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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Appellate Case No. 2025-002565

James S. Patton, Appellant,

v.

State of South Carolina Respondent.

MOTION FOR EXTENSION OF TIME

This matter is before the Court on the undersigned Counsel's Motion for Extension of Time to file the Initial Brief of Appellant and Designation of Matter in the above-captioned case.

The Initial Brief of Appellant and Designation of Matter are due on **April 1, 2026**.

I respectfully request a thirty (30) day extension of time to serve and file the Initial Brief of Appellant and Designation of Matter. This is Counsel's **first** request for an extension of time and is not intended for purposes of delay as it is reasonable and necessary due to Counsel's heavy workload and to ensure the brief is properly researched and prepared prior to filing.

On April 1, 2026, Counsel had a federal pre-trial status conference hearing in US District Court in Charleston, SC. On March 31, 2026, Counsel filed a Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of *State v. Rita Pangalangan* in the SC Supreme Court. On March 26, 2026, Counsel had three second appearances in Richland County General Sessions Court. Counsel also had court in Lexington Magistrate Court. On March 25, 2026, Counsel had a

preliminary hearing at Irmo Municipal Court. On March 24, 2006, Counsel had a plea hearing and a motion hearing in Richland County General Sessions Court. On March 18, Counsel had a hearing at the Office of Motor Vehicles Hearings. On March 13, 2026, Counsel filed a Motion to Alter or Amend Judgment Pursuant to Rule 59(e), SCRCF in the Beaufort County Court of Common Pleas. On March 9-12, 2026, Counsel had a murder trial in Aiken County General Sessions Court. On March 12, 2026, Counsel also filed a Reply to Initial Brief of Respondent and a Return to Respondent's Motion to Dismiss in the case of *James S. Patton v. Kera R. Selzer and Dustin S. Selzer* with this court. On March 5, 2026, Counsel had two hearings at West Columbia Municipal Court. On March 4, 2026, Counsel had a pardon hearing before the SC Department of Probation, Parole, and Pardon Services. On March 4, 2026, Counsel had a hearing in Lexington Magistrate Court. On March 3, 2026, Counsel had a post-conviction relief hearing in Newberry County Court of Common Pleas. On March 2, 2026, Counsel filed a Petition for Writ of Certiorari in the case of *State v. Ernest Bethel* with the SC Supreme Court.

THEREFORE, Appellant respectfully requests a **thirty (30) day extension** for the service and filing of the Initial Brief of Appellant and Designation of Matter in this case.

Respectfully Submitted,

s/ Dayne C. Phillips
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ATTORNEY FOR APPELLANT

April 1, 2026

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State of South Carolina

Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the within and foregoing Motion for Extension of Time by emailing and depositing a true and correct copy of the same via first-class mail, postage prepaid, upon all parties as follows:

Mark Farthing, Esq., SC Attorney General's Office, PO Box 11549, Columbia, SC 29211



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April 1, 2026

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April 1, 2026

The Honorable Jenny Kitchings
Clerk of Court, SC Court of Appeal
1220 Senate Street
Columbia, SC 29201

Re: James S. Patton v. State of South Carolina
MOTION FOR EXTENSION OF TIME
Case No.: 2025-002565

Dear Ms. Kitchings:

I have enclosed the original Motion for Extension of Time, along with a Certificate of Service that I also emailed for filing today in the above-referenced case. Thank you for your assistance with filing this document.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

cc: **James Patton**
Mark Farthing, Esq.

s/ Dayne C. Phillips
Dayne C. Phillips, Esq.

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