

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 needs this additional time to obtain documents he has requested to substantiate his claims.

As indicated in this Court's prior order of September 13, 2016, 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.

Any *pro se* response under *Johnson* shall be filed by November 4, 2016. No further extensions will be granted to file the *pro se* response.



A handwritten signature in black ink, appearing to be "C.J.", written over a horizontal line.

C.J.

FOR THE COURT

Columbia, South Carolina
October 19, 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).