

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.

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JAN 27 2026

SC Court of Appeals

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

*James Patterson*

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JANUARY 18, 2026

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

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SC Court of Appeals

THE S.C. COURT OF APPEALS  
P.O. BOX 11629  
COLUMBIA, S.C. 29211

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