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Jan 05 2024

SC Court of Appeals

Dalton B. Floyd, Jr.* | Collin R. Jewell | T. Jarrett Bouchette ^
Patricia H. Anderson | Jonny McCoy • | Fatjon Cake | Marissa N. Drost | Bradley A. Floyd •

January 5, 2024

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The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: The State v. Ismail O. Dickerson
Case No. 2023-001731

Dear Ms. Kitchings:

Please allow this letter to confirm that our office is in receipt of the letter from this Court dated January 4, 2024. After advising Judge Culbertson of our discovery that Mr. Dickerson had *pro se* filed his Notice of Appeal with this Court, he felt it best to wait until the instant appeal was dismissed before hearing our Motion for New Trial, to ensure there would be no issues. The Form 4 Order signed on December 7, 2023, continued the scheduled hearing. As such, there has been no ruling on the merits of our Motion for New Trial as the trial court is awaiting action from this Court. The hearing has since been rescheduled for January 18, 2024, though I believe we might run into the same issue.

We would respectfully request that the instant appeal be dismissed without prejudice pending the outcome of the post-trial motion, pursuant to *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986).

Thank you for your cooperation and assistance in this matter. Should you have any additional questions, or require additional information, please let us know.

Very truly yours,

Marissa N. Drost, Esq.

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cc: Office of the Attorney General
Ismail O. Dickerson, 00271978
Dylan Bagnal, Esq.
George DeBusk, Esq.
Robert Dudek, Esq.

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions

Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2023-001731

The State,

Respondent,

v.

Ismail O. Dickerson

Appellant.

CERTIFICATE OF SERVICE

I certify that I have served a copy of the letter advising the Court of Appeals of the status of Appellant's post-trial motion on January 5, 2024, addressed to Counsel of Record for Respondent via email to mbrown@scag.gov.



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January 5, 2024