

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
Hon. Grace Gilcrest-Knie, Circuit Court Judge

Lower Court Case No. 2025-CP-42-03614
Appellate Court Case No. 2026-001039

John Garvin. Appellant,

v.

The State of South Carolina and Asst. Solicitor, James E. Hunter. Appellee.

MOTION FOR EXTENSION OF TIME TO PAY FILING FEE

NOW COMES, the Appellant, John Garvin, proceeding as pro se, and respectfully moves this Court for a short extension of time to pay the \$250 filing fee in this matter. In support thereof, Appellant states as follows:

1. This Court issued an Order requiring Appellant to pay the \$250 filing fee by September 25, 2026. Failure to pay by that date would result in dismissal of the appeal.
2. Appellant is indigent and incarcerated. He does not have the funds to pay the filing fee himself.
3. A third party, acting on Appellant's behalf, obtained a money order in the amount of \$250.00 payable to the South Carolina Court of Appeals. The money order was mailed via United States Postal Service on September 19, 2026.
4. The money order was expected to be delivered to the Court by September 23, 2026.¹ However, as of the date of this motion, it appears the payment has not yet been received by the Clerk's Office.
5. The delay in delivery is not due to any fault of Appellant. He has taken all steps within his power to ensure the fee was paid in a timely manner. The payment is currently in transit and should arrive at the Court within a short time.

¹ The USPS Tracking №: 9589-0710-5270-3939-3279-55

6. Appellant respectfully requests a brief extension of time—not to exceed fourteen (14) days—to allow the money order to be delivered and processed by the Clerk's Office.
7. Appellant submits that a short extension will not prejudice Respondent. Respondent has not yet filed its brief, and no deadlines have been affected by this brief delay.
8. Appellant has made a good-faith effort to comply with the Court's Order. A dismissal of his appeal for a delay of a few days in the mail would deprive him of his day in court on a matter of significant constitutional importance.

WHEREFORE, Appellant respectfully requests that this Court:

1. Grant a brief extension of time, not to exceed fourteen (14) days, for the filing fee to be received and processed;
2. Accept the money order mailed on September 19, 2026, as timely payment; and
3. Grant such other and further relief as the Court deems just and proper.

Dated: September 25, 2026

 Respectfully Submitted,

John Garvin, # 355509, Pro-se
Ridgeland Correctional Institution
P.O. Box # 2039
Ridgeland, S.C. 29936

RECEIVED

Sep 25 2026

SC Court of Appeals

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**APPEAL FROM SPARTANBURG COUNTY
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John Garvin. Appellant,

v.

The State of South Carolina and Asst. Solicitor, James E. Hunter. Appellee.

CERTIFICATE OF SERVICE

I, John Garvin, certify that I have serve a **MOTION FOR EXTENSION OF TIME TO PAY FILING FEE**, on the Court to be delivered, by via e-mail on September 25, 2026, addressed to the Hon. Jenny A. Kitching, Clerk of S.C. Court of Appeals, at e-mail: ctappfilings@sccourts.org and also delivering to Appellee a copy by depositing in the United States Mailbox to be delivered via United States First Class Postage Priority Mail on or about September 29, 2026, addressed to Mr. J. Nathan Ozmint, Esq., at 325 Rocky Slope Road, Suite # 201, Greenville, S.C. 29607.

Dated: September 25, 2026

Respectfully Submitted,



**John Garvin, # 355509, Pro-se
Ridgeland Correctional Institution
P.O. Box # 2039
Ridgeland, S.C., 29936**

John Garvin
Ridgeland Correctional Institution
P.O. Box # 2039
Ridgeland, S.C. 29936

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SC Court of Appeals

Attn: Hon. Jenny A. Kitching, Clerk
South Carolina Court of Appeals Clerk's Office
P.O. Box # 11629
Columbia, S.C. 29211

RE: *Garvin v. State of South Carolina and Asst. Solicitor, James E. Hunter,*
Appellate Case No.: 2026-001039, Motion for Extension of Time to File Filing Fee

Dear Hon. Clerk Kitching:

Attached to this letter is Appellant's **Motion for Extension of Time to File Filing Fee**. Please file this Motion and return a filed clocked-stamped copy to Appellant.

By copy of this letter, I am serving Mr. J. Nathan Ozmint, Esquire, with a copy of the above-mentioned documents by United States Postal Service Mail.

Dated: September 25, 2026

Respectfully,


John Garvin, # 355509, Pro-se

JG/lg
cc: J. Nathan Ozmint, Esquire (via Mail & E-mail)