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Feb 04 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

Honorable Michael Nettles, Circuit Court Judge

Appellate Case No. 2025-002395

The State,

Respondent,

v.

Auquan A. J. Grier,

Appellant.

APPELLANT'S MOTION TO WITHDRAW APPEAL

COMES NOW Appellant Auquan A. Grier, through their undersigned counsel, who respectfully moves the court to withdraw his appeal under Appellate Case Number 2025-002395 pursuant to Rule 260, SCACR. Counsel has discussed and advised Appellant of all relevant information. Appellant knowingly, voluntarily, and intelligently wishes to withdraw his appeal, with the understanding that the appeal cannot be reinstated or refiled. Counsel has been directed by Appellant to effect said withdraw on his behalf as evidenced by the enclosed affidavit of Appellant dated January 30, 2026.

WHEREFORE, Appellant respectfully requests this Honorable Court to withdraw his appeal under Appellate Case No. 2025-002395 pursuant to Rule 260, SCACR.

Respectfully submitted,

URICCHIO, HOWE, KRELL,
JACOBSON, TOPOREK, & KEITH P.A.

s/ Alec Hall

Alexander Hall
Barry Krell
URICCHIO HOWE KRELL JACOBSON
TOPOREK & KEITH, P.A.
Post Office Box 399
Charleston, South Carolina 29402
(843) 723-7491
Attorneys for Appellant

February 4, 2026
Charleston, South Carolina

CC: Alan McCrory Wilson, Esquire
P.O. Box 11549
Columbia, SC 29221-1549

Mark Reynolds Farthing, Esquire
P.O. Box 11549
Columbia, SC 29221-1549

Kawohikukapulani Schaumburg Morris, Esquire
300-B California Ave,
Moncks Corner, SC 29461

Auquan A. J. Grier SCDC ID #00399449
4344 Broad River Road
Columbia, SC 29210

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Appellant.

AFFIDAVIT OF AUQUAN A. J. GRIER

Comes now, Appellant Auquan A. J. Grier, being duly sworn before me on this day, hereby declares under penalties of perjury do declare the following:

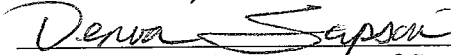
1. My name is Auquan Grier, and I understand my appeal is presently pending under Appellate Case Number 2025-002395.
2. I am currently incarcerated at Kirkland Correctional Institution in Richland County, South Carolina.
3. That I did not file my appeal personally, nor did I direct my attorney or any other legal representatives to file an appeal on my behalf.
4. I spoke with my attorney at length on December 31, 2025, via telephone, and during that call I directed my attorney to withdraw the appeal that was filed by someone on my behalf.
5. That on January 5, 2026, I requested to speak with my attorney again. During that call, I again directed my attorney to withdraw my pending appeal.

6. Now, in making this affidavit, I am directing my attorney in writing to withdraw my pending appeal under Appellate Case Number 2025-002395.
7. My attorney has informed me that once withdrawn, an appeal cannot be reinstated at a later date. I understand that by withdrawing my appeal, I will forever lose my right to appeal.
8. Knowing this information, I hereby I knowingly, intelligently, and voluntarily make the decision to withdraw my appeal. My signature below confirms that I wish for my attorney to withdraw my appeal with the South Carolina Court of Appeals under Appellate Case Number 2025-002395.
9. My attorney has my permission to file a copy of this affidavit alongside the Motion to Withdraw Appeal that I wish for them to file.
10. I make this decision knowingly, voluntarily, and intelligently, and with the knowledge that once withdrawn, I will not be able to reinstate my appeal nor file an appeal at a later date.
11. I request my attorneys to make a motion to withdraw the appeal to the Court as confirmed by my signature below.

FURTHER THE AFFIANT SAYETH NOT!


 AUQUAN A. GRIER

SWORN to before me this the 30th
 Day of January, 2026.


 Notary Public for the State of South Carolina
 My Commission Expires: 9-6-29

DENVA SIMPSON
 SOUTH CAROLINA NOTARY PUBLIC
 MY COMMISSION EXPIRES
 SEPTEMBER 6, 2029

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v.

Auquan A. J. Grier,

Appellant.

PROOF OF SERVICE OF MOTION TO WITHDRAW APPEAL

I certify that I have served the Motion for Withdraw on The State by depositing a copy of it in the United States Mail, postage prepaid, on February 4, 2026, addressed to its attorneys of record, Ms. Kawohi Schaumburg Morris, Esquire, at 300-B California Ave., Moncks Corner, South Carolina, 29461; to Mr. Mark Farthing, Esquire, and Mr. Alan Wilson, Esquire, at P.O. Box 11549, Columbia, South Carolina 29221-1549; and on Appellant Aquan A. J. Grier, at 4344 Broad River Road, Columbia, SC 29210.

URICCHIO HOWE KRELL JACOBSON
TOPOREK & KEITH, P.A.

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Attorney for Appellant

February 4, 2026
Charleston, South Carolina

URICCHIO, HOWE, KRELL, JACOBSON, TOPOREK, & KEITH, P.A.

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ALAN D. TOPOREK
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February 4, 2026

Via Electronic Mail: ctappfilings@sccourts.org

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

Re: The State v. Auquan Grier
Appellate Case Number: 2025-002395

Dear Ms. Kitchings:

In response to the Notice of Appeal Deficiencies and following the Court's granting of an extension of time on January 9, 2026, enclosed please find a copy of Appellant's Motion to Withdraw Appeal and accompanying affidavit of Appellant Auquan Grier, directing counsel to effect said withdraw. Proof of Service of the same is also enclosed for filing.

Sincerely,

URICCHIO, HOWE, KRELL, JACOBSON,
TOPOREK & KEITH, P.A.

s/ Alec Hall
Alexander Hall

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