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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

The Honorable Deadra L. Jefferson, Circuit Court Judge

Case No.: 2017-GS-08-792, 793, 794, 795, 796, 797 & 798

State of South Carolina..... Respondent

v.

Jacob M. Mouzon.....Appellant/ Defendant

NOTICE OF BELATED APPEAL

Jacob M. Mouzon appeals his convictions and sentences entered on August 31, 2018 imposed by the Honorable Deadra L. Jefferson for Burglary 1st; Murder; Attempted Murder; Two counts of Armed Robbery; Two counts of Kidnapping; & Two counts of Possession of Weapon during a Violent Crime The Honorable R. Ferrell Cothran, Jr. issued the attached order signed on March 18, 2024 allowing Appellant/ Defendant to file a belated appeal.

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August 16, 2024

Charleston, SC 294

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF BERKELEY)	
)	Case No.: 2014-CP-07-01759
Jacob M. Mouzon, #379661,)	
)	
Applicant,)	ORDER GRANTING BELATED
)	APPELLATE REVIEW AND
v.)	DISMISSAL WITHOUT PREJUDICE OF
)	ALL REMAINING CLAIMS
State of South Carolina,)	
)	
Respondent.)	

This matter came before the Court on April 5, 2022 via virtual courtroom pursuant to applicant's application for post conviction relief. Samantha J. Widener, Esq. appeared on behalf of the state and Christopher L. Murphy, Esq. represented the applicant.

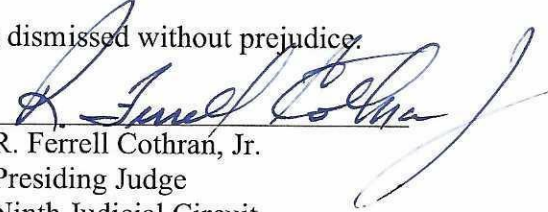
After his convictions in Berkeley County, Judge Jefferson sentenced Applicant to concurrent sentences as follows: Burglary 1st - 15 years; Murder - 40 years; Attempted Murder - 30 years; Two counts of Armed Robbery - 20 years each; Two counts of Kidnaping - 20 years each; & Two counts of Possession of Weapon during a Violent Crime - 5 years each.

Applicant's trial counsel passed away after the convictions and thus never filed a direct appeal. Applicant now moves for a belated appeal and asks the court to dismiss his PCR application without prejudice as being premature. The state argued the Court should allow the belated direct appeal but that the Court should proceed with the PCR hearing as to the trial.

After considering the arguments from both parties, the Court grants applicant's motion for a belated direct appeal. Once the applicant exhausts the direct appeal process, the applicant will have the right to bring a PCR application. Since we do not know the outcome of the direct appeal, it makes little sense break up the matter and force the courts to deal with multiple appeals on the same issue. If the applicant prevails on his direct appeal, the PCR action becomes

moot. Likewise, if the applicant is unsuccessful with the direct appeal, he can raise the issues of ineffective assistance of both trial counsel and appellate counsel at the same time.

Thus, IT IS ORDERED that applicant receive his belated direct appeal and that applicant's post conviction relief applicant be dismissed without prejudice.


R. Ferrell Cothran, Jr.
Presiding Judge
Ninth Judicial Circuit

March 18 2024