

**RECEIVED**

**Jul 23 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Richland County

Honorable G.D. Morgan, Jr., Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

V.

DALE SMITH

APPELLANT

APPELLATE CASE NO. 2024-001014  
\_\_\_\_\_

**WITHDRAWAL OF MOTION TO DISMISS APPEAL  
WITHOUT PREJUDICE**  
\_\_\_\_\_

Undersigned counsel withdraws the motion to dismiss appeal without prejudice that she filed with the Court on July 23, 2025. Counsel in good faith believed that there was an outstanding motion to reconsider sentence. Upon speaking further with opposing counsel, Mark Farthing, counsel was made aware the motion to reconsider sentence was untimely made.

Respectfully submitted,



\_\_\_\_\_  
Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT

This 23<sup>rd</sup> day of July, 2025.

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THE STATE,

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V.

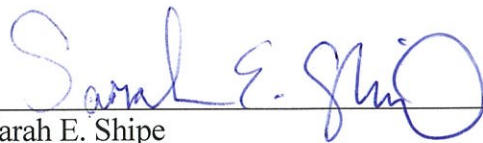
DALE SMITH

APPELLANT

APPELLATE CASE NO. 2024-001014  
\_\_\_\_\_

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 Hold in Abeyance in the above referenced case has been served on Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 23<sup>rd</sup> day of July, 2025.



\_\_\_\_\_  
Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT

## Leverett, Scott

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**From:** Leverett, Scott  
**Sent:** Wednesday, July 23, 2025 3:42 PM  
**To:** Mark Farthing  
**Cc:** Caroline Collins; Shipe, Sarah  
**Subject:** 2024-001014 - State v. Dale Smith - Withdrawal of Motion to Dismiss without Prejudice  
**Attachments:** 2024-001014 - State v. Dale Smith - Withdrawal of Motion to Dismiss without Prejudice.pdf

Dear Mr. Farthing,

Attached please find a copy of the Withdrawal of the Motion to Dismiss without Prejudice in the above referenced case that is being filed today with the Court of Appeals.

-Scott Leverett  
Admin. Asst. for Sarah Shipe  
Appellate Defense