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Jul 18 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Dorchester County

Diane S. Goodstein, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MATTHEW PAUL LANGER,

APPELLANT

APPELLATE CASE NO. 2025-000301

MOTION TO DISMISS APPEAL
WITHOUT PREJUDICE

The undersigned counsel respectfully requests this Court dismiss the above referenced appeal **without prejudice**. In support of this motion counsel submits the following:

1. Appellant appeared before the Honorable Diane S. Goodstein on February 3 and 5, 2025, and pled under waiver of indictment. Appellant pled pursuant to *North Carolina v. Alford*, 400 U.S. 25 (1970), to second-degree burglary and pled guilty to resisting arrest. Jamie Menarde of the First Circuit Public Defender's Office represented appellant, and assistant solicitor Amy Saukas represented the state.
2. On February 5, 2025, appellant was sentenced by Judge Goodstein to ten years, suspended on the service of two years imprisonment and probation for three years, with special

conditions, including: substance abuse counseling, random drug and alcohol testing, mental health counseling, vocational rehabilitation, and no contact with the complainants. Judge Goodstein also imposed a Permanent Restraining Order (“PRO”) against appellant’s minor children and their mother.

3. On February 7, 2025, defense counsel Menarde filed a Motion for Reconsideration with the trial court, seeking reconsideration of a portion of appellant’s sentence, specifically the inclusion of appellant’s minor children on a PRO. *See* Exhibit A (Motion for Reconsideration filed February 7, 2025).

4. On February 19, 2025, this Court received appellant’s timely filed Notice of Appeal, which was dated February 6, 2025, seeking to appeal a portion of appellant’s sentence.

5. A Rule 203(d)(1)(B)(iv) explanation accompanied appellant’s notice of appeal. Defense counsel Menarde explained that appellant sought to appeal the trial court’s imposition of a PRO, which named his minor children.

6. Upon information and belief, the February 7, 2025, Motion for Reconsideration has not been ruled upon. Therefore, the post-trial motion is still pending.

Based on the above showing, undersigned counsel respectfully requests this Court dismiss appellant’s current appeal **without prejudice** to allow Judge Goodstein to rule on appellant’s post-trial motion for reconsideration. Once Judge Goodstein has ruled upon appellant’s post-trial motion, appellant may then refile a notice of appeal with this Court and go forward with his direct appeal at that time. While this motion is pending, counsel respectfully requests this Court hold the timelines for filing his initial brief of appellant and designation of matter in abeyance.

Respectfully submitted,



Molly M. Keegan
Appellate Defender

ATTORNEY FOR APPELLANT

This 18 day of July, 2025

EXHIBIT A

FILED-RECORDED 20
02-07-2025
Cheryl Graham
Clerk of Court

2024 - 437
EXHIBIT A

| | | |
|-----------------------------|---|---|
| STATE OF SOUTH CAROLINA |) | THE COURT OF GENERAL SESSIONS |
| COUNTY OF DORCHESTER |) | THE FIRST JUDICIAL CIRCUIT |
| STATE OF SOUTH CAROLINA |) | INDICTMENT NO.: 2024a1820500558; |
| Plaintiff, |) | 20242690313635 Burglary (Violent) |
| |) | (after 06/20/85) Second Degree; |
| |) | Resisting Arrest; Oppose Or Resist |
| |) | Law Enforcement Officer Serving |
| |) | Process Or Making Arrest |
| |) | |
| |) | |
| v. |) | |
| |) | |
| MATTHEW PAUL LANGER, |) | MOTION FOR RECONSIDERATION |
| Defendant. |) | |

Defendant, by and through his undersigned attorney, moves this Honorable Court to reconsider a portion of its sentence, to wit the inclusion of Defendant's minor children on a Permanent Restraining Order, imposed by the Honorable Diane Goodstein on February 5, 2025.

Respectfully submitted,

Jamie L. Menarde
 Jamie L. Menarde
 Assistant Public Defender
 1452 Boone Hill Road, Suite B
 Summerville, SC 29483
 Attorney for Defendant
 (843) 821-9800

Summerville, South Carolina
 This day of February, 2025.

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to Dismiss Appeal Without Prejudice in the above referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Matthew Paul Langer, at his private residence via US Mail, this 18th day of July, 2025



Molly M. Keegan
Appellate Defender

ATTORNEY FOR APPELLANT

Warren, Kaylynn

From: Warren, Kaylynn
Sent: Friday, July 18, 2025 12:05 PM
To: Mark Farthing
Cc: Keegan, Molly; Caroline Collins
Subject: 2025-000301 The State v. Matthew Paul Langer
Attachments: 2025-000301 The State v. Matthew Paul Langer Motion to Dismiss Appeal Without Prejudice.pdf

Good Afternoon,

Attached for service in the above-referenced case is the Motion to Dismiss Appeal Without Prejudice which will be filed today, July 18, 2025, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330