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Jan 21 2026

SC Court of Appeals

JAMES JOSEPH PATTERSON
#368709 F3B. RM. 230
EVANS C.I. 610 HWY. 9 WEST
BENNETTSVILLE, S.C. 29512

IN RE: CASE NO. 2023--001474 GIVING ALL PARTIES NOTICE OF THE APPLICANT SEEKING THAT THE STATE APPOINTED ATTORNEY FILE MOTION TO WITHDRAW THE APPEAL UNDER THIS CASE.

TO: S.C. COURT OF APPEALS,
THE S.C. ATTORNEY GENERAL,
ATTORNEY MOLLEY KEEGAN OF THE SOUTH CAROLINA APPELLATE DEFENSE OFFICE ET. AL.,

THIS LETTER IS BEING SERVED DIRECTLY ON YOU ATTORNEY KEEGAN AND THE S.C. COMMISSION ON INDIGENT DEFENSE AND INVOLVED PARTIES TO INFORM YOU OF MY SINCERE DESIRE TO WITHDRAW THE APPEAL WITHIN THE CASE CAPTIONED ABOVE AS IS MY DUE PROCESS RIGHTS. THIS CASE HAS SAT BEFORE THE COURT FOR ABOUT THREE YEARS NOW SUBJECTING THE APPELLANT TO UNNECESSARY DELAY IN HAVING HIS DUE PROCESS MATTERS HEARD. THE AVERAGE TIME FOR AN APPEAL TO BE HEARD IS ABOUT A YEAR AND A HALF UNTIL TWO YEARS. THE COURT'S DELAY IN RULING WITHIN THESE MATTERS IS GOING ON THREE YEARS NOW. THE APPELLANT SEEKS THAT YOU, ATTORNEY KEEGAN, IMMEDIATELY FILE MOTION TO WITHDRAW THE APPEAL TO ALLOW ME TO PURSUE A MORE EXPEDIENT REMEDY OF HAVING THE APPELLANT'S DUE PROCESS MATTERS HEARD THROUGH THE FILING OF POST CONVICTION RELIEF APPLICATION. THE APPELLANT SEEKS THIS ALSO BECAUSE THERE ARE CLEAR JURISDICTIONAL ISSUES THAT HE SEEKS TO HAVE ADDRESSED THAT WAS NOT PROPERLY PRESERVED DURING THE TRIAL PROCESS THAT CANNOT BE WAIVED, CAN BE RAISED AT ANY TIME, AT ANY STAGE, EVEN FOR THE FIRST TIME ON APPEAL, EVEN IF THERE WAS A FINAL JUDGMENT ENTERED

WITHIN THE TRIAL COURT. THEREFORE, IT IS APPROPRIATE TO SEEK TO WITHDRAW THIS APPEAL UNDER THESE CIRCUMSTANCES.

PURSUANT TO RULES OF APPELLATE PROCEDURE, RULE 260(b) PROVIDE:

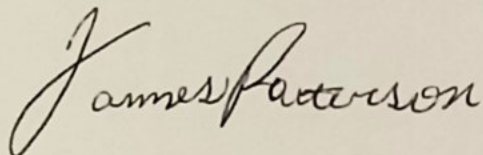
"AGREED DISMISSAL: AN APPELLATE COURT MAY ISSUE A DISMISSAL ORDER IF ALL PARTIES SIGN A FILED AGREEMENT TO DISMISS. A MOTION IS GENERALLY NOT NEEDED UNLESS SPECIFIC ACTIONS ARE REQUESTED SUCH AS ALTERING COSTS, APPROVING A SETTLEMENT, MODIFYING RULES, OR VACATING A PRIOR ORDER OR JUDGMENT."

(c) **WITHDRAWAL:** "AN APPEAL OR PROCEEDING CAN BE DISMISSED UPON THE APPELLANT OR PETITIONER'S MOTION, SUBJECT TO THE TERMS SET BY THE COURT. SINCE THERE IS NO HYBRID DEFENSE IN SOUTH CAROLINA, THIS REQUIRES THAT THE APPELLANT DEFENSE OFFICE IMMEDIATELY FILE THE MOTION UPON REQUEST OF THE APPELLANT, WHICH THIS DOCUMENT IS SERVED ON THE INDIGENT DEFENSE OFFICE AND ALL PARTIES TO ENSURE THAT THE RIGHT IS PRESERVED AND THIS IS DONE. THIS IS FULL NOTICE TO THE S.C. COURT OF APPEALS AND THE S.C. ATTORNEY GENERAL OF MY DESIRE TO DO SO AS WELL, SPRING VALLEY INTERESTS, LLC. v. THE BEST FOR LAST, LLC., -- S.E.2d.--, 2026 WL 45017(S.C.App.2026)(THIS CASE AFFIRMS THE S.C. SUPREME COURT'S AUTHORITY TO REVIEW AND REVERSE LOWER COURT DECISION, EVEN WHEN A PARTY HOLDS A POSITION THAT MIGHT OTHERWISE END THE LITIGATION); ORDER RE: AMENDMENTS TO RULE 607, SOUTH CAROLINA APPELLATE COURT RULES. ORDER NUMBER: NO. 2025-000807 (THIS ADMINISTRATIVE ORDER DEMONSTRATES THE SUPREME COURT'S ONGOING REGULATION OF APPELLATE PROCEDURES AND COST--THE SAME REGULATORY AUTHORITY IT USES TO SET "TERMS" VOLUNTARY WITHDRAWAL UNDER RULE 260(c)); BRIGHT v. BRIGHT, S.E.Rptr., 2025 WL 3678919 (S.C.App.2025)(SEEKING OF MOTION TO DISMISS SHALL AUTOMATICALLY STAY THE TIME FOR PERFECTING THE APPEAL UNTIL THE MOTION IS DECIDED); UNITED STATES v. LAMBORN, 159 F.4TH. 230 (4th.Cir.2025); UNITED STATES OF AMERICA v. FREITEKH, 114 F.4TH. 292 (4th.Cir.2024); DAVIS v. S.C. DEPT. OF CORRECTIONS, 444 S.C. 138, 906 S.E.2d. 569(S.C.APP.2024). THE APPELLANT SEEKS THAT THE STATE APPOINTED

COUNSEL FILE MOTION TO WITHDRAW THE ABOVE CAPTIONED APPEAL TO
ALLOW HIM TO MOVE TO THE POST CONVICTION PROCESS AS HIS DUE
PROCESS RIGHTS WOULD PERMIT.

RESPECTFULLY,

JAMES J. PATTERSON

A handwritten signature in cursive script that reads "James Patterson". The signature is written in black ink and is positioned below the typed name.

JANUARY 18, 2026

CC: ATTORNEY MOLLY KEEGAN
THE S.C. COURT OF APPEALS
THE S.C. ATTORNEY GENERAL
JAMES JOSEPH PATTERSON III