

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chester County
Honorable Brian M. Gibbons, Circuit Court Judge
Appellate Case No. 2024-001930

THE STATE,

Respondent,

vs.

JASON CONNELL PALMER,

Appellant.

**MOTION TO SERVE AND FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER OUT OF TIME**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter in the above-referenced criminal appeal were due to be served and filed on January 14, 2026, and the undersigned counsel for the State fully intended to serve and file that brief on the day of the filing deadline. However, due to some unexpected matters and other issues, the undersigned counsel was unfortunately not able to complete the State’s brief in time to file and serve it on the date it was due to be served and filed. Significantly though, the Initial Brief of Respondent and Designation of Matter have now been completed, and the State is contemporaneously serving and filing those

documents at the same time the State is filing this motion on today's date, Thursday, January 15, 2026.

II.

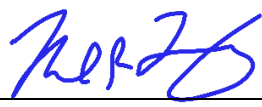
The State respectfully asks this Court to relax the requirements of Rule 208(a) and Rule 209(a) of the South Carolina Appellate Court Rules and permit the State to file the Initial Brief of Respondent and Designation of Matter in this criminal appeal out of time one day after the date of the filing deadline. See Rule 263(b), SCACR ("The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rule 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof."). The undersigned counsel sincerely apologizes for any inconvenience this request has caused to the Court, the appellant, and opposing counsel, and the undersigned counsel submits he does not believe this request will result in any prejudice to the appellant should it be granted.

WHEREFORE, Respondent prays the Court relax the requirements of Rule 208(a) and Rule 209(a) of the South Carolina Appellate Court Rules; permit Respondent to file and serve the Initial Brief of Respondent and Designation of Matter one day out of time; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Deputy Attorney General

By: 

Mark R. Farthing
S.C. Bar Number 76901

January 15, 2026

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SC Court of Appeals

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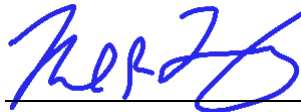
Appellant.

PROOF OF SERVICE

I, Mark R. Farthing, certify I have served the within Motion to Serve and File Initial Brief of Respondent and Designation of Matter Out of Time on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

Jessica M. Saxon, Esquire
S.C. Commission on Indigent Defense
Post Office Box 11589
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.
This 15th day of January, 2026.



MARK R. FARTHING
Senior Assistant Deputy Attorney General
Office of the Attorney General