The Supreme Court of South Carolina

Patrick Chase Massey, Petitioner,

v.

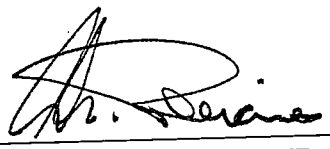
State of South Carolina, Respondent.

Appellate Case No. 2016-000052

ORDER

Petitioner seeks a sixty (60) day extension to file his *pro se* response to the *Johnson v. State*[1] petition submitted by this counsel. He indicates that he has made requests for additional documents to substantiate his arguments but has not received those documents.

The appendix before this Court cannot include documents which were not before the post-conviction (PCR) judge. Rule 243(f) of the South Carolina Appellate Court Rules; *Jamison v. State*, 410 S.C. 456, 765 S.E.2d 123 (2014) ("the appendix shall include only matter that was presented to the PCR court"). Since it does not appear that the documents petitioner has requested were before the PCR judge, the request for a sixty (60) day extension is denied. The time to file the *pro se* response is, however, extended to October 7, 2016.



C.J.

FOR THE COURT

Columbia, South Carolina
September 13, 2016

cc: Karen Christine Ratigan, Esquire
Robert M. Pachak, Esquire
Mr. Patrick Chase Massey

[1] *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988).