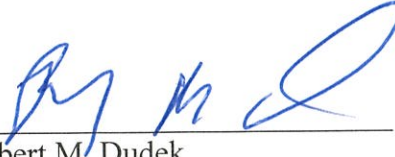
JAMES J. PATTERSON, III

APPELLANT

APPELLATE CASE NO. 2023-001474

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 17th day of July, 2024.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Dudek, Robert](#)
Subject: 2023-001474 The State v. James J. Patterson, III - Third Motion for Extension
Date: Wednesday, July 17, 2024 1:38:00 PM
Attachments: [2023-001474 The State v. James J. Patterson, III - Third Motion for Extension.pdf](#)

Good Afternoon,

Attached for service in the above-referenced case is the Third Motion for Extension in which to serve and file the initial brief of appellant and designation of matter. This extension will be filed today, July 17, 2024, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
1330 Lady Street, Suite 401
PO Box 11589
Columbia, SC 29201-1589
(803) 734-1330 – Telephone
(803) 734-1397 - Fax