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**Apr 03 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Chester County  
Honorable J. Derham Cole, Circuit Court Judge  
Appellate Case No. 2021-001033

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THE STATE,

Respondent,

vs.

MICHAEL A. WILLIAMS,

Appellant.

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**MOTION TO DISMISS APPEAL  
DUE TO DEATH OF MICHAEL A. WILLIAMS**

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

**I.**

In June of 2020, Appellant, Michael A. Williams was indicted in June of 2020 for one count of Distribution of Cocaine Base, Second Offense. Appellant proceeded to a jury trial on September 7, 2021, in the Chester County Court of General Sessions before the Honorable J. Derham Cole. Following the verdict, the trial judge sentenced Williams to a term of imprisonment of fifteen years. Thereafter, Williams timely appealed his conviction and his appeal is currently scheduled for oral argument at the Court of Appeals on May 6, 2025 in Courtroom 1.

## II.

During the pendency of the appeal, undersigned counsel for the State received notice Williams passed away while incarcerated in a correctional facility, and, on April 3, 2025, the South Carolina Department of Correction provided confirmation of Williams's death.<sup>1</sup> As a result of Williams's death, Williams's appeal from his conviction is now moot. See Sloan v. Greenville Cty., 380 S.C. 528, 535, 670 S.E.2d 663, 667 (Ct. App. 2009) ("An appellate court will not pass judgment on moot and academic questions; it will not adjudicate a matter when no actual controversy capable of specific relief exists. A case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy. Mootness also arises when some event occurs making it impossible for the reviewing court to grant effectual relief." (citations omitted)). Accordingly, the State respectfully moves for this Court to dismiss Williams's appeal as resolution of the appeal is no longer necessary in light of his death. See State v. Anderson, 281 S.C. 198, 199, 314 S.E.2d 597, 597 (1984) (holding a criminal defendant's death prior to the conclusion of an appeal constitutes grounds for dismissal); cf. State v. Miller, 409 S.C. 312, 312, 762 S.E.2d 394, 394-395 (2014) (dismissing an appeal as moot subsequent to the death of Miller during the pendency of the appeal).

**WHEREFORE**, Respondent prays this Court will dismiss the Appellant's appeal in the case of State v. Michael A. Williams, Appellate Case No. 2021-001033; and grant such other and further relief as the Court may deem just and proper.

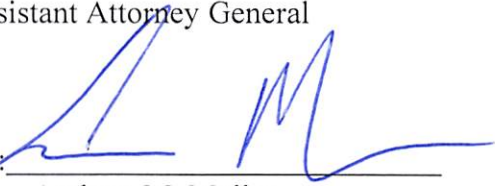
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<sup>1</sup> Although Williams's formal death certificate is currently not available, a copy of the correspondence confirming Williams's death is attached to the State's motion as Attachment "A."

Respectfully submitted,

ALAN WILSON  
Attorney General

AMBREE M. MULLER  
Assistant Attorney General

By: 

Ambree M. Muller

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

April 3, 2025

# **ATTACHMENT “A”**



**OFFICE OF GENERAL COUNSEL**

April 3, 2025

Mark R. Farthing, Esquire  
S.C. Attorney General's Office  
Post Office Box 11549  
Columbia, South Carolina 29211

**RE: Michael A. Williams, Former SCDC # 185491  
Indictment No. 2020-GS-12-00628**

Dear Mr. Farthing:

South Carolina Department of Corrections' records indicate that Michael A. Williams passed away on November 10, 2024. Mr. Williams' death certificate is still pending with vital records, but I will be happy to forward it to you when it becomes available.

Sincerely,

Christina C. Bigelow  
Deputy General Counsel  
South Carolina Department of Corrections

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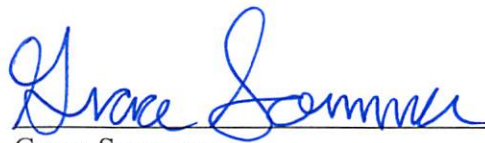
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**PROOF OF SERVICE**

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I, Grace Sommer, certify I have served the within Motion to Dismiss Appeal Due To Death of Michael A. Williams on Jessica M. Saxon, counsel of record for Appellant, by sending one copy by electronic mail to the address listed for counsel in AIS.

I further certify all parties required by Rule to be served have been served.  
This 3<sup>rd</sup> day of April, 2025.



Grace Sommer  
Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3835