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**Jan 16 2026**  
**SC Court of Appeals**

ALAN WILSON  
ATTORNEY GENERAL

January 16, 2026

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: State v. Darius Lamar Montgomery – Appellate Case No. 2025-002326

Dear Ms. Kitchings:

On January 13, 2026, this Court issued an order dismissing the above-referenced criminal appeal based on the failure of the appellant, Darius Lamar Montgomery, to order the transcript of the trial court proceedings as required. Earlier today, appellate counsel submitted a motion seeking for Montgomery's appeal to be reinstated. In seeking such relief, appellate counsel explained the transcript was only not ordered in a timely fashion due to an unfortunate misunderstanding and attempts are now currently underway to determine whether Montgomery qualifies for appointment of counsel on appeal. Please be advised that, under the circumstances involved, the State has no objections to Montgomery's appeal being reinstated. Thank you very much, and, if you have any questions or concerns or if a more formal return is needed, please do not hesitate to contact me.

Sincerely,

Mark R. Farthing  
Senior Assistant Deputy Attorney General  
S.C. Bar Number 76901

MRF/

cc: Wanda H. Carter, Esq. (via electronic mail)  
Lawrence W. Crane, Esq. (via electronic mail)  
Victim Advocacy Division