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Feb 26 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Abbeville County  
Honorable Frank R. Addy, Jr., Circuit Court Judge  
Appellate Case No. 2023-001865

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THE STATE,

Appellant,

vs.

TRAVIS ARNETT LEE,

Respondent.

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**MOTION TO WITHDRAW APPEAL**

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Appellant (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

A notice of appeal was served and filed by the State in State v. Travis Arnett Lee on December 1, 2023. At present, the State’s appeal in this matter is currently pending before this Court.

**II.**

Upon further review of all relevant materials, the State has elected not to proceed forward with its appeal in this case. Accordingly, pursuant to Rule 260(c) of the South Carolina Appellate Court Rules, the State moves to withdraw its notice of appeal and asks this Court to dismiss the appeal and remand the case to the circuit court. See Rule 260(c), SCACR (“An


appeal or other proceeding may be dismissed on motion of the appellant or petitioner upon such terms as may be fixed by the court.”).

**WHEREFORE**, Appellant prays the Court allow the State to withdraw its previously-filed notice of appeal; dismiss this appeal; remand the matter to the circuit court; and grant such other and further relief as the Court may deem just and proper

Respectfully submitted,

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Senior Assistant Deputy Attorney General

By:   
\_\_\_\_\_  
Mark R. Farthing  
S.C. Bar Number 76901

ATTORNEYS FOR APPELLANT

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**PROOF OF SERVICE**

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I, Caroline Collins, certify I have served the within Motion to Withdraw Appeal on Respondent by sending an electronic copy via email to the addresses listed in AIS for the following individuals:

Robert Jamison Tinsley, Jr., Esq.  
109 Oak Avenue  
Greenwood, South Carolina 29646

Robert M. Dudek, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, South Carolina 29211

I further certify all parties required by Rule to be served have been served.  
This 26th day of February, 2024.



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CAROLINE COLLINS  
Administrative Coordinator  
Office of the Attorney General